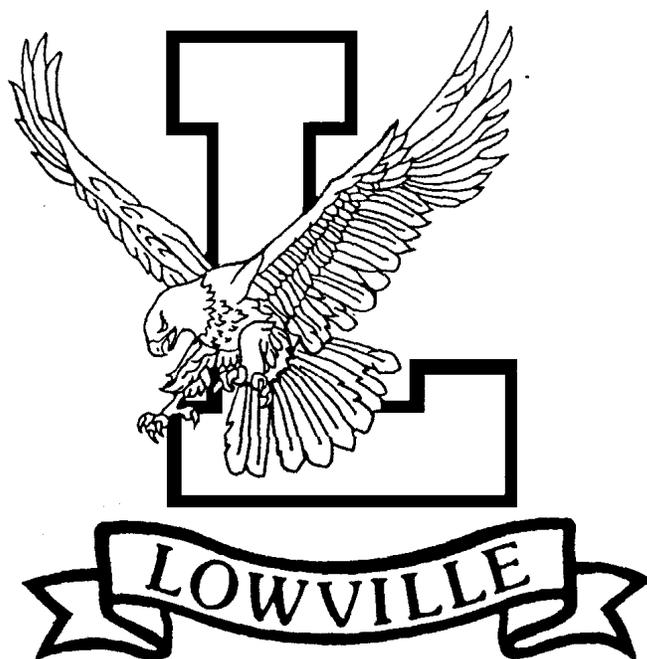


LOWVILLE ACADEMY AND CENTRAL SCHOOL

STUDENT CODE OF CONDUCT



2020 – 2021 SCHOOL YEAR

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STUDENT CODE OF CONDUCT

SECTION I.

INTRODUCTION

This document outlines all policies and procedures as of October 2015 that govern student conduct at Lowville Academy and Central School. The information contained herein was developed using existing Board of Education policy, the District Conduct Plan of 1992, student handbooks and legislative regulations popularly known as S.A.V.E. The rules and regulations set forth in the Code of Conduct will be used by staff, parents and students in establishing a safe and secure learning environment for the school community.

Teachers and all other instructional support staff members will incorporate the major disciplinary concepts addressed in this document as part of their daily operating procedure and expectations for student conduct. Staff members are requested to familiarize themselves with the policies and build lessons and learning opportunities integrating the basic principles into the everyday routine. An abridged, or plain language, version of these policies will be published in the student handbooks. Copies of the handbooks will be sent to every student's home at the beginning of each school year. Teachers and other staff may also choose to send home detailed plain language rules that focus on their supervisory area. Any individual plans should complement the general framework detailed in each building's respective handbook.

The opportunity to learn and to seek new knowledge across every school program can only be accomplished in an environment of safety, support and trust. The foundation of a high quality school begins with an orderly climate that safeguards every child's right to an education that values both academics and citizenship. It is in this spirit that this document was developed.

SECTION II.

PHILOSOPHY STATEMENT

A positive school climate is the responsibility of all citizens of the school community. Students, parents, teachers and administrators share equally in creating a safe and strong learning atmosphere that helps every child achieve to the best of their ability. For learning to take place, it is essential that order, rules, procedures and values be taught to students and that consequences for breaking these rules be established and administered in a fair manner. To help every student to succeed, the school staff has an obligation to provide an environment that is conducive to learning and allows each individual the opportunity to fully develop their potential. Students have the responsibility to conduct themselves in a manner that supports their own education and does not infringe on the rights of other individuals to obtain a quality education. Lastly, parents, as a child's "first teacher," are asked to join with the school as partners in support of their child's continued academic and social development.

SECTION III.

BILL OF RIGHTS & RESPONSIBILITIES OF STUDENTS

The Board of Education recognizes that it has the responsibility to assure students of legal rights that are theirs by virtue of federal and state constitutions and statutes. Among these rights are the following:

RIGHTS OF STUDENTS:

1. The right to a free and full education in the public schools.
2. The right to equal educational opportunity and freedom from intimidation, harassment, or discrimination based on actual or perceived race, color, weight, national origin, ethnic group, creed or religion, religious practice, marital status, age, sexual orientation, gender (including gender identity and expression) and sex, or disability, by employees or students on school property or at a school-sponsored event, function or activity.
3. The right to due process of law with respect to suspension, expulsion, searches and seizures, and other appropriate areas.
4. The right to inquiry and expression within the limits set forth in educational law.
5. The right to privacy within the limits of educational and civil law.
6. The right to a total education in an environment of mutual respect with regulations and rules that result in a safe and positive learning environment.

THE REGENTS BILL OF RIGHTS FOR CHILDREN:

1. All children have the right to a healthy, secure, nurturing infancy and early childhood.
2. All children have the right to live in circumstances, which permit healthy intellectual, emotional, physical and moral development.
3. All children have the right to a free, sound, basic education.
4. Each child has the right to an education appropriate for his or her individual needs.
5. All children have the right to an education, which respects their culture, race, socio-economic background and the language of their home.
6. All children have the right to schools and educational programs which are effective.
7. All children have the right to educational programs, which prepare them for jobs, for college, for responsible family life, and for citizenship in a self-governing society.
8. All children have the right to the resources needed to secure their educational rights.
9. All children have the right to pursue their education without fear.
10. All children are entitled to an education, which involves responsibilities as well as rights.

RESPONSIBILITIES OF STUDENTS:

Students share with the administration, faculty and parents a responsibility to develop a climate within the school that is conducive to learning. No student has the right to interfere with the education of other students. It is the responsibility of each student to respect the rights of all who are involved in the educational process.

It is the intention of this policy that students assume the following behavioral and academic responsibilities:

1. To respect one another and treat others fairly in accordance with the District Code of Conduct and the provisions of the Dignity Act. To conduct themselves in a manner that fosters an environment that is free from intimidation, harassment or discrimination. To report and encourage others, to report any incidents of intimidation, harassment or discrimination.

2. Be aware of and comply with local, state, and federal laws and requirements.
3. Pursue and attempt to complete the appropriate course of study as prescribed by state and local school authorities.
4. Attend school daily, except when legally excused, and to be on time to all classes and other required school functions.
5. Make the necessary arrangements for making up work when absent from school.
6. Be courteous and cooperative with all members of the school staff.
7. Respect the rights and property of others, including the school.
8. Dress and groom to meet fair standards of safety and health and common standards of decency.
9. Express thoughts and feelings in a way that meets common standards of accuracy, fairness and decency.

SECTION IV.

ESSENTIAL PARTNERS FOR EDUCATIONAL SUCCESS

Lowville Academy and Central School prides itself on the support, cooperation and collaboration that exist amongst the various stakeholders of the greater school community. The following stakeholders are essential partners with important roles:

Board of Education

The Board of Education establishes the policies and requirements that govern an individual's education at Lowville Academy. The Board of Education's mission is to "provide a responsible and comprehensive educational program that meets the immediate and long-term affective, cognitive and developmental needs of individual students, resulting in people who are happy and self-confident, who perform consistently to their ability, and who are prepared to be contributing and productive members in tomorrow's society." This can only be accomplished in a safe and secure educational environment.

Principals, Assistant Principals, Faculty and Staff

The staff of Lowville Academy is responsible for providing a comprehensive academic and extra curricular program for the students of the school community. The various aspects of this program include the following responsibilities:

- ✓ Provide a curriculum in a safe environment so every child has an opportunity to develop his full potential for responsible citizenship and for intellectual and ethical growth.
- ✓ Help the child to grow physically, mentally, emotionally, and socially in a manner consistent with his / her individual capabilities.
- ✓ Create a desire for knowledge.
- ✓ Develop self-discipline, self-direction, and independent thinking.
- ✓ Assist students in their vocational, scholastic, and personal development.
- ✓ Help students develop tolerance for others.
- ✓ Assist students in developing safe attitudes and practices regarding behavior choices.
- ✓ Encourage student development of moral decision-making.

Teachers have the initial responsibility as well as direct authority to 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, marital status, age, 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.

Each teacher shall be responsible for supporting students in the following ways. Teachers shall:

- ✓ Communicate clear behavior expectations and classroom rules to students and parents
- ✓ Meet with parents about behavior issues in a proactive manner.
- ✓ Prepare meaningful, relevant and purposeful instruction that engages students and maintains a positive classroom environment.
- ✓ Explain and model appropriate behavior and good character.
- ✓ Demonstrate interest in individual students and their achievement.
- ✓ Use disciplinary techniques consistently and fairly with students.
- ✓ Provide feedback in a timely fashion both on academic and behavior issues.
- ✓ 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.
- ✓ Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
- ✓ 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(s) (DAC) in a timely manner.

Students are expected to act in a safe and appropriate manner at all times during the school day and at all school activities. Each student's primary responsibility is to participate completely in the educational process. Students shall:

- ✓ Accept responsibility for their actions.
- ✓ Ask for help when they feel unsafe or threatened in any way.
- ✓ Respond appropriately to correction.
- ✓ Help create a safe environment by reporting information about potential safety issues.

Parents and family members are important partners in the home-school relationship. As the child's most important advocate, parental support and involvement is vital. Parents shall:

- ✓ Be aware of the child's behavior and relate problems to the school in a proactive manner.
- ✓ Reinforce the importance of self-discipline.
- ✓ Work in partnership with the teacher and administration to hold the child accountable for behavior choices.
- ✓ Provide and encourage the use of appropriate consequences.
- ✓ Provide incentives for good behavior.
- ✓ 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.

SECTION V.

DEFINITION OF TERMS USED IN THE CODE OF CONDUCT

New laws dealing with student safety and conduct were signed into law in New York State on July 1, 2012, the "New York State Dignity for All Students Act 2012". The goal of the Dignity Act is to provide students a school environment that is safe, supportive and free from discrimination on property of the district and/or events of the district (that includes transportation). The legislation set forth the requirement for all schools to revise their codes of conduct to expand the definition section to incorporate the Dignity Act definitions of each protected class, expanding the rights and responsibilities of students, revising the essential partners section and adding examples in the section

on prohibited student conduct. In the sections that follow, the general rules of order, definitions of terms and consequences are outlined for the entire school community.

Age: Means the number of years a student has been alive.

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

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.

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

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.

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").

Harassment: Means the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical wellbeing; or conduct, verbal threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; such conduct, verbal threats, intimidation or abuse includes but is not limited to conduct, verbal threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.

Marital Status: Means a person's state of being single, married, separated, divorced or widowed.

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

Parent: Means parent, guardian or person in parental relation to a student.

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.

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.

“Repeatedly and substantially disruptive student” shall mean a student who engages in conduct which results in the removal of the student from the classroom by teacher(s) pursuant to the provisions of Education Law Section 3214(3-a) and the provisions set forth in the Code of Conduct on four or more occasions during a semester.

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.

School Property: When the words “school property” are used, it shall mean 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.

School Function: Means any school-sponsored extracurricular event or activity on or off school property.

Sex: Means the biological and physiological characteristics that define men and women. (Male and Female denote “sex”).

Sexual Orientation: Means actual or perceived heterosexuality, homosexuality, or bisexuality.

Staff Member: 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 nine 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.

Violent pupil: Is defined as an elementary or secondary student under age 21 who:

1. Commits or expresses intent to execute an act of violence upon a teacher, administrator or other school employee
2. Commits or expresses intent, while on school district property, to execute an act of violence upon another student or other person lawfully upon school property
3. Possesses or shows intent, while on school property, what appears to be a gun, knife, explosive or incendiary bomb or other dangerous instrument capable of causing death or physical injury
4. Displays, while on school district property, what appears to be a gun, knife, explosive or incendiary bomb or other dangerous instrument capable of causing death or physical injury
5. Threatens, while on school district property, to use any instrument that appears capable of causing physical injury or death
6. Knowingly and intentionally damages or destroys the personal property of a teacher, administrator, or other school district employee or any person lawfully upon school district property
7. Knowingly and intentionally damages or destroys school district property.

Weapon: A weapon is defined as any instrument capable of firing a projectile, the frame or receiver of any such weapon, a firearm muffler or silencer, any explosive device, knife or any other instrument capable of inflicting bodily harm.

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

Over the next few pages, specific conduct expectations are set forth for all students in grades K-12 at Lowville Academy and Central School. These expectations cover every major aspect of school discipline. Students, parents and staff are expected to be familiar with these regulations and adhere to them on a daily basis.

SECTION VI.

STUDENT DRESS CODE

Students are to dress in a manner that is proper and appropriate for a school environment. Keep in mind the learning environment and dress requirements that support it, is more formal than the dress standards for out-of-school activities. The below guidelines need to be considered when getting ready for the school day or when attending school-sponsored activities. The following examples of attire are not permitted:

1. Halter tops, spaghetti strap tops, tank tops with less than 1.5 inch width, midriff/fishnet shirts, sheer/see-through tops, shirts/dresses with plunging necklines (front and/or back), tube tops, underwear shirts and pajama/lounge pants. Short shorts, short skirts and dresses must be at least mid-thigh length. Shirts that have arm pits cut out below the natural hem line are not acceptable.
2. Outerwear must cover underclothing or midriff at all times. (Boxer shorts must be completely covered by pants or shorts.)
3. No T-shirts, articles of clothing or buttons which show or promote obscene or vulgar unacceptable messages are permitted. Examples include items with sexual references, U Suck, alcohol, drugs, confederate flags or other obscene messages. District authorities have authority to do what they reasonably believe is in the best interest of their responsibility to protect students/staff from exposures to vulgar and/or offensive language.
4. Safe footwear shall be worn at all times. No wheeled shoes or slippers are allowed.
5. Students who wear articles of clothing that do not provide adequate coverage may be requested to change. Any requests for special dress for spirit day or activities need to be submitted through coaches or advisors to an administrator ahead for consideration.
6. Students may not wear hats, bandannas or head covering (hoods) in the building during the actual school day (7:00 a.m. - 3:30 p.m.) However, hats may be worn at school activities such as games, dances and informal social functions.
7. Sunglasses are not to be worn except for medical purposes.
8. Attire that is potentially dangerous is prohibited for safety reasons. (Wallet chains, studded or spiked wrist/arm/neck bands etc.)
9. Outdoor clothing such as trench coats and over coats shall be stored in the student's locker.

If a student's dress is determined to be inappropriate by the staff and administration, the student will be requested to change. Persistent violation of the rule will result in progressive discipline designed to address the situation.

There are special rules concerning clothing to be worn in technology, home economics, ceramics, art classes, physical education and certain science labs. Ask your teacher for more information on these rules. Keep in mind that expressing individuality does not provide an excuse to affect the learning environment of others.

The student dress code was developed in collaboration with teachers, administrators and other community members. It reflects "current community standards on proper decorum and deportment."

SECTION VII.

PROHIBITED STUDENT CONDUCT

ALCOHOL/DRUGS PROHIBITED AT ALL TIMES

The use and/or possession of drugs, synthetic cannabinoids (marijuana) and alcoholic substances by students is prohibited by law. Board policy strictly forbids bringing, possessing, using, distributing, being under the influence or consuming substances prior to or during school time or at any school event. "Look alike" products, synthetic and simulated drugs are also illegal. Being under the influence or possessing any of these substances on school grounds calls for a major suspension of five days or longer. In addition, a student will forego, for an indefinite period of time, all participation in school activities.

A student in possession of illegal products at school will have them confiscated and will receive a major suspension. Also, possession of drug or alcohol while on school grounds or at any student activity will result in legal action. Participation in a substance abuse program may also be recommended. Programs are offered in conjunction with community agencies like the Mountain View Prevention Services. Association with others while are using alcohol and/or drugs may result in disciplinary problems; please avoid this at all times. Any form of drug dealing or unlawfully dealing with a minor may result in a one-year suspension from all classes and school activities.

ASSAULTS/FIGHTING

Resolving Conflict: Lowville Academy expects students to handle their personal problems in a mature manner without resorting to any form of unacceptable harassment or physical retaliation. Unsafe physical behavior directed at others or their property is a serious offense.

- ✓ Physical Attacks / Assaults Resulting in Injury - Minimum - 5-day suspension with Superintendent's Hearing to determine need for home tutoring and removal from school for an indefinite time period. Physical attacks include any actions intended to hurt, harm or injure a person using any means of aggression.
- ✓ Physical Confrontation - 1-5 day in-school or out of school suspension for the first offense if a fight takes place in or on school grounds or during school time or activities.
- ✓ Repeat Offenses - Superintendent's Hearing and long-term suspension which results in the student's removal from school for being a risk to the safety and health of others.
- ✓ Threats to Physically Harm Another - may be treated as a suspension and will be investigated as well as documented.
- ✓ Harassment – Verbal and / or nonverbal harassment will be investigated and the proper consequences administered in any case where reasonable cause for the complaint is determined.

In all matters related to the above noted offenses restitution for damages, consideration of legal charges and parent involvement will be considered. In some cases, mediation of conflicts may reduce the consequences if mutual sincerity and effort to resolve the problem is apparent. Whether mediation is offered is at the discretion of the administration. The determination of whether a student acts in self defense rests upon the facts gathered by the administrator who investigates the incident. Each incident is investigated and decisions regarding consequences made with consideration of all factors.

CHEATING AND PLAGIARISM

Each teacher will explain what constitutes cheating or plagiarism in his/her class, but in all cases, it is based upon the concept of using someone else's work as your own. The definitions of cheating and plagiarism and the consequences for this behavior follow below:

CHEATING - giving or receiving assistance on tests, quizzes, assignments without permission from the classroom teacher. Copying someone's homework prior to class is an example.

PLAGIARISM - the presentation of someone else's words or ideas as your own and/or copying directly from reference material; i.e., computer generated work, books, magazines, encyclopedias, microfilm, microfiche, etc., without making notation as to the identity of the source or author.

Students who are found to be cheating or guilty of plagiarism will be subject to the following penalties:

1. For the first offense, within a given class, the student will redo the assignment and will receive a zero (0)/no credit for the assignment and have their parents notified by the classroom teacher. This also will be recorded in the Assistant Principal's Office so a record exists and progressive consequences can be given for repeat offenses.
2. For repeated offenses, within a given class, the student will redo the assignment and will receive a zero (0)/no credit for the assignment and be referred to the office for further action. Such action will include notification of parents and may include referral to guidance counseling and suspension for up to five school days. A cumulative record of plagiarism will be kept and progressive consequences assigned accordingly.
3. Any cheating or plagiarism during testing situations: students will receive a "0" and possible loss of course credit. Such actions will include suspension up to five days.

COMPUTER AND INTERNET USE VIOLATIONS

The first line of defense in assuring appropriate use of technology is the monitoring and supervision provided by instructional personnel. Consequences for the inappropriate use of technology and procedures to be used in dealing with violations of the Lowville Academy Acceptable Use Policy are included below. These consequences are to be considered in light of the age of the offender and the severity of the infraction. All students should be aware that they have no expectation of privacy in data stored on school computers. If an action warrants, student files may be examined.

Student computer use is also governed by the Internet Safety Policy, which outlines safeguards and restrictions that deal with computer Internet access. The policy provides for supervisory standards to protect students from material of an inappropriate nature. The Internet Safety Policy was developed in July 2001 to meet the requirements of the federal law known as the Child Internet Protection Act. Access privileges may be revoked and disciplinary action and / or other appropriate legal action may be taken for violations that include:

- ✓ Reading, deleting, copying or modifying files of other system users
- ✓ Using another person's password with or without permission

- ✓ Playing online games without authorization
- ✓ Copyright infringement, plagiarism, alteration or theft of another user's files
- ✓ Inappropriate use of the Internet or e-mail functions
- ✓ Producing, sharing or viewing any inappropriate graphics or written material
- ✓ Intentional damage, theft or destruction of District equipment or materials, including hardware or software
- ✓ Hacking into the Server. The intentional attempt to harm or destroy District data or system files and applications. This includes knowingly uploading, downloading or creating computer viruses.

In addition to the range of consequences stated below, students who violate the policy on more than one occasion automatically become subject to a higher-level consequence. The range of consequences may include one or more of the following:

- ✓ Verbal warning, written notification home
- ✓ Restriction to class use only (2-20 weeks)
- ✓ Complete restriction from computer use (5 weeks-1 year)
- ✓ Failing grade in project
- ✓ Project done over with grade of zero assigned
- ✓ Course failure
- ✓ 1-5 days' suspension from school
- ✓ Superintendent's Hearing
- ✓ Arrest and criminal prosecution

COMPUTER ETHICS AND COPYING OF OTHERS WORK

Student behavior involving the manipulation of someone else's data files for the purpose of presenting it as their own original work, illegally copying school-owned software and pilfering or destroying computer software programs and/or data disks not owned by the student are violations of the school's Acceptable Use Policy. In addition, students may not use school computers to charge or order materials, access illegal Web sites or for any purpose other than classroom knowledge. Consequences for violation of the LACS Acceptable Use Policy are included in the District Technology Plan and posted in each area where computer access is available to students.

***Special Note:** Students who use the computer to threaten the school, its staff and its students will be suspended and face legal action relative to the violent threat regulations detailed earlier in this document.

COMPUTER LIBEL

All people utilizing district computers or who use a computer off campus should recognize that any libel (false, maliciously written or printed material) that leads to the defamation of another's character could lead to significant school and legal consequences. Students may only use computers for teacher approved academic purposes.

DISTRICT TRANSPORTATION—FIELD TRIP AND OFF SITE EXTRACURRICULAR CONDUCT VIOLATIONS

Students who travel by bus to and from school each day or to any school sponsored field trip, athletic event or any other type of extra or co-curricular activity at a site other than on Lowville Academy property are held to the same standards of general conduct and behavior as school based activities. The regulations that specifically govern bus behavior and field trip conduct expectations include the following major rules:

- A. Student safety and all the necessary actions and restrictions needed to ensure the same are the responsibility of the driver and / or coach and field trip sponsor. Staff members are to develop procedures and instruct students regarding precautions that will ensure the safety of all concerned.
- B. Student conduct rules for bus behavior are contingent on the driver's right to take corrective actions in response to student misconduct, which may include one or more of the following consequences:
 - ✓ Verbally correcting students
 - ✓ Assigning seats
 - ✓ Conferencing or calling parents
 - ✓ Detaining a student for a brief moment to discuss behavior expectations
 - ✓ Filing a disciplinary referral with the administration
 - ✓ Seeking emergency suspension of bus privileges in the event of a serious incident (in cooperation with the administration)

Field trip regulations substantially parallel all rules set forth under various sections of the Student Code of Conduct. As a logical extension of the educational program, student field trips of any kind require administrative oversight and permission. Field trip sponsors, coaches and all school related personnel who accompany students away from campus are responsible for maintaining compliance with all school rules and for the development of a safe environment for the duration of the activity. Each trip sponsor will design specific rules and procedures that safeguard students' health and welfare. Sponsors are encouraged to use any or all of the following guidelines in providing parameters for student behavior on school-related trips:

- ✓ Establish curfews, assigning rooms, restricting access to certain areas, etc.
- ✓ Adhere to an approved itinerary
- ✓ Encourage positive participation / focus on sightseeing and visits to special locations
- ✓ Set up and enforce compliance with buddy or partner checks
- ✓ Tolerate no violations of school regulations, state or country criminal codes / laws
- ✓ Do not allow the possession of contraband or illegal items of any kind
- ✓ Follow through to make sure that all your directions are followed

ELECTRONIC COMMUNICATION DEVICE VIOLATIONS

Students are prohibited from using or having on or in an operational mode any paging device, mobile phones, Smart phones, Bluetooth headsets, laser pointer or pen or any other type of telecommunications or imaging device during instructional time, except as expressly permitted in connection with authorized use in classrooms. While students are permitted to possess such devices during the school day, they are prohibited from using them in any manner which invades the privacy of students, employees, volunteers or visitors. Students are not permitted to use any form of information technology, including their own personal electronic devices, to intimidate, harass or threaten others. This type of harassment is generally referred to as cyber bullying. If a student violates this prohibition, then he/she is subject to discipline under this provision and/or any other provision in the District Code of Conduct that may be applicable to the circumstances involved. Any electronic device that is permitted on school property is encouraged to be kept on the person and in a concealed manner.

FALSELY REPORTING AN INCIDENT

Bomb threats or other forms of violent threats against staff or students is also strictly prohibited, both by school policy, and New York State and federal law. Penal law section 240.60 has been amended to upgrade a false bomb threat to a first-degree felony charge when the act is committed upon school

grounds at a time when people are present thereon. *This is a class E felony.* The term “grounds” includes buses, buildings, all school property and any property used for school sponsored activities.

In addition, penal law section 240.61, dealing with placing a false bomb, has been replaced by a new and stronger law. A new penal law section 240.62 has been added, entitled “placing a false bomb in the first degree.” The first degree is to be charged when a person places a false bomb upon school grounds. Anyone knowingly placing anything purposely resembling a bomb or related device on school grounds will be charged at the highest level permitted by the law.

Additionally, significant restitution for the cost of disruption of the school environment created by such reporting will be sought as well as arrest and immediate long-term suspension from school.

FIREWORKS - CHEMICALS AND DANGEROUS OBJECTS

Possession and/or use of any type of fireworks, smoke bombs, blasting cappers, sparklers, chemical sprays and all dangerous objects in school or on school property, whether owned or under the school’s control, is unlawful in New York State. Student possession and/or use in or on school property may be subject to suspension and legal action. Any violation may be punishable by 15 days in jail, a \$200 fine or both. In addition, students should not bring matches or lighters on school grounds at any time.

HARASSMENT

The Lowville Academy Board of Education and staff will not ignore or accept any form of harassment in the school environment. Harassment is the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities or benefits, or mental, emotional or physical well being. It also includes conduct, verbal threats, intimidation or abuse that reasonably case or would reasonably be expected to cause a student to fear for his or her physical safety.

Harassment can take the form of physical threats; persistent name-calling and other tactics intended to intimidate another individual. In addition, sexual harassment is expressly forbidden in the classroom and at all school activities. Sexual harassment is any illegal form of treatment based on gender. It can be described as unwelcome sexual advances, requests for sexual favors, taking, sending or receiving sexually explicit videos, pictures or auditory recordings, and any other form of verbal, written, or physical conduct of a sexual nature that results in harassment and/or interference of a student's performance in school.

Prohibitions: On school property and at all school functions:

1. Student Harassment by school employees or students on school property or at a school function. This prohibition extends to cyberbullying: verbal or written threats through an internet service such as e-mail, chat room, discussion group, instant messaging or social networking sites on or off school property.
2. Student Discrimination by school employees or students based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.

In the event of legitimate cases, the following process will be utilized:

- A. Upon notification, immediate action will be taken by Administration in the form of an “Expressed Concern Form” and follow up investigation.
- B. The student and parent will be notified by phone or in writing of the behavior, which has given rise to the complaint, and notice of the school district's intent to investigate further if necessary.

- C. Should the harassment continue, an individual would face progressive disciplinary action designed to stop the problem. Action from outside agencies may be necessary if the problem persists.
- D. In matters of criminal behavior, a report will be made to the police.

HAZING

Lowville Academy Board of Education policy expressly forbids the practice of physically or mentally hazing other students. It is viewed as a potentially dangerous situation that needs to be avoided. Students who participate in such activity that originates on school property or at school activities off campus will be subject to disciplinary action and possible legal action. Hazing associated with athletics will result in participation penalties for any individual who victimizes another student or team member.

INAPPROPRIATE ITEMS

Any item which is counterproductive to the educational process and for which no prior permission exists or appropriate educational function is clear may not be possessed in school. If it is, the item may be confiscated and no expectation of return should be expected. This includes but is not limited to squirt guns, lighters, silly string, fireworks, sprays, air horns and noisemakers of any type, etc. Further, refusal to turn over such items to staff when asked may constitute insubordinate behavior. Items considered illegal are subject to confiscation and review by legal authorities.

INAPPROPRIATE LANGUAGE

Students are expected to use appropriate language on school property and at school events at all times. Inappropriate language use can be verbal, written or communicated by gesture and such use can be the basis for disciplinary action. Directed vulgarity towards staff can result in suspension. Casual use of vulgarity in hallways or instructional areas is not acceptable. Consequences for inappropriate language are dependent upon the specific language used and the circumstances.

INSUBORDINATION

Respectful behavior forms the foundation of a quality school environment. Respectful behavior towards all students and staff is required of all students at Lowville Academy. Respect for authority is expected at all times. Insubordinate behavior is defined as the blatant refusal to cooperate with a staff member who has made/given reasonable direction and no legitimate excuse exists not to follow direction. If this behavior is coupled with inappropriately expressed anger/communication, consequences may be serious. The range of consequences for insubordination includes:

<u>Range</u>	<u>Consequence</u>
Passive refusal to work/follow direction	- time out, sent out of class, detention, etc. - a persistent pattern of this behavior may be grounds for removal from class
Refusal with non-directed language reactions	- after school detention/sent out of class - in school suspension 1-3 days
Refusal with directed language and / or malicious threats toward other students and / or staff	- 2-5 days out of school suspension and possible Superintendent's Hearing at discretion of Administration
Refusal with physical aggression toward staff and/or students - significant misconduct and angry behavior	- 5 days out of school suspension and a required Superintendent's Hearing to consider removing the student for a period of one month to permanent expulsion

The above is a guideline only. Each situation is reviewed with the final decision for consequences resting with the Principal. If a student has a concern/question, it needs to be expressed at an appropriate time in an appropriate manner so as to not negatively affect the learning environment for other students.

LOITERING AFTER SCHOOL

Students are welcome to participate in activities both before and after school hours, and when school is not in session, as long as they are under the direction of staff members. Students who present a persistent problem by entering or loitering in the building on off hours without supervision will be subject to the following:

- A. First Offense - Warning and name recorded.
 - B. Second Offense - Loss of building access privileges for a period of time.
 - C. Subsequent Offenses - Referral to Principal for permanent loss of building access privileges.
- Other consequences may also be considered at each step as necessary.

MEDICATION - OVER THE COUNTER OR PRESCRIPTION DRUGS

A student must be given written permission by their medical provider (which must be on file in the Nurse's Office) and parent/guardian to carry any medication brought to school. These medications must be cleared through the nurse and used only in the nurse's office except for medications/supplies needed to manage certain medical conditions including diabetes, asthma (inhalers) and various allergies that require an emergency action plan (EpiPen, Benadryl). Parents should work cooperatively with the Nurse's Office so arrangements can be made. Students who distribute medication to others will be subject to disciplinary action.

NOON HOUR DRIVING REGULATIONS

***Special Note:** Seniors who drive to school may only use their vehicles during the lunch period within the village limits. Parents must give prior permission for the senior to drive. Seniors are expressly forbidden from riding in vehicles for the purposes of smoking or other forms of inappropriate conduct. In addition, seniors may not ride in another student's vehicle without the consent of the school district. All moving and safety violations on campus will be ticketed.

OFF CAMPUS BEHAVIOR - ALL SCHOOL REGULATIONS APPLY

During the entire school day, (arrival to dismissal) a student is under the auspices of school authorities and rules. For example, if a student leaves the property during the open lunch hour, it is with the understanding that rules for acceptable behavior still apply. Violation of acceptable conduct and behavior will necessitate consequences even if the activity is unrelated to school! Students are expected to follow all rules on or off campus during the school day.

PARKING REGULATIONS AND DRIVER-PEDESTRIAN SAFETY

- 1 -No student is to park in the State Street or Trinity Avenue parking lots during the school day.
- 2 -Parking is only allowed after 3:30 p.m. each day.
- 3 -Absolutely no reckless driving (tire spinning, etc.) at any time. Safety violations will be prosecuted.

Reminder: School Districts have legal authority to govern traffic on their campus - violators of rules face legal action for unsafe driving!

Should students fail to follow the parking restrictions the following steps will be taken:

1. First offense - Warning/student moves vehicle - Lunch restriction
2. Second offense - After-school detention - Lunch restriction

3. Subsequent offenses can result in the student being ticketed by the Village Police for illegal parking, the car being towed away at the owner's expense, or other disciplinary consequences. Anyone parking in designated "Fire Lanes" will be ticketed immediately.

POSSESSION OF WEAPONS ABSOLUTELY PROHIBITED

No student, employee, or visitor to the Lowville Academy and Central School District (exception for police) shall have in his or her possession on school property or other property controlled by the school district for school activities, any rifle, shotgun, pistol, or other firearm, knives, dangerous chemicals, noxious sprays, explosives, or any object which is not necessary for school activities and which could be used as a weapon. A weapon is defined as any instrument capable of firing a projectile, the frame or receiver of any such weapon, a firearm muffler or silencer, any explosive device, or any other instrument capable of inflicting bodily harm. Knives of all kinds are included in this ban. In addition to the above prohibition, no student, employee, or visitor to the Lowville Academy and Central School District shall have in his or her possession upon school property or other property under the control of the district for school activities any look-a-like firearm or weapon.

In accordance with the Gun-Free Schools Act of 1994, a student found guilty of bringing a firearm, as defined in federal law, onto school property or other property under the control of the district for school activities, will be subject to at least a one-year suspension from school after a hearing has been provided pursuant to section 3214 of New York State Education Law.

A student found guilty of bringing any other weapon or look-a-like weapon onto school property or other property under the control of the district for school activities shall be disciplined in an appropriate fashion and in accordance with district procedures and applicable Education Law.

PUBLIC DISPLAY OF AFFECTION

School is not the setting for affectionate or intimate behavior. Examples of unacceptable behavior are kissing, and direct intimate contact. Students will be asked individually to refrain from this behavior. Failure to comply with a request to stop or repeated occurrence may become grounds for progressive disciplinary action.

THEFT

Students may be subject to police action if guilty of stealing the property of another, whether an individual or the school's - in the least, restitution and significant school penalties can be expected. The amount or item is secondary to the violation of the principle that you don't take from others. To prevent theft, students should keep their lockers secured at all times. Additionally, possession of stolen property, taken by another known to the student or in a student's company may be grounds for administrative involvement.

TOBACCO PROHIBITED AT ALL TIMES

Federal and State law, as well as Lowville Academy Board of Education policy, forbids the possession or use of tobacco products and "look alike" on school property and at any school sponsored events at all times. Smoking in the school building is seen as a serious violation and a safety issue. Any student caught in possession or using tobacco or tobacco-like products faces an automatic 1-3 day in-school suspension and loss of privileges for extended periods of time.

Tobacco products are confiscated if in the possession of students on school property. Use by students on school property (or during the school day off school grounds) will bring additional disciplinary consequences, including suspension for the first offense and loss of privileges including full lunch and

permission to leave campus for extended periods of time. Please note: a locker may be searched to confiscate cigarettes.

Property adjacent to the school district is considered school property during official school hours (8:20 a.m. - 3:10 p.m.). Only when students are on their own time, prior to arriving or after leaving at the conclusion of the regular school day are their actions less susceptible to scrutiny on this issue. Still, "Conduct that occurs off school grounds may be the basis for disciplinary action where such conduct may endanger the health and safety of pupils within the educational system." (New York State Education Department). Students may not leave school grounds during the school day to use tobacco products. Students need to understand that if they are reported for smoking by staff during the school day, they are subject to disciplinary action as determined by administration.

VANDALISM

Students will refrain from the destruction of property belonging to other students, staff or the school. Any student involved in an act of vandalism is required to make restitution for damage. Depending upon the seriousness of the incident, legal action or other disciplinary action may take place. Parents are notified in all cases of vandalism and legally share in the responsibility for the actions of their children up to \$2,500 by law. Our school board may offer rewards for information leading to the arrest and conviction of persons who commit felonies or misdemeanor acts of vandalism.

VIOLATION OF ELIGIBILITY STANDARDS FOR EXTRA CURRICULAR PARTICIPATION

District athletic programs and other extra curricular activities require a student to maintain good standing, academically and behaviorally. Participation guidelines for students in Modified—J.V.—Varsity sports and extra curricular activities like the spring musical, include both training and academic standards that are specified by activity. Rules that guide student participation in these activities clearly expect a higher standard of conduct and decorum and complete cooperation at all times. The regulations for each activity will be based upon current training / academic policies, as will consequences for their violation.

VIOLENT THREATS ... SPECIAL NOTICE

Students may not under any circumstances threaten the safety of other students, staff or property. All violent threats will be treated as serious and potentially harmful. Following an immediate suspension from school and notice to the police, a Superintendent's Hearing will be held to determine the need for long-term suspension. Threats will not be excused after the fact by "joking" or by admitting to falsely reporting an incident. Legal action will be taken in all cases when student/staff safety is jeopardized

In addition to the weapons ban covered in the prior section, please be aware at no time and under no circumstances will a violent threat toward any student, staff member or school property be tolerated. All threats will be reported to the administration and law enforcement. Immediate suspension will result in all cases of potential harm/violence. Students who are guilty of threatening others may be suspended for a full year.

Note on prohibited behavior. . . It is impossible to detail every possible rule and type of behavior violation. While we rely upon student integrity and self-discipline to make Lowville Academy a successful school, we also know that discipline problems do arise which may not be specifically detailed in school policy. If that does happen, staff and administration will consider the situation and take action necessary to address the problem.

SECTION VIII.

REPORTING VIOLATIONS TO AUTHORITIES

All students are expected to promptly report violations of the code of conduct to a teacher, guidance counselor, the building principal or his or her designee. Any student observing a student possessing a weapon, alcohol or illegal substance on school property or at a school function shall report this information immediately to a staff member, teacher, the building principal, the principal's designee or the superintendent.

All district staff members who are authorized to impose disciplinary sanctions are expected to do so in a prompt, fair and lawful manner. District staff members who are not generally responsible for imposing disciplinary sanctions are expected to promptly report violations of the code of conduct to their supervisor, or refer the matter to a staff member who is authorized to impose an appropriate sanction.

All violations of the Student Code of Conduct that warrant referral or constitute a serious crime will be referred to local police authorities as deemed appropriate by school officials. Citizens in certain instances may be asked to work in cooperation with district officials in the reporting of unacceptable behavior, especially when they are witnesses to such an act.

Some level of discretion in reporting violations is required to avoid involving law enforcement unnecessarily in all school disciplinary matters. Therefore, school district officials work in cooperation with local agencies on an as needed basis.

SECTION IX.

DAILY ATTENDANCE

Students are required by New York State Law to be in regular daily attendance. Lowville Academy and Central School recognizes the importance of daily attendance and its relationship to success in the classroom. A poor attendance record is detrimental to the student and often results in classroom difficulty. Parents are responsible under the compulsory attendance law for their child's regular and punctual attendance. In the policy, by law, both legal and illegal absences count in determining the total number of classes missed. Students are expected to do their best to be here each and every day.

ATTENDANCE POLICY

To promote regular attendance, Lowville Academy and Central School Board of Education has a strong attendance policy for students. The purpose of this policy is to reinforce and strengthen learning in the classroom. Both legal and illegal absences are used to determine the attendance status for each student.

The maximum number of absences for a full year course in grades 6-12 is twenty-six (26) class periods. For semester courses, thirteen (13) is the maximum before credit may be revoked.

The Commissioner of Education has ruled that minimum attendance policies are legal and that attendance, as part of class participation, can also be figured into the grading policies of individual teachers. If a student exhibits a poor attendance record, they may also face progressive disciplinary consequences designed to curb the problem before credit is lost.

The district encourages parents to support the attendance rules and to work cooperatively with district officials in this regard. Parent support for an illegal absence does not absolve an unexcused student from consequences according to educational laws.

TRUANCY

Truant students will be assigned four nights' detention after school (until 4:30 p.m.) and may lose full lunch and/or extra-curricular privileges for the offense. Also, zeros for missed academic work may be assigned. A record of any truancy will be kept and repeat violations will become grounds for progressive disciplinary consequences including in-school suspension, privilege loss, referral to Lewis County Family Court using a PINS (Person in Need of Supervision) petition and possible withdrawal from a specific class or from school in severe cases.

TARDY TO SCHOOL, CLASS AND SUPERVISED STUDY

Class and supervised study serve as places for taking daily attendance, student representative reports, distributing report cards, listening to morning announcements, and much more. The warning bell for supervised study rings daily at 8:32. All students are to be in their assigned supervised study room by 8:35. Lowville Academy Board of Education policy requires that all students be on time for school. Tardiness creates problems for the student and the school relative to record keeping. Make sure you are on time for school each day. Students who are late must sign in at the attendance office where a record for each student is kept. Disciplinary consequences are assigned for a persistent problem whereby a student is arriving late to school or intentionally missing the class or supervised study time.

TARDY TO CLASS

In order to obtain the optimum time of instruction, it is important for students to arrive to class on time. If a teacher detains a student between classes, it is necessary for the student to request a pass from that teacher. If a student is late for any other reason, then the student will report directly to their assigned class. On a daily basis, the number of late to class notices will be tallied and consequences will be assigned as deemed appropriate by building administration.

Excessive tardiness to a specific class may, by law, result in deductions from course grades due to lack of timely participation.

If students are excessively late (10 minutes or more), they are required to serve an after school detention or equal amount of time. Failure to attend to disciplinary consequences can become the basis for more serious disciplinary actions. Extreme cases will be treated individually as the situation warrants. This policy is intended to prevent poor habits and foster academic achievement.

SECTION X.

DISCIPLINARY CODE: RULES, CONSEQUENCES AND SYSTEMS

General school rules have been established to protect the learning environment and make it safe and productive for each individual. The rules are reasonable expectations that help establish a positive climate for all. Violations of the rules will be handled by the staff and administration in a fair, systematic and consistent manner.

GENERAL SCHOOL WIDE RULES

Students at Lowville Academy are expected to follow several major common sense rules designed to protect everyone's opportunity for a safe and productive education.

1. Be respectful at all times - even when you have a difference of opinion!
2. Comply with all requests from staff in a cooperative manner. Anger should never be used to express opinions towards staff members or other students.
3. Avoid vulgar or abusive language while on school property or at school events. Be considerate of others in how you address them.
4. Avoid physical confrontation or unsafe behavior of any type.
5. Do not possess or use dangerous objects or products while at school or any school related activity - some examples are drugs, tobacco products, alcohol or weapons of any kind as defined in school policy.
6. Be respectful of property belonging to others.
7. Behave appropriately in all non-instructional areas (halls, cafeteria, lobby, locker room, etc.)
8. Attend school regularly and make arrangements for making up work when absence is unavoidable for a legal reason.
9. Dress for school in an acceptable, safe and healthy manner, which is respectful of the learning environment.
10. Express thoughts and feelings appropriately. Writing, speech, video, computers, art, etc., are all subject to high standards of accuracy, fairness, and decency.

All students must adhere to the general rules of the school. The range of disciplinary actions will be based upon the circumstances, age of the child, and severity of the infraction. Consequences will range from simple warnings to total expulsion from school. Disciplinary actions supported by the district may include one or more of the following:

- ✓ Verbal warning
- ✓ Written warning
- ✓ Written notification to parents/guardians
- ✓ Probation (including use of PINS Petition)
- ✓ Reprimand—conference with teacher or administrator
- ✓ Detention—lunch or after school
- ✓ Suspension from transportation
- ✓ Suspension from participation in athletic events and team participation
- ✓ Suspension from social or extracurricular activities
- ✓ Suspension from other privileges
- ✓ Exclusion from a particular class
- ✓ In-school suspension
- ✓ Suspension not in excess of five days
- ✓ Major suspension in excess of five days
- ✓ Expulsion for a one-year period

A. DISCIPLINARY SUPPORT SYSTEMS

The following progressive systems are in place at Lowville Academy and Central School to help with the types of discipline problems that may occur during a school year. These systems will be utilized, consistent with the student's right to due process as applicable by designated school personnel.

EARLY IDENTIFICATION AND RESOLUTION SYSTEM

The following are examples of methods that will be used to identify and help resolve discipline problems early in a child's career and / or during a given school year:

- ✓ Screening of student records as students move from grade to grade
- ✓ Teacher meetings to discuss potential problems and determine ways to resolve them
- ✓ Meetings with parents to discuss developmental ranges and behavior issues of students exhibiting conduct problems
- ✓ Close follow up on transfer students to obtain records from the previous school
- ✓ Accurate record keeping to enable early identification of discipline problems
- ✓ Close contact with the school psychologist and child study team or C.S.E. to obtain recommendations for dealing with types of problems
- ✓ Immediate notification of parents when discipline problems arise to enlist support and gain helpful background information on students
- ✓ Referral to the Committee on Special Education if such action is determined to be necessary
- ✓ An assertive school-wide discipline policy that deals with and does not overlook discipline problems
- ✓ Provide intensive support and counseling services for students who are repeat offenders

The above noted systems emphasize early prevention and a proactive method for addressing inappropriate behavior patterns. Behavior that requires specific consequences will be addressed through the range of penalties outlined below.

LUNCH DETENTION SYSTEM

Lunch detention is a low level disciplinary assignment in our progressive system. Students normally have a forty-minute lunch period. If students are assigned to lunch detention, students are expected to attend for thirty minutes. If they do not attend, additional disciplinary consequences will be imposed. Every student is afforded an opportunity to eat lunch.

AFTER SCHOOL DETENTION SYSTEM

Teachers and administrators may keep a student after school. After school detention runs from 3:20 to 4:30 p.m. Students are expected to attend; otherwise, additional consequences will be assigned. Normally, a student is afforded an opportunity to make his or her parents aware of the assignment. Sometimes, employers are contacted and work in cooperation with the school to promote student accountability for behavior. Any parent who objects to an after school detention assignment needs to contact an administrator directly. Also, an administrator has the authority to change a detention assignment to another form of discipline as warranted in consideration of circumstances.

LOSS OF PRIVILEGES

Lowville Academy has a system of student privileges based the ability of a student to manage their behavior in an appropriate manner. As a result of a disciplinary infraction, a student may lose any/all privileges. Social probation may be assigned for behavior problems, poor academic work, attendance problems and related issues at the discretion of administration. Such privileges may include extra-curricular activities, transportation, full lunch and off campus privileges. Student athletes may also lose eligibility for activities and sports if they fail to maintain adequate academic standing.

IN-SCHOOL SUSPENSION SYSTEM

In order to retain privileges in school, a student must follow the basic rules of safety and order. Detention and in-school suspension are two consequences for students who have been referred to the administration for disciplinary reasons. In-school suspension is assigned when the student's conduct warrants removal from the regular academic program. By removing them from their regular schedule

and classmates and limiting their choices on in-school suspension, we provide them with an opportunity to reflect on their mistakes. At the same time, by continuing to work on school assignments during detention and/or suspension they have the opportunity to continue their education. In school suspension may range from 1 – 5 days and during the hours 8:35 a.m. – 4:30 p.m. unless changed by administration. In most cases, in-school suspension is assigned for one to two days and is a preferred alternative to out of school suspension.

In most cases of detention and in all cases of suspension, parents are notified either in writing or by phone. Parents are asked to make a positive improvement in the child's behavior. In the long run, students benefit when the school and parents communicate. Also, because of age, parents legally share the responsibility for student behavior.

In certain circumstances, students may be suspended out of school. This will be done at the discretion of the school administration and is used only for serious violations of our rules. (See below: Out Of School Suspension).

Anyone on in or out of school suspension is not allowed to attend or take part in any school activities, athletic contests and practices for the period of the suspension unless given permission. Once a student satisfactorily completes a suspension, he / she is encouraged to again participate in and enjoy the activities available to Lowville Academy students.

OUT-OF-SCHOOL SUSPENSION SYSTEM

Out-of-school suspension is reserved for serious disciplinary offenses. Generally, out-of-school suspension will be assigned for a one to five-day period. While it is the requirement of the district that any student missing class for any reason must successfully complete make-up work, a student should know that a teacher may assign a zero for any homework or quiz he/she may have missed due to their out-of-school suspension. Any student who is suspended out of school may not be on school property or at school events during the suspension time without administrative approval. Legal charges may be invoked if a student violates this order or trespasses on school property.

SUPERINTENDENT'S HEARING PROCESS

A progressive disciplinary policy has as its highest level, the Superintendent's Hearing. This hearing is conducted when an alternative setting is being considered for a student who has a chronic record of misbehavior or commits a singular serious offense that warrants such action. Removal from the regular school program is a real possibility at this level. Superintendent's Hearings are conducted following a principal's five (5) day out of school suspension.

B. ALTERNATIVE INSTRUCTION

The School Board and the Superintendent of Schools may transfer a student from regular classroom instruction to an appropriate educational setting in another school on the written recommendation of the school principal and following an independent review [Section 3214(5)(a)]. Alternative educational placements range from specialized home tutoring, a GED placement in a regular setting or GED based jail program for selected students. Other settings may be appropriate for students needing intensive care and supervision. At the local level, the district normally reserves a set number of Alternative Education seats at the Glenfield BOCES Alternative Education Program.

C. CLASSROOM TEACHER REMOVAL AUTHORITY

1. Phase One - The teacher represents the first line of authority in the school's disciplinary program. The classroom teacher has the responsibility to develop a discipline plan based upon the school wide rules of Lowville Academy. These guidelines describe the learning climate and the teachers plan to deal with inappropriate conduct. Also, the teacher has the responsibility to contact parents when disciplinary problems occur. Each teacher is responsible for the following:
 1. Seek to address behavior issues and resolve them at the lowest level.
 2. Make the parent/guardian aware of an imminent/ongoing problem
 2. Explain what expectations are not being met
 3. Solicit assistance and support from the parent/guardian in dealing with a problem
 4. Outline consequences for inappropriate behavior should it persist
 5. Review the facts of a problem situation

2. Phase Two - If a student's behavior is **severe or persistent enough** to warrant referral to the administration, a student discipline record will be established and consequences determined. A substantial disruption of the educational process or substantial interference with a teacher's authority occurs when a student demonstrates an unwillingness to comply with the teacher's instructions or repeatedly violates the teacher's classroom behavior rules and teacher management strategies have not worked. Any time a student is removed, continued educational programming would be offered within the setting of the in-school suspension room. Exceptions to this are severe cases requiring out-of-school suspension.

Disruptive behaviors, which result in a student being removed from a class by the teacher to the administration, can become the basis for progressive disciplinary consequences including suspension from school if warranted or from a particular class if needed. The following process is followed in cases where a student is asked to leave a class for inappropriate behaviors that detract from the learning environment and the teacher's direction to desist has been ignored:

- A. The **first time** a student is referred to the administration for disruptive classroom conduct, after school detention time to make up the class is generally assigned. Also, the parent will be contacted via letter or phone call about the removal. A parent may request an informal conference about the behavior. Severe problems may result in removal or suspension.
- B. A **second referral** from the specific class will generally require a conference between parents, student, teacher and the administration prior to the student re-entering the class. Students may be removed for up to two class days following the incident. Severe offenses may warrant more significant consequences, including immediate suspension from the class or school.
- C. A **third incident** will result in the student being removed from the class for a period of time not to exceed five days. The parent will be notified that a persistent problem exists and may request a conference with the Principal or his/her designee and the teacher.
- D. **Subsequent incidents** can result in suspension as warranted for a student who is "repeatedly or substantially disruptive". The principal, guidance counselor, parent and student will be notified respectively. A student removed at this level may be ineligible to return to the class for the remainder of the school year.

The administration reserves the right to invoke additional consequences regardless of the step in the process as circumstances warrant. All severe disruptions will be considered as suspendable offenses from all classes and from all school activities. The identified removal process is a general guide that informs the student that persistent misbehavior is not acceptable.

Whenever a student's inappropriate behavior causes him/her to be removed from a class, procedure requires that the student be given notice of the reason for removal within twenty-four hours, the parent contacted and the parent afforded an opportunity to discuss the behavior within forty-eight hours. The aforementioned time frames can be changed by mutual agreement and are subject to change due to circumstances beyond reasonable control of the district. Please note that time-honored classroom management techniques do not constitute "disciplinary removals" (for example: "time out," sending a student to a hallway briefly, sending a student to the office for a minimum period only, sending the student to the counseling staff, or teacher assigned detention).

In extreme cases a student can be removed from a specific class for chronic misbehavior and may lose credit. An opportunity to be placed in an alternative setting is the decision of the administration. As a general rule, students who fail to complete a course for disciplinary reasons must retake it the following year. In no instance, will poor behavior choice and removal from a course be manipulated for an advantage. Also, summer school enrollment is reserved for students who have demonstrated effort during the regular school year and not intended as an option to avoid effort during the regular school year. The Principal has the authority to deny summer enrollment to a student, should course credit procedures be compromised due to conduct or attendance issues.

D. SPECIAL NOTICE—IMMEDIATE REPORTING OF VIOLENT STUDENTS

“Violent students” (as defined on p. 5 of this plan) should be referred immediately to the administration in any circumstances endangering themselves or others. The administration will respond and address the situation and apply appropriate disciplinary interventions. This may include removal and suspension of five days, with a Superintendent’s Hearing to follow. This minimum period of suspension will be evaluated on a case-by-case basis and must be consistent with all state and federal laws.

SECTION XI.

DISCIPLINE OF STUDENTS WITH DISABILITIES

Students with disabilities are required to follow all rules and regulations appropriate for and consistent with their educational placement and Individualized Education Plan (I.E.P.). Discipline of students with disabilities follows regulations as set forth in the 1997 reauthorization of the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, Article 89 of the New York State Education Law and Part 200 of the Commissioner’s Regulations. Under these guidelines, Lowville Academy will provide all children with disabilities a free, appropriate education in the least restrictive environment, including children who have been suspended or expelled from school regardless of the severity of the disability.

The Board is committed to ensuring that the procedures followed for suspending, removing or otherwise disciplining students with disabilities are consistent with the procedural safeguards required by applicable laws and regulations. Special education students in BOCES-operated Lowville classrooms are also subject to the Jefferson-Lewis-Hamilton-Herkimer-Oneida County BOCES Code of Conduct for Exceptional Students.

SECTION XII.

CORPORAL PUNISHMENT

Corporal Punishment is any act of physical force upon a student for the purpose of punishing a student. The Rules of the Board of Regents specify that no teacher, administrator, officer, employee or agent of a school district may use physical force against a student unless otherwise permitted under law.

In situations where alternative procedures and methods not involving the use of force cannot reasonably be employed, the use of reasonable physical force is permissible to:

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

The Superintendent of Schools is responsible for reporting incidents and/or complaints regarding corporal punishment to the Board of Education.

SECTION XIII.

STUDENT SEARCHES/QUESTIONING OF STUDENTS

Search of Person: In *New Jersey v TLO*, 469 U.S. 325 (1985), the United States Supreme Court held that a student may be searched by a school official if the official has “reasonable suspicion” to believe that a search of that student will result in evidence that the student violated the law or a school rule. In addition, the New York State Court of Appeals held that a less intrusive search conducted by school officials, such as the touching of the outside of a book bag, is permissible. The New York State Court of Appeals held that school authorities can conduct a search of a student’s person, but only when “sufficient cause” for such a search exists, and that “the special responsibilities of the teachers in charge of students permit a wider latitude for finding cause for a search than would be applied to an adult.” Students’ belongings may be searched in circumstances that potentially involve unsafe and / or criminal behavior.

Searches of Property: New York State law states that lockers, desks and other storage are the property of the school district. Given reasonable suspicion, lockers may be searched by school staff. This occurs rarely, but when circumstances warrant, school staff will make the required check of school property.

Review of Student Computer Files: All students should be aware that they have no expectation of privacy in data stored on school computers. If an action warrants, student files may be examined.

School Authority-Questioning of Students: School officials may need to question a student suspected of a rules violation. In general, the staff and administration do this when circumstances warrant such an investigation. Staff members may discuss issues related to student conduct with the student, parents and related support personnel. Parent permission for this type of questioning is generally not required. However, when circumstances warrant parents will be contacted.

Police Questioning: Police can enter schools if a crime has been committed, if they have a warrant for arrest or search, or if school officials have invited them. Law enforcement officers do not have a legal right to interrogate a student in the school without the permission of the parents, nor, of course, would any officers or employee of the school have the right to authorize this, since custody of the child by the school is limited to education purposes. As a matter of practice, Lowville Academy contacts parents anytime a student's conduct warrants consideration of police action. By law, police personnel must have the consent of a parent to speak with students on school grounds. Students over the age of 16 may go voluntarily to the police station for investigation purposes with parent permission.

Child Protective Service Investigations: School staff members in New York State are considered mandatory reporters of suspected child abuse. Under law, school staff must contact appropriate agencies whenever they suspect a student is a victim of child abuse. As a result, a "hotline" may be initiated. Once initiated, the Child Protective Services worker follows a mandated protocol. In essence, this requires an interview with the child at the school or other neutral location often in the accompaniment of a police officer. Then, based on the information, follow-up interviews with siblings and parents are conducted. Child protective interviews with or without police accompaniment do not require immediate parent notification or permission.

In cases of alleged family initiated or outside of school abuse, parents are generally involved in the process through the investigation team. This team will include Department of Social Services staff, and may include members of the police department and school staff as warranted. The protocol noted above will be followed in all cases where abuse is suspected. In cases of suspected abuse involving a staff member in any type of educational setting (school building, grounds, vehicles, or field / sport trips to other schools—during extra-curricular activities, etc.) parents will be promptly notified of the allegation. A written statement pursuant to the regulations will be forwarded within 24 hours. Additionally, parents will be notified verbally as soon as possible regarding the allegation and the district's response in handling it. Criminal actions will be reported to the police.

SECTION XIV.

PUBLIC CONDUCT ON SCHOOL PROPERTY

For the safety of students and staff, all visitors and guests on school property at any time must report to the appropriate school office and will be expected to sign-in, secure and wear a visitor's pass, and follow all school regulations. Violators will be required to leave the property. In the event of law violation or non-compliance with the request to leave, the appropriate law enforcement authorities will be notified.

State and Federal laws exist that define illegal offenses for conduct on school property. These laws apply to students at the school as well as visitors to school grounds. (The term "grounds" includes buses, buildings and property.) Those who violate these laws should expect to face the full consequences of their actions according to civil law. In those cases, where violations of penal or civil laws also are a violation of school regulations (e.g., theft, arson, false fire alarms, bomb threats), action

by authorities does not preclude school response. If the school asserts jurisdiction in a given case, the charges shall be referred by school authorities to an appropriate police agency.

UNACCEPTABLE PERSONAL CONDUCT ON SCHOOL GROUNDS

The school has a “basic educational mission” which cannot be compromised by individual or group expression that creates a disruption to the process of running a school day. Some prohibited examples include:

- a. Disruption of teaching, research, administration or disciplinary procedures at school functions or on school property.
- b. Obstruction of traffic on school property
- c. Unauthorized entry to a school facility or function
- d. Willful interference with school authorized activities of others
- e. Failure to comply with directions of school personnel acting in the performance of their duties
- f. Disorderly conduct on school property
- g. Loitering on school property
- h. Distributing materials that are not part of the school curriculum and pose an imminent threat of disruption or substantial interference or indecent material
- i. Possession, distribution or use of any illegal drugs, tobacco or alcohol
- j. Gambling in any form upon school premises
- k. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner
- l. Initiating any false report that leads to disruption of the school mission
- m. Any form of discrimination based on actual or perceived race, color, weight, national origin, ethnic group, creed or religion, religious practice, marital status, age, sexual orientation, gender (including gender identity and expression) and sex, or disability as a basis for treating another in a negative manner
- n. Defamation, which includes making false or unprivileged statements or representations (including the use of internet technology) about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them. This can include postings or publishing video, audio recordings or pictures (written material, cell phones, Internet, YouTube, etc)
- o. Trespassing

PROGRAM FOR ENFORCEMENT

The Superintendent of Schools or his / her designee shall be responsible for enforcing the regulations. The procedure or enforcement will depend on the circumstances accompanying the infraction. Every effort will be made to handle all situations with school staff. However, in cases that pose a clear and present danger to persons and/or property, referral may be made to civil authorities.

Violators who are neither students, faculty, nor staff and who are not subject to school discipline shall be directed to leave the school premises. Follow-up police work may be conducted by the appropriate enforcement group if deemed necessary.

Under the new laws of New York State dealing with safe schools, penalties for assault against school students or staff have increased. The new law calls for a class D felony in cases involving:

- ✓ Anyone who assaults a teacher or other school employee on school grounds
- ✓ Anyone who is not a student at the school who assaults a student on school grounds

It is now more important than ever to engage in responsible behavior on school grounds at all times.

Section XV.

COVID-19 PANDEMIC REQUIREMENTS

In accordance with State and Local guidelines pertaining to the public health response to the COVID-19 pandemic, appropriate face coverings are required for all students, faculty, staff and visitors and are to be worn at all times while on school property to include school transportation. Students, faculty and staff will be granted “Mask Breaks” when appropriate by the supervising adult.

It is also expected that face coverings meet the Dress Code requirement.

All students, faculty, staff and visitors must maintain a minimum of 6 feet of social distancing in all areas of the school campus to include the classrooms, offices, hallways, stairwells, restrooms, common areas and outdoor facilities when possible.

This section shall be required starting with the 2020-2021 school year and remain in effect until restrictions are lifted by executive orders from the Governor of New York State.

Section XVI.

DISSEMINATION & REVIEW OF CODE OF CONDUCT

The Lowville Academy **Code of Conduct** will be:

- a. Reviewed annually and updated as necessary
- b. Sent to all students at the beginning of each school year (Student Handbook)
- c. Provided in plain language to all persons in parental relation at the beginning of each school year and make such summary available upon request (Student Handbook)
- d. Provided to each teacher electronically on shared site.
- e. Made available for review by students or other persons in parental relation to students, non-teaching staff and other community members as requested.

The Lowville Academy and Central School **Board of Education** will:

- a. Sponsor an in-service education program on the Code of Conduct for all district staff members to ensure the effective implementation of the Code.
- b. Review the effectiveness of this Code of Conduct regularly and update it as necessary.
- c. Hold at least one public hearing before re-approving an updated Code of Conduct.
- d. File its Code of Conduct and any amendments to it with the Commissioner within 30 days of adoption.

The Lowville Academy and Central School District hereby advises students, parents, employees, and the general public that it does not discriminate on the basis of race, color, weight, national origin, ethnic group, creed or religion, marital status, age, sexual orientation, gender (including gender identity and expression) and sex, or disability in any of its programs or activities. Inquiries regarding this non-discrimination policy may be directed to: Scott D. Exford OR Mary E. Compo, Compliance Officers at 7668 North State Street, Lowville, New York 13367, 315-376-9000.

Revised: 08/2020