



Niskayuna Central School District

**High School**  
**Code of Conduct**

with appendices

Revised by the Board of Education

July 14, 2017

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# **I. Introduction**

The Board of Education is committed to providing a safe and orderly school environment. Responsible behavior by students, teachers, district personnel, parents and other visitors is essential to achieving this goal.

This code has been revised to comply with the requirements of the Safe Schools Against Violence in Education (SAVE) Act. (Chapter 181, Laws of 2000.) The SAVE Act gives teachers the right to remove “violent” or “disruptive” students from their classroom, subject to review by the principal. The Save Act also establishes the consequences for an assault on a teacher or student on school grounds as a Class D felony.

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

## **II. Student Rights and Responsibilities**

Students have a right to a free, appropriate, education with equal opportunities regardless of their actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or gender expression, as well as any other characteristic protected by applicable federal, state and/or local law.

Students have the responsibility to attend school regularly, to be considerate of others, and to observe the high school Code of Conduct. School authorities shall inform parents about any recorded disciplinary measures. As provided in the federal Family Educational Rights and Privacy Act (also known as the Buckley Amendment), parents have the right to review and challenge such records.

Students have the right to be informed of charges against them. Unless the well-being of the student or others may be jeopardized, in all disciplinary matters, students shall have an opportunity to present their version of the facts and circumstances before discipline is imposed.

Students may expect privacy from other students with respect to their

lockers, desks, or other storage areas. However, under the law, items that are school property, such as lockers, desks, computers, and other technological equipment, are subject to searches by school authorities, at any time. School authorities may also search students and/or their belongings where reasonable suspicion of a violation of the Code of Conduct or a violation of the law exists. Searches shall be conducted by an administrator in the presence of another district employee. Searches may also be conducted of vehicles parked on school property when there is reasonable suspicion of a violation of the Code of Conduct or a violation of the law. In all cases, the student and parent shall be informed as to the reason for the search.

### **III. The Dignity for All Students Act**

New York State's Dignity for All Students Act (The Dignity Act) took effect on July 1, 2012. As with the District's Code of Conduct, the Dignity Act seeks to provide the State's public elementary and secondary school students with a safe and supportive environment, free from discrimination, intimidation, taunting, harassment, and bullying (including cyberbullying) on school property, school buses, and/or at school functions, as well as to foster civility in public schools. Consistent with the Dignity Act, the District prohibits bullying (including cyberbullying), discrimination and harassment against students, by students and/or school employees, on school property, on school busses, or at any school function, based on a student's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity or expression), or sex.

Prevention is the cornerstone of the District's effort to address bullying and harassment. In order to implement an anti-bullying prevention program, the Board will designate, at its annual organizational meeting, individuals at each school to act as the Dignity for All Students Act Coordinator (Dignity Act Coordinator). These individuals shall be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex or any other legally protected status.

The High School Dignity Act Coordinator is Principal John Rickert. Principal Rickert may be reached at 382-2511, Ext. 21701 or by email at: [jrickert@niskyschools.org](mailto:jrickert@niskyschools.org) If you have any questions about the High School Code of Conduct, please contact Mr. Rickert.

### **A. Prohibition of Violence, Harassment, Discrimination, Bullying, and Retaliation**

A primary goal of the School District is to provide an environment in which the worth and dignity of all persons is valued, accepted, and respected. To this end, the Board of Education has adopted a policy prohibiting bullying, harassment, and discrimination in the School District. Bullying (including cyberbullying), harassment, discrimination, and school violence on school grounds or at school function is prohibited and will not be tolerated.

In addition, retaliation is prohibited. Retaliation is a separate and distinct violation of this Code of Conduct and occurs when any member of the school community retaliates against any person who reports alleged bullying, harassment, or discrimination against any person who testifies, assists or participates in an investigation, proceeding, or hearing relating to such conduct. It is possible that an alleged harasser may be found to have violated this anti-retaliation provision even if the underlying complaint of harassment is not found to be a violation of this Code of Conduct. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment, and may be redressed through application of the same reporting, investigation, and enforcement procedures as for harassment.

### **B. Student Safety: Reporting Violence, Harassment, Bullying, and Cyberbullying**

The school principal is the school employee charged with receiving all reports of harassment, bullying, and discrimination; however, students and parents may make an oral or written complaint of harassment, bullying, or discrimination to any teacher, administrator, or school employee. The District will act to promptly investigate all complaints, verbal or written, formal or informal, of allegations of discrimination, harassment, and bullying; and will promptly take appropriate action to

protect individuals from further discrimination, harassment, and bullying.

It is essential that any student who believes he/she has been subjected to discrimination, harassment, bullying, or retaliatory behavior, as well as any individual who is aware of and/or who has knowledge of, or witnesses any possible occurrence, immediately report same to any staff member or administrator or the Title VII/Title IX Officer (Director of Student and Staff Support Services) at 377-4666. The staff member/administrator to whom the report is made (or the staff member/administrator who witnesses or suspects bullying/cyberbullying behavior) shall document and take appropriate and prompt action to address the situation, and shall promptly report in accordance with the following paragraphs.

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

After receipt of a complaint, the school principal shall lead or supervise a thorough investigation of the alleged harassing, bullying, and/or retaliatory conduct. The principal or the principal's designee shall ensure that such investigation is completed promptly and in accordance with District policy. All complaints shall be treated as confidential and private to the extent possible within legal constraints. After an investigation, if the District determines that a District official, employee, volunteer, vendor, visitor, and/or student has violated the Code of Conduct or a material incident of harassment, bullying and/or discrimination has occurred, immediate corrective action will be taken as warranted. The District will take prompt action reasonably calculated to end the violation, eliminate any hostile environment, create a more positive school culture and climate, prevent recurrence of the behavior, and ensure the safety of the student or students against whom such violation was directed.

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

In the event that the principal is the alleged offender; the report will be directed to the Superintendent of Schools.

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

- a. promptly investigated in accordance with the terms of District policy;
- b. forwarded to the school building's Dignity Act Coordinator for monitoring, and
- c. treated as confidential and private to the extent possible within legal constraints.

Parents shall be notified of their right to attend any meeting with their child to review a complaint. The District provides a variety of prevention and intervention programs addressing the safety of students and school personnel, which are described in the District's policies, annual calendar and on the District website. Violations will be subject to discipline under Section IV (H) of this Code of Conduct.

## **IV. Student Conduct and Discipline**

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

## **A. General Conduct**

Acceptable school conduct is based on respect for self, fellow students, faculty, staff, school property, observance of the law, and school policies.

Failure to observe this Code of Conduct shall lead to after-school detention or other disciplinary actions. Specifically:

1. Directions or requests of teachers, support personnel, secretaries, custodians, and bus drivers are to be complied with promptly and courteously.
2. Students are asked to conduct themselves in an orderly fashion at all times. Thus, running, "horseplay," and loud or boisterous conduct are considered to be unacceptable behaviors in school and on school buses.
3. Students are prohibited from congregating in areas that are not supervised, i.e., stairwells, ramp area near the technology department, etc.
4. Students are prohibited from entering unauthorized areas in the building. Unauthorized areas in the building include, but is not limited to, entering classrooms before and after school that are unsupervised. Students who arrive before the start of the school day should remain in openly supervised areas, (i.e. Crossroads, Cafeterias, Hall Areas, etc.)
5. Physical displays of affection are inappropriate in school.
6. Cafeterias are expected to be pleasant environments for eating or studying. Students may choose which cafeteria they wish to use but must conduct themselves therein in an orderly manner. Glass bottles are not allowed in the buildings or on school property.
7. The entrances to the school are busy places with students, staff and visitors coming and going. The playing of Frisbee, Hacky-Sack, pitch and catch, lacrosse, and other such activities can be hazardous to pedestrians; activities should be practiced on an appropriate field away from the entrances.
8. Students without off-campus passes may not leave school grounds during the regular school day without authorization.
9. Student access to the cafeteria, media center, computer rooms, or other areas of the school may be restricted for a period of time due to



inappropriate behavior in such areas by the student.

10. Students are prohibited from wagering, card playing, and engaging in any activities with monetary stakes.

11. The following limitations are placed on cell phone usage by students during the school day:

Students shall have the privilege to utilize personal communication devices in non-instructional areas, at any time. In areas that have a dual use (instructional or non-instructional, depending on their use in a particular instance), such as the media center and the technology lab, personal communication devices can be utilized when the use of the area is non-instructional, unless prohibited by a staff member. In instructional areas, students are PRECLUDED from utilizing their personal communication devices, UNLESS authorized by a teacher or staff member.

Students are not permitted to use their cell phones or other electronic communication devices to take or send inappropriate photographs (including photographs taken without the consent of the person whom they are taken of) or other information (as defined by administration or staff members) while on school property, at any time.

Student shall make every reasonable effort not to create a disruption while traveling in the hallways during passing time. A teacher or staff member has the right to restrict student phone usage at any time in common/non-instructional and all areas if it is deemed to be creating a disruption by the teacher or staff member.

12. Students are only authorized to be in locker rooms immediately before or after their assigned physical education class. In addition, students may access locker rooms to change for sports practices and games. If a student needs to access a locker room at any other time, written permission must be obtained from a staff member. Unauthorized access to locker rooms shall be considered trespassing.

## **B. Dress Code**

The building principal, or his or her designee, shall be responsible for informing all students and their parents of the student dress code at the beginning of the school year. The dress code will be developed in collaboration with teachers, administrators, other school service professionals, students, and parents to ensure that it reflects current community standards on proper decorum and deportment.

All students are expected to give proper attention to personal appearance and to dress appropriately for the school day, as well as school-sponsored activities. Students and their parents have the primary responsibility for acceptable student dress and appearance. Teachers and 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 and appearance shall:

1. Be safe, appropriate, and not disrupt or interfere with the educational process.
2. Recognize that extremely brief or revealing garments are not appropriate. Any student who is not appropriately dressed for a school learning climate will be referred to an administrator.
3. Ensure that undergarments are completely covered with outer clothing.
4. Include footwear at all times. Footwear that is a safety hazard will not be permitted.
5. Not include items that are vulgar, obscene, libelous, or denigrate others on account of race, color, religion, creed, national origin, gender, sexual orientation, disability, or any other legally protected status.
6. Not promote and/or endorse the use of alcohol, tobacco, or illegal drugs and/or encourage other illegal, violent, or gang activities.
7. Not conceal a student's identity with hoods or masks or any obstructive head wear at any time during the school day.

If a student's dress or appearance in school is deemed questionable, an administrator will hold a personal private discussion with the student

to advise the student of the potential violation. Students who violate the dress code shall be required to modify their appearance by covering or removing the offending item and, if necessary or practical, replacing it with an acceptable item. Any individual who refuses to do so shall be subject to discipline or removal from school grounds. Visitors are expected to abide by the school dress code; those who do not may be asked to leave the premises.

### **C. Academic Integrity**

Students are expected to observe the high school's standards of academic integrity. These are set forth in Appendix A. Failure to observe these standards may result in a range of penalties including grade reduction, school suspension, and/or referral to police for possible criminal prosecution.

As part of a school community, students and faculty have the duty and responsibility to promote academic integrity. This means that students are responsible for completing their own work. The purpose of assignments is to develop the skills and measure the progress of each student. Students learn more and attain a feeling of accomplishment through their own hard work and initiative.

One aspect of academic integrity that is very important throughout a person's lifetime is acknowledging sources. Learning how to acknowledge sources begins in elementary school, but is taught and refined over time through the middle school years to prepare students for high school and college. Among other things, this includes using quotation marks and footnotes, and citing sources where appropriate.

Students should follow these rules of academic integrity:

1. Do your own work.
2. Don't let others use or copy: classwork, homework, quizzes, and/or tests. Others should not get credit for work that you have done.
3. If you are helping someone, do not do the work for him or her.
4. If you are working in a group, follow the teacher's directions on sharing work.
5. Be truthful.

6. If you are uncertain about the directions, ask the teacher for clarification.

Students who fail to follow these rules will face disciplinary consequences. See Appendix A for additional detail.

#### **D. Attendance**

Students are expected to attend class daily as required by state law. Such attendance creates an environment that fosters subject competency, continuity of learning, and responsibility, which are all integral to the educational process. Active student participation is an integral part of every course offered in the high school. Class participation shall be evaluated according to guidelines described at the beginning of each course. Failure to attend class daily may impact a student's grade and could result in loss of credit, required counseling, or a Pupil in Need of Supervision (PINS) referral. If a student with excessive absences from a class wishes to be eligible to take that class in summer school, the student must remain in that class for the scheduled duration of the course. Details about the four-stage high school attendance regulations are described in Appendix B. A summary of the District's attendance policy is in Appendix G.

#### **Illness during the School Day**

For health and safety reasons, a student who becomes ill or who is injured during the school day, including extensions of the school day, must report to the school nurse. If, in the opinion of the nurse, the student is too ill to continue in school, the nurse will contact the parent or other designated adult to make appropriate arrangements for the student to get home or otherwise receive suitable care. With permission, students may drive their car, walk, or wait until a parent or designated adult arrives at school to pick up the student. Students are not allowed to be driven home by another student.

In the event that the nurse is not able to make contact with the parent or designated adult, the student shall be offered the opportunity to remain in the nurse's office. If the student would prefer to return to class, it will be the nurse who makes a nursing assessment that determines whether the student is able to return to classes. The Main

Office will be notified so that the student will not be charged with unauthorized absences.

### **Return from Absences**

Students who are absent from school for a full day or more must deliver an excuse signed by a parent to the Homeroom teacher on the day that the student returns to school. The note should include the reason and date(s) of the absence. At the discretion of the principal, a physician's certification of illness for absences in excess of five days may be required. Excuses will be randomly verified by a telephone call home from the attendance clerk or nurse. If an excuse is not presented to the Homeroom teacher on the day the student returns after the absence, the student will receive a detention for each day the excuse is not turned in. A parent should notify an assistant principal when a student will be absent for five or more days because of serious illness, injury, or other excused absence.

### **Early Dismissal, Tardiness, and Unexcused Absence from Class**

a. Early Dismissal - To be excused early from school, a student must present a written letter of intent prior to the time of dismissal. This letter must be signed and dated by a parent with a clear time of dismissal indicated on the letter. A phone call to the school will only suffice in case of emergencies. A school-authorized excuse slip will be issued to the student. Students who leave school without advance permission from the school nurse or administration will be charged with unexcused absences in all missed classes.

NO STUDENT IS TO LEAVE THE BUILDING/CAMPUS WITHOUT PERMISSION FROM AN AUTHORIZED SCHOOL OFFICIAL. ONCE A STUDENT ARRIVES ON CAMPUS, THAT STUDENT MAY NOT LEAVE WITHOUT PROPER CONSENT. THIS INCLUDES THE ARRIVAL TO SCHOOL PRIOR TO THE START OF THE SCHOOL DAY AT 7:40 A.M.

b. Tardiness - A student may be considered tardy when the student is not seated in the classroom at the time the class is scheduled to begin. Tardiness may be excused for the following reasons:

a. college visits or interviews when approved in advance;

- b. death or emergency illness in the immediate family;
- c. driver's road test (not permit);
- d. impassable roads or weather making travel unsafe;
- e. late buses;
- f. medical and dental appointments;
- g. music lessons;
- h. obligatory religious observance;
- i. personal illness or injury;
- j. required court appearance;
- k. school sponsored events; and/or
- l. any other reason as authorized in the discretion of the building principal.

If a student arrives late to school, the first thing the student must do is sign in at the Main Office. When a student is late for one of the reasons set forth above, a parent is expected to notify the school in writing or by telephone on the morning of the lateness. It is the student's responsibility to have a parent call or write a note.

c. Unexcused Absence from Class - Absence from class may only be excused for the reasons listed above in the foregoing Section D(3)(b). Students who are absent from class or from school without a valid reason shall be subject to detention in accordance with the "unexcused absence from class regulation," which is set forth in Appendix C. Students who fail to serve assigned detentions may be suspended or offered placement in in-school suspension.

d. Forged Notes - Students who forge a note or an excuse shall be assigned three (3) after school detentions for each such offense and may face additional consequences for any classes that are missed.

## **E. Study Halls**

All 9th and 10th graders will be assigned to study halls for each free period except lunch. They will be assigned to study halls at the beginning and the end of the school day if they do not have scheduled classes at these times. It is expected that students will arrive at school and will remain at school to attend these assigned study halls.

Any student assigned to a study hall who wishes to leave the study hall to work with a teacher, in the computer lab, the media center, or other area, must obtain a pass. This pass must be obtained prior to the student's arrival at the study hall.

Juniors and seniors are not ordinarily assigned study halls during their free periods. Such assignments may be made, however, at the request of a parent by calling the administrator assigned to the student's grade.

### **Assignment to Study Hall**

Students will be assigned to a study hall when:

- a. A student has been dropped from a class. A student who loses course credit due to excessive absences may, with the permission of an administrator, remain in the class in order to be eligible to take that class in summer school; otherwise the student is dropped from the class. If dropped, that student will be assigned a study hall for that period for the duration of the course.
- b. A student returns to school from a drug or alcohol related suspension. Upon return from a first such suspension, that student will be assigned to a study hall for five weeks. Upon return from a second such a suspension, that student will be assigned to a study hall for the duration of the student's high school career.
- c. When in the judgment of the administration, repeated violations of the Code of Conduct indicate that the student cannot use freedom responsibly, suspension of free periods can result. "Suspension" indicates that the student cannot use freedom responsibly.

### **F. Passing in Hallways**

In order to maintain an environment that is conducive to learning, students shall adhere to the following:

1. Students are to travel from one location to another in an orderly fashion.
2. Students are not to wander or congregate in the hallways. When students are not scheduled for classes, they must choose one of several specific areas: media center, any resource center, guidance office, or

cafeteria. Students must remain in the area they select until the end of the mod.

3. Students who arrive late to school must sign in at the Main Office. If the student does not have an excuse for the lateness, the lateness will be treated as unexcused. If a student misses more than 20 minutes of any class, it will be counted as an absence from that class regardless of whether it is excused or unexcused.

4. Students who arrive late must sign in at the Main Office. A pass will be issued for admission to class.

5. Students being sent to the nurse by a staff member must have a pass.

6. There is to be no movement in the hall during the last five minutes of each block.

## **G. Classroom Behavior**

Students are expected to arrive at class on time, with necessary materials, and to be cooperative and respectful during all scheduled periods. If a student fails to meet these expectations, the teacher may contact the student's parent. Should this not remedy the situation, the teacher should refer the matter to an assistant principal for counseling or after school detention.

### **Removal from Class by Teacher**

Teachers are expected to use traditional classroom management techniques to maintain order in the classroom. These techniques include:

- a. sending the student to the hallway briefly;
- b. sending the student to an administrator's office for a brief "time out" or for the remainder of the class time only; or
- c. sending a student to a school counselor or other District staff member for counseling. Traditional classroom management techniques such as these do not constitute disciplinary removal for the purpose of this Code.

Under the SAVE Act, a teacher may remove a violent or disruptive student from class when the student's conduct poses a danger or is



substantially disruptive or substantially interferes with the teacher's authority over the classroom. Such disruption occurs when a student demonstrates a persistent unwillingness to comply with the teacher's instructions or repeatedly violates the teacher's classroom behavior rules. A classroom teacher may remove such a student from class for up to two days. The removal from class applies to the class of the removing teacher only.

If a teacher determines that a student presents a danger or an ongoing threat of disruption to the academic process, a teacher may remove a student from class immediately. By the end of the school day, the teacher must notify the principal and provide an explanation as to why the student was removed. The student will be provided an opportunity to present his or her version of the events.

Within 24 hours of the removal of a student by a teacher, the principal or designee must notify the student's parents, in writing, that the student has been removed from class and provide information relative to the reasons for the removal. The notice must inform the parent that he or she has the right, upon request, to meet informally with the principal or designee to discuss the reasons for the removal. Where possible, notice should also be provided by telephone if a phone number for notification has been provided by the parent.

If the student denies the charges, the principal or designee shall provide an explanation of the basis for the removal and shall allow the student or parent an opportunity to explain the pupil's version of relevant events. The informal conference shall be held within 48 hours of the student's removal, unless a later time is agreed to by the student or parent. The principal may require the teacher who requested the removal to attend the informal conference if held during normal working hours.

The principal or designee shall not set aside the discipline imposed by the teacher unless a determination is made that the charges are not supported by substantial evidence, or that the removal is a violation of law, or that the student's conduct warrants a suspension which will be imposed. This determination must be made by the close of business on the day succeeding the 48-hour period for the informal conference (or such later informal conference date as may have been agreed to by the

student/parent). No student removed from class by a teacher will be permitted to return to that class until this determination is made or the period of removal expires, whichever comes first.

Any disruptive student removed from the classroom by the classroom teacher shall be offered continued educational programming and activities until he or she is permitted to return to the classroom.

Each teacher must keep a complete log for all cases of removal of students from his or her class. The principal must keep a log of all such removals.

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

## **H. Disciplinary Measures**

### **Detention**

The length of the school day may be extended for students whose conduct warrant correction.

After-school detention: Students shall be assigned after-school detention for behaviors such as tardiness, disruptive behavior, harassment, bullying, cyberbullying, leaving school grounds without permission, and unexcused absences. Failure to report to after-school detention, unless rescheduled by an administrator, shall result in the assignment of additional after school detentions (two detentions for the first unexcused absence). For each subsequent unauthorized absence, the student will be assigned to in-school suspension or be suspended out of school for two days. After-school jobs or sports practices or games will not be considered justifiable reasons for missing assigned after-school detentions. Students wishing to be dismissed from after-school detention must present a written request signed by a parent before the end of the school day on which the after-school detention is to be served. A school/community service option may be utilized in lieu of detention. Failure to report to after-school

detentions may result in the assignment of additional after school detentions or suspension. Students may take part in the student leadership committee (an officially recognized club that meets regularly with school leaders to discuss issues involving the student body and school climate) in lieu of detention. All decisions relative to detention shall be within the sole discretion of the administrator.

Regular after-school detention begins at 2:55 p.m. and ends at 3:55 p.m. on Monday through Thursday. These detentions are held in the East Office. If a student reports to detention after 2:55 p.m., that student must remain in after-school detention; however, the detention will not count toward fulfillment of the assigned detention, and another full one hour after school detention will be scheduled.

If a senior has not completed assigned after-school detentions or other assigned discipline, that student shall serve comparable time during the examination period prior to being permitted to participate in graduation ceremonies. Underclassmen who have not completed their assigned detentions shall be expected to serve such detentions when they return to school in September of the following school year.

## **Suspension**

As used in this section, suspension means out-of-school suspension for up to five days. A student may be suspended for the following (non-exclusive) reasons:

- a. conduct detrimental to the educational process;
- b. endangering the safety of others;
- c. fighting or other violent conduct;
- d. insubordinate conduct;
- e. possession, use, display, or handling of a weapon or other hazardous instrument;
- f. possession or use of alcoholic beverages, illegal drugs, synthetic narcotics, non-prescribed medication or related paraphernalia (including rolling papers);
- g. theft or unauthorized possession of another's property;

- h. trespassing;
- i. smoking, use, or possession of tobacco products or paraphernalia, including e-cigarettes and vapor products;
- j. vandalism;
- k. harassment, bullying, or cyberbullying;
- l. a physical or mental condition that endangers the health, safety, or morals of that student or others;
- m. other insubordination or disorderly conduct that, in the judgment of the principal or superintendent, endangers the health, safety, or morals of that student or others, or is disruptive to the orderly operation of the school;
- n. unauthorized access to academic or administrative records;
- o. repeated school off-grounds violations;
- p. any criminal conduct;
- q. sexting (defined as the sending/receiving of sexually explicit messages or images by electronic device, including but not limited to cell phone, iPad, tablet, or any other device capable of transmitting photos or data); and/or
- r. sexual exploitation, such as “voyeurism” or “upskirting”.

Under the federal Gun-Free School Act of 1994, a student found guilty of bringing a firearm onto school property will be subject to at least a one-year suspension from school. The term “weapon or other hazardous instrument” used above includes any firearm, pellet gun, BB gun, starter pistol, whether operable or inoperable, loaded or unloaded, knife, simulated weapon, dangerous chemical, noxious substance, explosive, or any other object listed in District Policy that could be used as a weapon.

Suspended students may not attend classes or activities, enter upon any school property, or attend any off-campus activities involving School District teams or organizations (i.e., athletic contests, musical performances, etc.) from the time the suspension is assessed until the suspension period is complete regardless of whether or not such activities are conducted on days when school is in session. A student

suspension shall not be deemed complete until the suspended student, accompanied by a parent or guardian, is formally re-admitted to school by school personnel. Suspended students who violate this provision shall be subject to the penalties associated with trespassing.

Students suspended from instruction shall be afforded their due process rights pursuant to sections 3214 and 310 of the Education Law, and section 100.2 of the Commissioner's Regulations. Students suspended from instruction for five days or less shall be given notice of the charged misconduct and may request an explanation of the basis for the suspension. If the pupil denies the charges leading to a suspension, the pupil or the pupil's parent may request an informal conference at which the pupil or parent may present the pupil's version of the event and ask questions of complaining witnesses. This notice and the opportunity for an informal conference shall take place prior to the suspension unless the pupil's presence poses a continuing danger or threat of disruption to the academic process, in the opinion of the principal.

No student may be suspended for more than five days, however, unless the student and his or her parent have had the opportunity for a fair hearing upon reasonable notice. At that hearing the student and his or her parent have the right of representation by counsel, with the right to question witnesses against such student, and to present witnesses and other evidence on their behalf.

Students and their parents may have decisions involving suspensions and other disciplinary matters successively considered by the Superintendent of Schools, the Board of Education, and the Commissioner of Education. Appeals from the principal's decision on suspension and other discipline must follow this progression of review, and such appeals cannot be made directly to the Commissioner of Education.

When a student of compulsory education age is suspended, the District must take immediate steps to provide alternate instruction for the student. Students who are suspended from school shall not have their absences during the suspension counted against them in the attendance regulation, unless they have been offered alternate instruction and have failed to attend such instruction.

## **Other Disciplinary Measures**

1. Alternatives to Suspension - Some students, through the consent of their parent, may be given the opportunity to perform community service in lieu of a suspension. However, students who are suspended for serious infractions that involve five-day suspensions are not eligible for community service as the sole consequence. Such community service shall be coordinated and managed through a partnership between the high school and Law, Order and Justice or Youth Court. Students and a parent may be granted this option at the discretion of the high school administration.

2. Exclusionary Actions - Students whose behavior is such that they endanger the safety, health, or welfare of themselves or others shall be referred to the Superintendent of Schools. The Superintendent shall hold an exclusionary hearing to determine what consequences the student must face. The Superintendent is also empowered to consider involuntary transfers in an exclusionary hearing.

3. Students with Disabilities - Students with disabilities must be disciplined under the legal requirements of the Individuals with Disabilities Education Act (IDEA). A suspension of more than ten days or a series of short-term suspensions, meeting certain criteria, would require the Committee on Special Education to meet and to make a determination whether the student's conduct is a manifestation of the student's disability. Further, the committee may also need to meet to determine whether the current placement of the student is appropriate. A parent may review questions concerning this legal requirement by contacting the chairperson of the committee. When a student with a disability poses an immediate threat to the student's safety or the safety of others, the District may seek a court order to enjoin the student from attending school.

4. Referral to Police or Other Agencies - A student may be referred to the police or another appropriate agency for alleged breaches of the law.

Such breaches may include, but are not limited to:

- i. use or possession of illegal/non-prescribed narcotics or paraphernalia;
- ii. use or possession of alcohol;
- iii. use or possession of weapons (in violation of Policy 5312.2 and the Federal Gun-Free Schools Act);
- iv. vandalism;
- v. theft of property or possession of stolen property;
- vi. creating a disturbance or safety hazard (e.g.; turning in false alarms, bomb threats, possession or discharge of fireworks or a noxious substance);
- vii. trespassing (e.g.; entering school property while under suspension or before or after reasonable school hours);
- viii. unauthorized access to academic or administrative records;
- ix. any criminal conduct;
- x. sexting (defined as the sending/receiving of sexually explicit messages or images by electronic device, including but not limited to cell phone, iPad, tablet, or any other device capable of transmitting photos or data); and/or
- xi. sexual exploitation, such as “voyeurism” or “upskirting”.

5. Drug, Alcohol, Narcotics Abuse - The possession of drugs, drug paraphernalia, alcohol, synthetic narcotics, or non-prescribed medication, or the consumption of drugs, alcohol, synthetic narcotics, or non-prescribed medication during school hours or at any interscholastic or co-curricular event or other school-sponsored activity while on school grounds is strictly prohibited. Further, no student may come to school or a co-curricular event or other school sponsored activity, on or off school grounds, after the student has consumed alcohol, drugs, synthetic narcotics, or non-prescribed medication or when in possession of drugs, drug paraphernalia, alcohol, synthetic narcotics, or non-prescribed medication. The penalties for such conduct may include suspension, and following suspension, exclusion from any and all co-curricular interscholastic or

other school-sponsored activity. Details are set forth in Appendix D.

6. Reimbursement for Damaged or Stolen Property - Students who damage or destroy school property shall reimburse the District for the cost of repairing or replacing the affected school property. Students who have stolen property shall reimburse the person from whom the item(s) were stolen.

#### **4. Non-Disciplinary Remedial Measures**

Students who violate this Code may also be referred for remedial action as the facts may warrant, including any of the measures listed below:

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

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

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



## **I. Impact of Code Violations for Students Participating in any Co-Curricular or School-Sponsored Activity**

Participation in any activity/club requires attendance in school on that particular day, in accordance with District attendance policy. Failure to report to school by homeroom, and remain in school for the duration of the day, without permission from one of the principals, will result in the disqualification of participating in any school-sponsored event on that day.

A coach or club/activity advisor is required to report any and all suspected violations involving drug/alcohol use and/or possession to the building principal. This includes off-campus and non-school related suspected violations. The principal is required to investigate all reports from coaches and club advisors. In the case of a student-athlete, the principal is required to follow the Athletic Code of Conduct in applying the consequences.

In the case of a club participant, the principal can make a determination if the violation requires any level of disqualification or suspension, if any, from school-sponsored activities. Serious or repeated violations may result in more severe consequences. The principal also has the right to remove any student from any school sponsored activity if the student is deemed to be “not in good standing” i.e. attendance, conduct, etc.

## **J. Other Laws and District Policies**

1. Smoking or Use of Tobacco Products - The use or possession of tobacco products or paraphernalia, e-cigarettes/vapor products by students in school buildings, on school property, or in vehicles owned or operated by the District or at school sponsored events is prohibited. Violations of the Code of Conduct with respect to tobacco/e-cigarettes/vapor products use will result in parent notification and referral to the school counselor, and may include additional education in the risks and health effects of tobacco/e-cigarettes/vapor products use. Specific consequences are detailed in Appendix E.

2. Sweets Law - New York State Education Law, Section 915, “Prohibiting the sale of certain sweetened foods,” provides as follows:

“From the beginning of the school day until the end of the last scheduled meal period, no sweetened soda water, no chewing gum, no candy including hard candy, jellies, gums, marshmallow candies, fondant, licorice, spun candy and candy-coated popcorn, and no water ices except those which contain fruit or fruit juices, shall be sold in any public school within the state.”

3. State Law Prohibiting Bomb Threats - It is illegal for anyone to issue a false bomb threat, directed toward a school in New York State. As of December 1, 1999, the consequences for this crime have been increased from a Class A misdemeanor to a Class E felony (Chapter 561, Laws of 1999). Persons arrested for making bomb threats face felony prosecution, youthful offender or juvenile delinquency adjudication, as well as a one-year suspension of one’s driver’s license. Related laws permit municipalities, fire districts, and other emergency service providers to seek restitution for costs associated with their response to a bomb threat on school grounds. The amount may be up to \$10,000 in restitution, to be paid by anyone convicted of reporting a false incident or bomb, up to \$5,000 to be paid by the parent of a child who makes a false report.

## **V. Privileges**

### Free Periods for Juniors and Seniors

Juniors and Seniors:

1. need not report to school until the homeroom period if they have the first block free;
2. shall be considered to have completed the school day after their last scheduled class or assigned detentions;
3. shall use free time in a responsible manner;
4. may only go to their lockers only while classes are passing; and
5. when not scheduled for classes, may go to the library-media center, the counseling center, any resource center, or either cafeteria, but must remain in the chosen area until the end of the block (mod), or free period.

## Off-campus Pass Policy:

A senior may be granted an off-campus pass if he/she:

1. has one free block;
2. has parental consent;
3. has not received a grade of “D,” “F,” or “W” during the previous quarter;
4. has not had any significant disciplinary referrals during the previous quarter (“significant” as determined by the administration); and
5. does not have a history of unauthorized absences from classes.

Students who violate the Standards of Academic Integrity (see Appendix A) shall lose off-campus privileges until the subsequent marking period. Students who leave campus while absent from a class without authorization will lose off-campus privileges. Off-campus privileges will also be revoked if a student transports a student without off-campus privileges from school grounds.

Students who lose their privileges may re-apply for an off-campus pass. Issuance of a pass shall be at the discretion of the administration.

Students who violate the discipline criteria a third time shall meet with the principal/assistant principal, school counselor, and parent to determine future eligibility to receive an off-campus pass.

### **C. Parking Privileges**

Because of the large number of student drivers and the limited number of parking spaces available, only seniors and second semester juniors with parking permits or students with proper authorization may operate or park a vehicle on school property during the regular school day, from 7:40 a.m. to 2:45 p.m. However, a student with a valid driving license or learning permit may operate a vehicle under the direct supervision of a parent/guardian. Student parking is limited to the designated student parking area. Students who park in unauthorized areas shall be subject to detention and — in the event of repeated violations — to permanent loss of parking privileges at the high school and suspension from school. Such vehicles may be towed from the premises at the owner’s expense.

Students who park illegally (i.e. parking in a handicapped spot or a fire lane) shall be subject to detention and — in the event of repeated violations— to permanent loss of parking privileges at the high school and suspension from school. Illegally parked cars may be towed at any time at the owner's expense.

Students should be aware that the administration has the authority to search any vehicle when the administration has reasonable suspicion that there may be violations of the Code of Conduct or other violations of the law.

Students who drive recklessly on school property shall have their parking privileges revoked and may be referred to appropriate law enforcement.

Students who violate the off-campus policy (e.g., by leaving campus without authorization or transporting students without a valid off-campus pass) may also lose their parking privileges at the high school. Any student who parks on school grounds, without prior authorization, shall be subject to detention and — in the event of repeated violations — to permanent loss of parking privileges at the high school and suspension from school. Unauthorized vehicles will be towed at the owner's expense.

If the District can provide off-campus parking, the Code of Conduct and these parking rules shall apply to any student use of such areas. Student parking permits are available in the Main Office for a non-refundable fee.

## **VI. Visitors**

Parents and other District residents are encouraged to visit the schools under the following conditions:

1. All visitors must report to the Main Office upon arrival, sign the visitors' register, and obtain a visitor's badge that must be worn throughout the visit and returned upon departure.
2. Students are not permitted to bring guests to the high school.
3. Visitors attending school functions that are open to the public, such as PTO meetings, concerts, or public gatherings are not required to register.

4. Parents or residents who wish to observe a classroom while school is in session are required to arrange such visits in advance with the classroom teacher(s) so that class disruption is kept to a minimum.
5. Teachers are expected not to take class time to discuss individual matters with visitors.
6. Any unauthorized person on school property will be reported to the principal or designee. Unauthorized persons will be asked to leave. The police may be called if the situation warrants and charges of trespassing may be filed.
7. All visitors are expected to abide by the rules for Public Conduct on School Property contained in this Code of Conduct.

### **A. Public Conduct on School Property**

All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner.

#### **Prohibited Conduct -**

No person, individually or in concert with others, shall:

- a. enter any unauthorized areas of the school building or campus without proper authorization;
- b. threaten or physically injure any person;
- c. physically restrain, detain, or remove any person;
- d. willfully damage or destroy school property, nor use or remove such property without permission;
- e. enter any private school office without first obtaining permission;
- f. without authorization, remain in any school building after it is normally closed;
- g. refuse to leave any school building upon the request of a staff member;
- h. obstruct the free movement of persons or vehicles on school property;
- i. disrupt classes or deliberately interfere with any person's freedom of speech;

- j. possess any firearm or weapon on school property unless so authorized by the Superintendent; and/or
- k. willfully incite others to commit any prohibited action

### **Penalties and Procedures -**

Anyone who violates these rules shall be subject to the guidelines set forth in Appendix F as well as the following penalties:

- a. If neither student nor staff, the person shall be subject to ejection.
- b. If a student, the person shall be subject to ejection pursuant to this Code of Conduct.
- c. If a faculty member, the person shall be subject to ejection, warning, reprimand, suspension and other disciplinary actions set forth in the Education Law.
- d. If a staff member in the classified service, the person shall be subject to ejection and the disciplinary actions set forth in §75 of the Civil Service Law.
- e. Other staff members shall be subject to ejection, censure, suspension without pay and/or dismissal.
- f. A person who refuses to leave school property when requested to do so may be subject to arrest.

## **VII. Dissemination and Review**

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

- (1) providing copies of the code to all students at a general assembly held at the beginning of each school year;
- (2) making copies of the Code available to all parents at the beginning of the school year;
- (3) mailing the Code of Conduct to all parents of District students before the beginning of the school year and making it available later, upon request;
- (4) providing all current teachers and other staff members with a copy

of the Code and a copy of any amendments to the Code as soon as practicable after adoption;

(5) providing all new employees with a copy of the current Code of Conduct when they are first hired;

(6) making copies of the Code available for review by students, parents and other community members; and

(7) posting the complete Code of Conduct on the District's internet web site, including any annual updates or amendments thereto.

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

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

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

Before 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 Code of Conduct and any amendments to it will be filed with the Education Commissioner no later than 30 days after adoption.

## VIII. Definitions

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

**“Bullying”** (see “Harassment”).

**“Cyberbullying”** means “Harassment” or “Bullying”, where such harassment or bullying occurs through any form of electronic communication.

**“Disability”** means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques, or (b) a record of such an impairment, or (c) a condition regarded by others as such an impairment, provided, however, that in all provisions of this article dealing with employment, the term must be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held.

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

**“Employee”** shall mean 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.

**“Gender Expression”** shall mean the manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice or mannerisms.

**“Gender Identity”** shall mean a person’s gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person’s physiology or assigned gender at birth.

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

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

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

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

**Material incident** of “Harassment, Bullying and/or Discrimination” means a single verified incident or a series of related verified incidents where a student is subjected to harassment, bullying and/or discrimination by a student and/or employee on school property or at a school function. In addition, such term shall include a verified incident or series of related incidents of harassment or bullying that occur off school property, and is the subject of a written or oral complaint to the superintendent, principal, or their designee, or other school employee. Such conduct shall include, but is not limited to, threats, intimidation or abuse based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex or any other legally protected status.

**“Parent(s)”** is defined as the adult (e.g. parent, guardian) who is legally responsible for the student(s) in question.

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

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

**“Sexual orientation”** shall mean actual or perceived heterosexuality, homosexuality, or bisexuality.

**“Violent student”** means an elementary or secondary student under the age of 21 who: commits an act of violence against any school employee; commits an act of violence on school property against any student or other person lawfully on school property; possesses, on school property, a gun, knife, incendiary bomb, or other dangerous instrument capable of causing physical injury or death; threatens, on school property, to use any instrument that appears capable of causing

physical injury or death; knowingly and intentionally damages or destroys the personal property of any person lawfully on school property; or knowingly or intentionally damages or destroys district property.

**“Weapon”** means a firearm as defined in 18 USC §921 for purposes of the federal Gun-Free Schools Act. Weapon is also defined in New York State law as any other device, instrument, material or substance that can cause physical injury or death.

Appendices:

Appendix A. Standards of Academic Integrity

Appendix B. Attendance Requirements and Procedures

Appendix C. Unexcused Absence from Class Regulations

Appendix D. Drug and Alcohol Abuse Regulations

Appendix E. Smoking and Tobacco Use Penalties

Appendix F. Public Conduct on School Property

Appendix G. Summary of Attendance Policy 5100

Appendix H. Bill of Student Rights & Responsibilities Policy 5311

Appendix I. Building Computer Utilization

Adopted June 18, 2001

Revised July 12, 2010

Revised July 12, 2011

Adopted July 10, 2012

Adopted August 13, 2013

Reaffirmed June 24, 2014

Revised August 18, 2015

Revised and Adopted August 31, 2016

Revised and Adopted July 14, 2017

# **APPENDIX A.**

## **STANDARDS OF ACADEMIC INTEGRITY**

Niskayuna High School Principles Regarding Academic Integrity:

As part of a school community, it is the duty and responsibility of students and faculty to honor academic achievement won fairly as the consequence of genuine hard work and effort. Academic integrity at Niskayuna is based upon a respect for individual achievement that lies at the heart of our culture.

### **A. Basic Standards of Academic Integrity**

Registration at Niskayuna requires adherence to the High School's standards of academic integrity. It is paramount that all students are aware of these standards. If there are questions relating to these standards, counseling is available for those students seeking assistance. The assistance may be initiated by discussing the issue with any faculty member or guidance counselor.

#### **EIGHT CARDINAL RULES OF ACADEMIC INTEGRITY\***

1. **BE RESPONSIBLE.** Do not let other students in your class diminish the value of your achievement by taking unfair advantage. Report academic dishonesty.
2. **ACKNOWLEDGE YOUR SOURCES.** Whenever you use words or ideas that are not your own when writing a paper, use quotation marks where appropriate and cite your source in a footnote and/or list the sources consulted or cited.
3. **PROTECT YOUR WORK.** In examinations, do not allow your neighbors to see what you have written; you are the only one who should receive credit for what you know.
4. **AVOID SUSPICION.** Do not put yourself in a position where you can be suspected of having copied another person's work, or of having used unauthorized notes in an examination. Even the appearance of dishonesty may undermine your teacher's confidence in your work.
5. **DO YOUR OWN WORK.** The purpose of assignments is to develop your skills and measure your progress. Letting someone else do your work defeats the purpose of your education, and may lead to serious charges against you.
6. **NEVER FALSIFY A RECORD -** or be complicit when another person is doing so. Falsifying records may be a criminal act.

7. NEVER FABRICATE DATA, citations, or experimental results. Many professional careers have ended in disgrace, even years after the fabrication first took place.

8. DON'T DESTROY TRUST. Tell the truth when discussing your work with your instructor.

\*These guidelines are based upon the "University Principles and Safeguards" of Northwestern University.

## **B. Violations of Academic Integrity**

While the standards of academic integrity cannot be listed exhaustively; the following examples represent some basic types of behavior that are unacceptable:

1. Cheating: using unauthorized notes, study aids, or information on an examination; altering a graded work after it has been returned, then submitting the work for re-grading (assuming that such revision has not been authorized by the teacher); allowing another person to do one's work and submitting that work under one's own name; submitting identical or similar papers for credit in more than one course without prior permission from the course instructors.

2. Plagiarism: submitting material that, in part or in whole, is not entirely one's own work without attributing those same portions to their correct source.

3. Fabrication: falsifying or inventing any information, data, or citation; presenting data that was not gathered in accordance with standard guidelines defining the appropriate methods for collecting or generating data and failing to include an accurate account of the method by which the data was gathered or collected.

4. Obtaining an Unfair Advantage: (a) stealing, reproducing, circulating or otherwise gaining access to examination materials prior to the time authorized by the teacher; (b) unauthorized collaborating on an academic assignment; (c) retaining, possessing, using or circulating previously given examination materials, where those materials clearly indicate that they are to be returned to the teacher at the conclusion of the examination; or (d) otherwise undertaking activity with the purpose of creating or obtaining an unfair academic advantage over other students' academic work.

5. Aiding and Abetting Academic Dishonesty: (a) providing material, information, or other assistance to another person with knowledge that such aid could be used

to further any of the violations stated above, or (b) providing false information in connection with any inquiry regarding academic integrity.

6. Falsification of Records and Official Documents: altering documents affecting academic records; forging signatures of authorization or falsifying information on an official academic document, grade report, letter of permission, petition, drop/add form, ID card, or any other official school document.

7. Unauthorized Access to Computerized Academic or Administrative Records or Systems: viewing or altering computer records, modifying computer programs or systems, releasing or dispensing information gained via unauthorized access, or interfering with the use or availability of computer systems or information.

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

In all cases involving academic dishonesty, the student charged or suspected shall, at a minimum, be accorded the following rights:

1. Prompt investigation of all charges of academic dishonesty.
2. Written notice of the facts and evidence underlying the charge of academic dishonesty and of the principle(s) of academic integrity alleged to have been violated.
3. An explanation of the procedure used in the investigation.
4. A hearing or meeting at which the student involved may be heard and the accuracy of the charge considered by an assistant principal, who shall recommend a course of action to the principal.
5. An appeal of the assistant principal's decision to the principal.  
Implementation of sanctions will be suspended until the appeal made by the student is completed.

### **D. Procedures**

In cases of suspected dishonesty,

1. The teacher informs the student that he or she is being accused of cheating and explains the investigative procedure.
2. In all cases, the teacher must refer the allegation(s) and the evidence supporting the charge to the assistant principal for administrative review.
3. The teacher notifies the parent. If the student denies the charge, the appropriate administrator handles the investigation.

4. The appropriate administrator meets with the teacher and the student to determine the facts of the case.

5. The appropriate administrator recommends appropriate action, if warranted, to the principal.

6. If the recommended action involves suspension more than five days, a Superintendent's hearing will be convened.

## **E. Consequences**

All proven cases of academic dishonesty will result in the notification to the parent, guidance counselor, principal, and assistant principal.

Additionally, at a minimum, a number of the following may occur:

For a first offense, the administrator shall apply any of the following consequences:

1. Reduced or failing grade on quiz, test, paper, project, or exam;
2. Reduced or failing grade for quarter;
3. Reduced or failing grade for the course;
4. Record of discipline in the student management system;
5. Detention or suspension from school;
6. Referral to police for possible criminal prosecution; and/or
7. Other action deemed appropriate.

All proven cases of academic integrity violations will impact a student's eligibility for induction into the National Honor Society and eligibility for school awards and honors.

Counseling is available for students seeking assistance in dealing with the issue of academic integrity.

For a second offense, the administrator shall apply any of the following consequences:

1. Failure on the quiz, test, paper, project or exam;
2. Failure for the academic quarter or the course (especially if the second offense is in the same course as the first offense);

3. Record of discipline in the student management system;
4. Suspension from school for a period of up to five days; and/or
5. Referral to police for possible criminal prosecution.

For a third offense, the administrator will apply any of the following consequences:

1. Failure on the quiz, test, paper, project or exam;
2. Failure for the course (if there are multiple offenses in a given course);
3. Record of discipline in the student management system;
4. Suspension from school for a period of up to five days;
5. Referral to police for possible criminal prosecution; and/or
6. Referral to the Superintendent of Schools for Superintendent's Hearing for additional consequences.

## **F. Notification**

In order to implement these principles of academic integrity, it is necessary for the faculty and administration to take certain steps that will discourage dishonesty and maintain academic integrity.

Those steps include:

1. Publicizing the Policy - The Basic Standards of Academic Integrity and Consequences will be included in the Code of Conduct shared with every student. These will also be discussed in English classes during the first week of school, and addressed in grade level meetings by the administration.
2. Establishing Class Standards - Each teacher will, during the first full week of class, discuss rules for academic integrity in that class and penalties for failure to abide by them.
3. Reporting - Breaches of academic integrity will be reported promptly to the appropriate assistant principal. The assistant principal will investigate charges and recommend appropriate action to the principal.



# APPENDIX B.

## ATTENDANCE REQUIREMENTS AND PROCEDURES

### I. ATTENDANCE REGULATION

*Rationale:* Studies have shown the importance of the relationship between attendance at school and achievement. Daily attendance creates an environment that fosters subject competency, continuity of learning, and responsibility, which are all integral to the educational process and is consistent with the Niskayuna High School Mission Statement and the District’s attendance policy.

School attendance and class participation lead to student competency and are essential to a comprehensive educational program. For this reason, the Niskayuna High School Attendance Policy takes into consideration, both attendance and participation as components of the student’s grade. It is the philosophy of the faculty, administration, and Board of Education, that active student participation is an integral part of every course offered in the high school. Class participation shall be evaluated according to guidelines, which will be clearly stated to students by teachers at the beginning of each course.

Failure to satisfy these attendance regulations may result in a reduced grade or loss of credit.

The Niskayuna High School attendance regulation is compartmentalized into four “stages” as follows:

Stage I and Stage II: When a student is identified as having an attendance problem, in accordance with the following table, the teacher will complete a “Stage I letter” or a “Stage II letter” in a timely fashion pursuant to the time period in which the student reaches the threshold of absences for each respective stage. Each stage letter shall be sent separately to the parents of the student based upon dates at which the student reaches prescribed levels. The Main Office will send a copy to the student’s parent, appropriate guidance counselor, and assistant principal. Parents/guardians will be contacted by telephone, as well.

|                             | Stage I Criteria: | Stage II Criteria: |
|-----------------------------|-------------------|--------------------|
| Science lab courses:        | 12 absences       | 20 absences        |
| Full year courses:          | 8 absences        | 13 absences        |
| Semester courses:           | 5 absences        | 7 absences         |
| Physical Education courses: | 7 absences        | 11 absences        |

The counselor or the assistant principal will determine the need to meet with the student to review reasons for the absences and to determine with which students to initiate strategies to improve class attendance. Strategies may include, but are not limited to, completing all assigned work, individual counseling sessions, attendance counseling groups, psychological referral, PINS diversion program, and Student Assistance Counselor referral.

Stage III: When a student’s attendance continues to be problematic, in accordance with the following table, the teacher will complete a “Stage III letter.” The Main Office will send a copy to the student’s parent, appropriate guidance counselor, and assistant principal. Parents/guardians will be contacted by telephone, as well.

This Stage III letter is a notification that the student is in danger of failing to meet the requirements of a particular course.

|                             | Stage III Criteria: |
|-----------------------------|---------------------|
| Science lab courses:        | 23 absences         |
| Full year courses:          | 15 absences         |
| Semester courses:           | 8 absences          |
| Physical Education courses: | 14 absences         |

When a student reaches Stage III, there will be a meeting with the student and the grade level administrator to review the timeline for submitting materials. The student will also forfeit their off grounds pass until the Stage III assignment has been completed.

This notification will state that in order to receive course credit, the student is responsible for contacting the teacher by an assigned date, fulfilling participation requirements, and demonstrating competency according to departmental standards and guidelines.

The teacher is responsible for assigning work that was missed due to the excessive absences OR a close replication of the work. The grade level administrator will approve this Stage III assignment and copies will be given to the student, departmental supervisor, teacher-leader and counselor. The grade for the satisfactory completion of this assignment shall be included in the determination of the quarter grade.

Students who do not complete these activities may fail the course. Those who

wish to re-take the course in summer school or need the course to satisfy minimum student load requirements must remain in the class until the end of the course.

Stage IV: When a student who has successfully completed Stage III accumulates additional absences according to the following table, the student will be required to repeat Stage III.

|                             | Stage IV Criteria: |
|-----------------------------|--------------------|
| Science lab courses:        | + 10 absences      |
| Full year courses:          | + 5 absences       |
| Semester courses:           | + 3 absences       |
| Physical Education courses: | + 3 absences       |

## **APPENDIX C**

### **UNEXCUSED ABSENCE FROM CLASS REGULATIONS**

The “unexcused absence from class regulation,” as distinguished from the “attendance regulation,” shall be invoked when a student is not authorized to be absent from a class. Unexcused absence from class may impact a student’s grade or may result in a loss of course credit. Excused absences are accepted for the following reasons:

- college visits or interviews when approved in advance;
- death or emergency illness in the family;
- driver’s road test (not permit);
- impassable roads or weather making travel unsafe/late buses;
- medical or dental appointments;
- music lessons;
- obligatory religious observance personal illness or injury;
- required court appearance;
- school-sponsored events; and/or
- any other reason as authorized in the discretion of the building principal.

An unexcused absence from school will be considered an unexcused absence

from class. Also, students who leave school or miss a class without advance permission from the school nurse or administration will be charged with unexcused absences in all classes missed.

Unexcused absence from class may result in prohibition from participation in school-sponsored activities until such time that all related disciplinary actions (e.g.: detention/suspension) are concluded.

### First Occurrence

The classroom teacher will notify the assistant principal and inform the student that a first unexcused absence has been recorded. The teacher will make contact with the parent. There will be a conference between the student and the assistant principal to review the reason for the unexcused absence and to determine if other resources should be employed to encourage class attendance. Following this conference, if the assistant principal determines that the absence is unauthorized, the assistant principal will assign three after school detentions, which are to be served within one school week. Failure to serve assigned detentions will result in suspension.

### Second Occurrence

The classroom teacher will notify the parent and the assistant principal and inform the student that a second unexcused absence has been recorded. The teacher will make contact with the parent. There will be a conference between the student and the assistant principal to review the reasons for the unexcused absence and to determine if other resources should be employed to encourage class attendance. Following this conference, if the assistant principal determines that the absence is unauthorized, the assistant principal will assign one day of in-school suspension.

### Third Occurrence

The classroom teacher will notify the assistant principal and inform the student that a third unexcused absence has been recorded. The teacher will make contact with the parent. There will be a conference between the student and the assistant principal to review the reasons for the unexcused absences and to determine if other resources should be employed to encourage class attendance. There may be a conference between the student, parent, counselor and the assistant principal. If the assistant principal determines that the absence is unauthorized, the assistant principal will assign two days of in-school or out of school suspension.

#### Fourth and Each Subsequent Occurrence

The classroom teacher will notify the assistant principal and inform the student that a fourth unexcused absence has been recorded. The teacher will make contact with the parent. There will be a conference between the assistant principal and the student to review the reasons for the unexcused absence and to determine if other resources should be employed to encourage class attendance. The assistant principal will convene a meeting with the student, parents, and staff to develop an action plan for dealing with class attendance. The purpose of this meeting is to explain to the parents the consequences of further unexcused absences from class, to seek their support in modifying their child's behavior, and to attempt to agree upon corrective actions. This meeting may also define the level of unexcused absences that will result in loss of credit. Excessive unexcused absences from class will lead to grade reduction, loss of student privileges, possible loss of credit and a range of disciplinary actions. If the assistant principal determines that the absence is unauthorized, the assistant principal will assign four days of in-school or out of school suspension. Students who wish to re-take a course in summer school or to satisfy minimum load requirements must remain in class until the end of the course.

There shall be no differentiation made between full year and ½ year courses.

## **APPENDIX D. DRUG AND ALCOHOL ABUSE REGULATIONS**

The possession of drugs, drug paraphernalia, alcohol, synthetic narcotics or non-prescribed medications or the consumption of drugs, alcohol, synthetic narcotics or non-prescribed medications during school hours or at any interscholastic and extra-curricular events or other school-sponsored activity, or on school grounds, is strictly prohibited. This policy also prohibits a student from coming to school or an extra-curricular and interscholastic event or other school sponsored activities, on or off campus, after the student has consumed alcohol, drugs, synthetic narcotics or non-prescribed medications or is in possession of drugs, drug paraphernalia, alcohol, synthetic narcotics or non-prescribed medications.

## First Offense

A student who violates this policy for the first time shall be suspended from school for a period of five days. Under this policy, there is no distinction for amount of consumption or use. Any use or possession of drugs and/or alcohol constitutes a serious violation. When the suspension period is over, the student may not be readmitted to school unless accompanied by a parent. Athletes who are on alternate credit for physical education shall have this privilege revoked immediately; "Athletic Handbook" sanctions shall also be in effect. When indicated, the student shall be referred to the Niskayuna Police, the Superintendent, or both. When the student returns to school, the student will be assigned to a Study Hall for all unscheduled periods for five weeks. The student may not be permitted to attend any interscholastic, extra-curricular, or school sponsored activity for the duration of up to a five-week period following the student's return. The student may will not be allowed on school property during the period of his/her suspension or he/she will be considered trespassing and will be subject to criminal/civil penalties. The student may be requested to participate in counseling sessions with the school psychologist, student assistance counselor, or guidance counselor. Alternatively, the student may seek counseling from a private counseling source. This counseling process must have begun in order for the student to be eligible to practice or rehearse with a team or school group/club. Although the student will not be allowed to attend or participate in games, plays, events, etc., the student will be permitted to practice, try out, or rehearse, provided the students meets with the school psychologist, student assistance counselor, or guidance counselor at the designated times. Should the student fail to participate in such a counseling program, the student shall be removed from the team or activity/school group/club for the remainder of the school year. The student's eligibility to return the following school year to active participation will be contingent upon completion of a counseling program.

Student-athletes who participate in any school-sponsored sport shall be referred to the building principal, who in consultation with the Director of Athletics, will apply the sanctions as outlined in the Athletic Code of Conduct.

## Second Offense

In case of a second drug or alcohol offense during the student's high school career, the student shall be suspended from school for a period of five days. When the suspension period is over, the parent is expected to accompany the student

to school for admission. When the student returns to school, the student shall be assigned to a Study Hall for all unscheduled periods for the duration of the student's high school career. In addition, the student may be requested to re-enter a counseling program (in-school or private). The student may not be permitted to participate in or attend any co-curricular interscholastic, or other school-sponsored activity for up to one calendar year from the date of the second violation.

### Third Offense and Subsequent Offenses

If a student is suspended for a third drug or alcohol offense, the student will be referred to the Superintendent of Schools for an exclusionary hearing to determine if the student's behavior poses a threat to the safety and well-being of that student or others. If in the judgment of the Superintendent the student is NOT to be excluded, the following sanctions shall be imposed:

The student will be suspended from school for a period of five days. When the suspension period is over, the student may not be readmitted to school unless accompanied by a parent. When the student returns to school, the student shall be assigned to a study hall for all unscheduled periods for the duration of the student's high school career. The student shall also be strongly urged to seek more intense rehabilitative care; alternate placement may also be considered. In addition, the student shall not be permitted to participate in, practice, rehearse, or attend any co-curricular, interscholastic, or other school-sponsored activity for a period of time up to the duration of the student's high school career.

## **APPENDIX E. PENALTIES FOR THE USE OF TOBACCO AND/OR NICOTINE PRODUCTS**

In accordance with New York State law, the Board of Education recognizes the health hazards associated with smoking and the use of other tobacco products and, therefore, prohibits the use or possession of tobacco products or paraphernalia, and/or electronic cigarettes/vapor products by students in school buildings, on school property, and in vehicles owned or operated by the District, or at school sponsored activities, regardless of their location.

### First Offense:

A student who is caught smoking or using tobacco products, and/or electronic cigarettes/vapor products a first time, may be suspended out-of-school for a period of two days or placed in in-school suspension. A student who is determined to be in the possession of tobacco products or paraphernalia, and/or electronic cigarettes/vapor products may be assigned two after-school detentions.

### Second Offense:

A student who is caught smoking or using tobacco products, and/or electronic cigarettes/vapor products a second time may be suspended out-of-school for a period of four days or placed in in-school suspension. A student who is determined to be in the possession of tobacco products or paraphernalia, and/or electronic cigarettes/vapor products a second time may be assigned six after-school detentions.

### Third Offense:

A student who is caught smoking or using tobacco products, and/or electronic cigarettes/vapor products a third time may be suspended out-of-school for a period of four days or placed in in-school suspension. A student who is determined to be in the possession of tobacco products or paraphernalia, and/or electronic cigarettes/vapor products a third time, may be placed in in-school suspension for three days.

### Fourth and Each Subsequent Offense:

A student who is caught smoking or using tobacco products, and/or electronic cigarettes/vapor products a fourth time and each subsequent time may be suspended out-of-school for a period of four days or placed in in-school suspension. A student who is determined to be in the possession of tobacco products or paraphernalia, and/or electronic cigarettes/vapor products the fourth and any subsequent time, may be placed in in-school suspension for five days.

All smoking and/or tobacco/e-cigarettes/vapor use offenses are cumulative through one's high school career.



## **APPENDIX F.**

# **PUBLIC CONDUCT ON SCHOOL PROPERTY**

The District is committed to providing an orderly, respectful environment that is conducive to learning. To create and maintain this kind of an environment, it is necessary to regulate public conduct on school property and at school sponsored functions. For purposes of this section of the code, “public” shall mean all persons when on school property or attending a school sponsored function including students, teachers, and District personnel.

The restrictions on public conduct on school property and at school sponsored functions contained in this code are not intended to limit freedom of speech or peaceful assembly. The District recognizes that free inquiry and free expression are indispensable to the objectives of the District. The purpose of this code is to maintain public order and prevent abuse of the rights of others.

All persons on school property or attending a school sponsored function shall conduct themselves in a respectful and orderly manner. In addition, all persons on school property or attending a school sponsored function are expected to be properly attired for the purpose for which they are on school property.

### **Prohibited Conduct on School Property**

These rules govern the conduct of students, faculty and other staff, licenses, invitees, and all other persons, whether or not their presence is authorized, upon District property, and also upon or with respect to any other premises or property, under the control of the District and used in its teaching programs and activities, and in its administrative, cultural, recreational, athletic, other co-curricular program and activities.

No person, either individually, or in concert with others, shall:

1. willfully cause physical injury to any other person, nor threaten to do so for the purpose of compelling or inducing such other person to refrain from any act which he or she has a lawful right to do, or to do any act;
2. physically restrain or detain any other person, nor remove such person from any place where he or she is authorized to remain;
3. willfully damage or destroy property of the school or under its jurisdiction, nor remove or use such property without authorization;

4. without permission, express or implied, enter any private office, member of the faculty, or staff member;
5. enter and remain in any building or facility for any purpose other than for its authorized uses or in such manner as to obstruct its authorized use by others;
6. without authorization, remain in any building or facility after it is closed;
7. refuse to leave any building or facility after being required to do so by an authorized administrative officer, member of the faculty, or staff member;
8. obstruct the free movement of persons and vehicles in any place to which these rules apply;
9. deliberately disrupt or prevent the peaceful and orderly conduct of classes, lectures, meetings, and co-curricular activities, or deliberately interfere with the freedom of any person to express his or her views, including invited speakers;
10. have, in his or her possession, upon any premises to which these rules apply, a rifle, shotgun, pistol, revolver, or other firearm or weapon without the written authorization of the chief administrative officer, (whether or not licensed to possess or carry the same); and/or
11. willfully incite others to commit any of the acts herein prohibited.

## **Penalties and Procedures**

A person who violates any of these rules shall be subject to the following penalties and procedures:

1. If a licensee or invitee, his or her authorization to remain upon the grounds or other property shall be withdrawn and he/she shall be directed to leave the premises. In the event of failure to do so, he/she shall be subject to ejection.
2. If a trespasser or visitor without specific license or invitation, he/she shall be subject to ejection.
3. If he/she is a student, he/she shall be subject to disciplinary action as the facts of the case may warrant, including suspension, probation, loss of privileges, reprimand, or warning as prescribed by the Education Law, §3214 or school Code of Conduct, and he/she shall be subject to ejection.

4. If a faculty member, he/she shall be subject to ejection, warning, reprimand, suspension or other disciplinary action as prescribed by and in accordance with procedures of the Education Law.

5. If a staff member in the classified service of the civil service, described in §75 of the Civil Service Law, he/she shall be guilty of misconduct, and be subject to the penalties and procedures prescribed in said section and be subject to ejection.

6. If a staff member other than one described in subdivision 4 and 5, he/she shall be subject to dismissal, suspension without pay, or censure and be subject to ejection.

### **Enforcement Program**

The Superintendent of Schools shall be responsible for the enforcement of these rules, and he or she shall designate the other personnel who are authorized to take action in accordance with such rules when required or appropriate to effectuate them.

In the case of any apparent violation of these rules by such persons, which, in the judgment of the superintendent or his or her designee, does not pose any immediate threat of injury to person or property, such officer may make reasonable effort to learn the cause of the conduct in question and to persuade those engaged therein to desist and to resort to permissible methods for the resolution of any issues which may be presented. In doing so, such officer shall warn such persons of the consequences of persisting in the prohibited conduct, including their potential ejection from any District properties where their continued presence and conduct is in violation of these rules.

In any case where violation of these rules does not cease after such warning, and in other cases of willful violation of such rules, the superintendent or his or her designee shall cause the ejection of the violator from any premises which he or she occupies in such violation and shall initiate disciplinary action as herein before provided.

The Superintendent or his or her designee may apply to the public authorities for any aid which he or she may request the Board's Counsel to apply for to any court of appropriate jurisdiction, for an injunction to restrain the violation or threatened violation of such rules.

# **APPENDIX G.**

## **SUMMARY OF ATTENDANCE POLICY**

All students are entitled to a sound basic education that will enable them to enjoy life and become effective citizens. This goal can best be achieved within the public schools by regular class participation. The objective of this policy is to encourage student commitment to, staff awareness of, and parental support for, regular class attendance.

### **Strategies**

The basic strategy of this policy is to recognize the relationship between participation in class activities and the mastery of course material. Students are expected to come to class prepared to discuss assigned material.

Failure to attend class thwarts this objective and requires compensating or corrective actions. Such actions should be based on valid data. Consequently, class attendance shall be recorded in accordance with state requirements and shall be reported to parents\* at the end of each marking period or more frequently if so required by the school code of conduct.

### Excused Absences

Tardiness or absence for the following reasons is excused: personal illness or injury, death or emergency illness in the immediate family, obligatory religious observance, required court appearance, medical and dental appointments, school sponsored events, college visits and interviews, career development or explorations programs approved by the principal, driver's road test (not permit tests), late arriving bus, impassable roads or weather making travel unsafe, music lessons, or others as authorized by the principal. Tardiness or absence for any other reasons is unexcused.

Students with an excused absence shall be given an opportunity to make up missed work.

### Relationship between Attendance and Course Credit

In order to obtain the minimum passing-grade for a course, students must demonstrate sufficient comprehension of the course material to justify promotion to a subsequent course of study. To obtain a higher grade, students must demonstrate by examination, class participation, and the completion of assigned work, that they have sufficient mastery of course material to satisfy

established departmental standards. Unexcused absences may also affect a student's grade and course credit.

### Incentives, Sanctions and Notice

Each school is encouraged to recognize the impact of good attendance on student learning and to develop incentives that provide individual motivation to students and families. Students with unexcused absences shall be subject to the sanctions provided by school codes of conduct. Parents shall be notified by phone or by letter whenever their child is absent, tardy, or departs early without a proper excuse.

### Intervention Strategies

Additional actions shall be taken for students with severe attendance problems. These include, referral to a student support or child study team, providing counseling services, and referral to a judge for court supervision (PINS petition). \*The term "parent" includes guardians and others in an established parental relation with the student.

## **APPENDIX H. BILL OF STUDENT RIGHTS AND RESPONSIBILITIES POLICY**

Students who are learning to become members of a democratic society must understand both the rights to which they are entitled in such a society and the attendant responsibilities which they must assume in order to perpetuate such a society for themselves and others.

### **Student Rights**

Education: All persons between the ages of 6 and 21 residing in the state of New York are entitled to a free education without discrimination, endangerment, harassment, intimidation, or fear.

Association: Students have the right to participate in recognized student organizations. Such organizations may not restrict membership on the basis of religion, sex, national origin, race, marital status, disability, or any other protected status.

Discipline: Students have the right to have rules governing their behavior clearly stated and explained to them upon enrollment at the beginning of each subsequent school year. They have the right to know what the consequences of misconduct will be. Unless the health, safety and/or well-being of the student or others may be jeopardized, in all disciplinary matters, students shall have the opportunity to present their version of the facts and circumstances before discipline is imposed.

Privacy and Confidentiality: Student records other than “directory information” (name, address, telephone number, email addresses) are privileged and confidential. A parent or legal guardian is entitled to inspect and challenge a student’s cumulative record. These rights are transferred to the student upon attainment of age 18.

Freedom of Expression: Students have the right to express themselves on the basis of the nature of their beliefs. Such expression may be limited only if it substantially interferes with school activities or the rights of others.

Search and Seizure: Students are guaranteed freedom from unreasonable search and seizure. Personal searches are allowed only when school authorities have reasonable suspicion that hidden items are illegal, dangerous, or in violation of school rules.

Due Process: Students suspended from instruction shall be afforded their due process rights pursuant to Sections 3214 and 310 of the Education Law and 100.2 of the Commissioner’s Regulations. Students suspended from instruction five days or less shall have the right to request an informal conference with the principal, and students and/or persons in a parental relationship shall be authorized to ask questions of the complaining witness. Disciplinary actions need not be delayed pending this informal conference or subsequent appeals. No student may be suspended for more than five days, unless the student and their parents have had the opportunity for a fair hearing, upon reasonable notice, at which the student shall have the right of representation by counsel, with the right to question witnesses presenting evidence against such accused student, and to present witnesses and other evidence on their behalf.

Students and their parents may have decisions involving suspensions and other

disciplinary matters successively considered by the Superintendent of Schools, the Board of Education, and the Commissioner of Education. Appeals from a principal's decision on suspensions and other discipline must follow this progression of review, and such appeals cannot be directly made to the Commissioner of Education.

School authorities shall inform parents about any recorded disciplinary measures. As provided by the Federal Family Educational Rights and Privacy Act (20 USC Section 1232g), parents and adult students have the right to review and to challenge such records.

The term "parent" includes guardians and others serving in an established parental relation to the student.

### **Student Responsibilities**

Education: Students have the responsibility to develop their talents by pursuing the educational opportunities provided for them.

Association: Students have the responsibility to honor their agreements with others.

Discipline: Students have the responsibility to know and follow the rules and regulations of the school, to seek explanation if they do not understand them, and to try to effectuate change in a positive fashion if they feel they disagree with said rules/regulations.

Privacy and Confidentiality: Students have the responsibility to respect the rights of privacy and confidentiality of others.

Freedom of Expression: Students have the responsibility to express themselves in a way that respects the rights and feelings of others and does not interfere with school activities.

Respect for Property: Students have the responsibility not to look through or use the property of others without the owner's permission.

Due Process: Students have the responsibility to respect the due process rights of others.

# **APPENDIX I.**

## **BUILDING COMPUTER UTILIZATION**

The Board of Education considers computers and computer-related technology to be valuable tools for education and encourages their use throughout the District.

The Board encourages computer use as an integral part of the curriculum, where age and developmentally appropriate. This includes the use of computer programs, access to the Internet, and communications with teachers and other students.

Student and staff use of school computers and related technology should support the District's educational program. The Internet and other electronic research materials are available to students and staff solely for the support of our students' educational program and professional development. Computer use — including Internet access — is a privilege, not a right. Computer utilization throughout the District shall be in accordance with Board of Education Policy and in accordance with the regulations defined by board policy, as well as local, state, and federal laws.

Student and staff use of school computers is for school-related use only. Software not approved by the district shall not be used on school computers until it has been scanned for viruses and approved for use by a supervising adult or technology staff member. Software developed by students or proposed to be used for instructional purposes shall be approved for use by a supervising adult or technology staff member.

Use of language on the school network must be consistent with current community standards for public discourse in a school environment. All materials over the Internet should be assumed to be copyrighted for citation purposes.

Any and all e-mail that is sent or received through the District's network is not confidential and is subject to random review. Any messages that are related to or in support of inappropriate or illegal activities shall be reported to supervisors, the District office, or legal authorities. The use of District e-mail is limited to that which supports the District's educational mission and official school business.



For more information about the  
High School Code of Conduct, contact:  
High School Principal John Rickert, 382-2511, Ext. 21701;

or

Title VII/Title IX Officer (District Director of Student and Staff Support Services,  
Deb Marriott) 377-4666 ext. 50740

