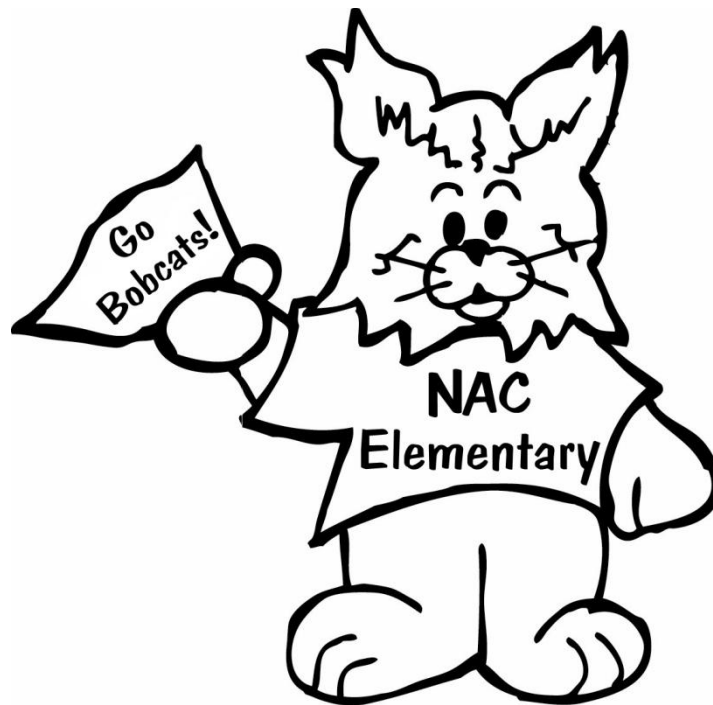


Northern Adirondack Elementary School

CODE OF CONDUCT &
DISCIPLINE POLICY
2009-10



Mission Statement

Our mission in partnership with family and community is to educate students to become lifelong learners and responsible citizens.

Northern Adirondack Central School District

Code of Conduct and Discipline Policy

INTRODUCTION

The Board of Education (“Board”) is committed to providing a safe and orderly school environment where students may receive and district personnel may deliver quality educational services without disruption or interference. Responsible behavior by students, teachers, other district personnel, parents and other visitors is essential to achieving this goal.

The district has a long-standing set of expectations for conduct on school property and at school functions. These expectations are based on the principals of civility, mutual respect, citizenship, character, tolerance, honesty and integrity.

The board recognizes the need to clearly define these expectations for acceptable conduct on school property, to identify the possible consequences of unacceptable conduct, and to ensure that discipline when necessary is administered promptly and fairly. To this end the board adopts this code of conduct (“code”).

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

A. Annual Implementation and Review

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

- Providing copies of a summary of the code to all students. A discussion of the code of conduct will be at a general assembly held at the beginning of each school year.
- Providing all current teachers and other staff members with a copy of the code and a copy of any amendments to the code as soon as practicable after adoption.
- Providing all new employees with a copy of the current code of conduct when they are first hired.
- Making copies of the code available for review by students, parents and other community members.
- Providing the code of conduct online.

B. Definitions

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

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 authority over the classroom.

Parent means parent, guardian or person of parental relation to a student.

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

School Function means any school-sponsored extra-curricular event or activity.

Violent Student means a student under the age of 21 whom:

1. Commits an act of violence upon a school employee, or attempts to do so.
2. Commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at a school function, or attempts to do so.
3. Possesses, while on school property or at a school function, a weapon.
4. Displays, while on school property or at a school function, what appears to be a weapon.
5. Threatens, while on school property or at a school function, to use a weapon.
6. Knowingly and intentionally damages or destroys the personal property of any school employee or any person lawfully on school property or at a school function.
7. Knowingly and intentionally damages or destroys school district property.

Weapon means a firearm as defined in 18 USC §921 for purposes of the Gun Free Schools Act. It also means any other gun, BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckle knife, box cutter, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance that can cause physical injury or death when used to cause physical injury or death.

Controlled substance means a drug or other substance identified in certain provisions of the Federal Controlled Substances Act specified in both federal and state law and regulations applicable to this policy.

Disorderly conduct means any act committed by an elementary or secondary student through the age of 21 that is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.

Public Display of Affection means excessive and/or offensive display of physical affection in a public setting.

Insubordination means the outright refusal to comply with the reasonable request of any staff member or responsible adult serving in the capacity of chaperone by an elementary or secondary student through the age of 21.

C. Public concerns

The Board recognizes the right of community members to register individual or group concerns regarding instruction, district programs, materials, operations, and/or staff members. The main goal of this district is to resolve such concerns with only the parties involved, whenever possible. Public concerns about the school district will be directed to proper administrative personnel. Concerns about specific classroom practices shall be directed to the teacher concerned. If the matter is not settled satisfactorily, the complainant shall then contact the building principal; if there is no resolution on this level, the Superintendent of Schools shall be contacted. The Superintendent shall refer the issue to the Board for final resolution. It is the responsibility of the building principal to help in resolving the problem or concern, and/or refer individuals to the next level of appeal. Matters involving specific classes, teachers or school rules, should be brought to an administrator's attention before an individual addresses members of the Board. All matters referred to the Superintendent and/or the Board must be *in writing*. Concerns registered directly to the Board as well as a whole or to an individual Board member shall be referred, as soon as it is reasonably possible, to the Superintendent for investigation, report and/or resolution. The continued interest and support of district schools by members of the school community is vital to the success of NACS students.

STUDENT RIGHTS AND RESPONSIBILITIES

A. Student Rights and Responsibilities

The Board assures district students that they shall have all the rights afforded them by federal and state constitutions and statutes. The district recognizes all federal, state and local laws in connection with these rights, and reminds students that certain responsibilities accompany these rights. The district's aim is to provide an environment in which a student's rights and freedoms are respected, and to provide opportunities which stimulate and challenges student's interest and abilities to his/her highest potential. These opportunities will be available as long as the student pursues these interests and studies in an appropriate manner, and does not infringe upon the rights of others.

It shall be the right of each district student:

- To have a safe, healthy, orderly and courteous school environment.
- To take part in all district activities on an equal basis regardless of race, sex, national origin or handicapping condition.
- To attend school and participate in school programs unless suspended from instruction and participation for legally sufficient cause as determined in accordance with due process of law.
- To have school rules and conditions available for review and, whenever necessary, explanation by school personnel.
- To be suspended from instruction only after his/her rights pursuant to Education Law §3214 have been observed.
- In all disciplinary matters, to have the opportunity to present his/her version of the facts and circumstances leading to imposition of disciplinary sanctions to the professional staff member imposing such sanction.
 - To express his/her opinions verbally, as long as his/her expression does not interfere with the rights of others or disrupt normal school operation.

It shall be the responsibility of each district student:

- To be familiar with and abide by all district policies, rules and regulations pertaining to student conduct.
- To work to the best of his/her ability in all academic and extracurricular pursuits and strive toward the highest level of achievement possible.
- To conduct himself/herself, when participating in or attending school sponsored extracurricular events, as a representative of the district and as such hold himself/herself to the highest standards of conduct, demeanor and sportsmanship.

- To seek help to develop mechanisms to control anger and to solve problems that might lead to conduct referral.
- To be in regular attendance at school and in class unless legally excused.
- To arrive at school and class, on time, and prepared to learn.
- To contribute to the maintenance of an environment that is conducive to learning and to show due respect to other persons and property.
- To dress in accordance with standards as identified by the Board and the Superintendent.
- To make constructive contributions to the school and to report fairly on circumstances of school related issues.
- To react to direction given by teachers, administrators and other school personnel in a respectful, positive manner.
- To accept responsibility for his/her actions.

B. Recognition of Responsible Student Behavior And Accomplishments

Educators have learned that although steps to stop inappropriate behavior are necessary, praise and reward for responsible student behavior do more to encourage positive traits than anything else. Educators at Northern Adirondack Central School are encouraged to practice assertive discipline techniques that are positive and realistic when responding to negative behavior.

The Northern Adirondack Central School District recognizes responsible student behavior in many ways and encourages additional methods of recognition:

- Publicity of student achievement and activities in local newspapers and the District Newsletter
- Certificates for perfect attendance
- Individual Recognition Awards given by classroom teachers for positive social and academic growth
- National Honor Society/Jr. Honor Society Induction ceremony and reception
- Publications of Honor and High Honor Rolls
- Athletic Awards Ceremony
- Recognition of Student Council and Class Officers
- Math Contest Awards
- Elementary School Awards Program (Academic, Athletic, and Behavior)
- Middle School Awards Program
- Academic Awards Ceremony
- Administrative Letters of Recognition

C. Student Due Process Rights

In situations involving misconduct, students shall have the opportunity to present their version of the facts and circumstances, and students will not be suspended unless their rights to due process, as identified in Education Law §3214, have been observed. Building principals may suspend a student for a period of up to five days. In cases of this type, the Principal conducts an informal hearing with the student and other individuals who may have information concerning the situation. When a suspension is imposed, the student and parent(s) are notified and a written record of the case is made. If the student and parents request, an informal conference will be held at which time the parents may question the person whose complaint initiated the suspension. School personnel will identify problems and pursue appropriate, reasonable measures to affect student behavior. Parents, students and school personnel must work together to ensure the maintenance of the proper atmosphere for learning. Our objective is to provide all students an equal opportunity to grow intellectually, ethically, socially, emotionally and physically.

The responses to student misconduct are designed to be fundamentally fair without imposing unreasonable burdens upon school authorities or students. General requirements in all instances include:

- Oral or written notice detailing the rules violation resulting in the conduct referral.
- An opportunity for the referred student to “tell his/her side of the story” to the person whose responsibility it is to investigate the situation.
- Explanation of the evidence of violation upon which action is being taken, should the student deny the infraction has occurred.

When a student is referred to an administrator/designee for appropriate action, the administrator investigates the incident by meeting with the student and/or staff member and additional students/staff members as deemed necessary. Parental involvement ranges from written notification of the offense and consequence, to parent conferences with staff, student, and if need be, outside agencies/authorities.

ESSENTIAL PARTNERS IN EDUCATION

A. Parents

All parents are expected to:

- Recognize that the education of their children is a joint responsibility of the parents and the school community.
- Send their children to school ready to participate and learn.
- Ensure their children attend school regularly and on time.
- Ensure absences are excused.
- Insist their children be dressed and groomed in a manner consistent with the dress code.
- Help their children understand that in a democratic society, appropriate rules are required to maintain a safe and orderly environment.
- Know school rules and help children understand them.
- Convey to their children a supportive attitude toward education and the school district.
- Build good relationships with teachers, other parents and their children's friends.
- Help their children deal effectively with peer pressure.
- Inform school officials of changes in the home situation that may affect student conduct or performance.
- Provide a place for study and ensure homework assignments are completed.

B. Teachers

All district teachers are expected to:

- Establish and maintain a safe, orderly and stimulating school environment that emphasizes active engagement of students in the learning process.
- Maintain a climate of mutual respect and dignity, which will strengthen students' self-concept and promote confidence to learn.
- Be prepared to teach.
- Demonstrate interest in teaching and concern for student achievement.
- Know school policies and rules, and enforce them in a fair and consistent manner.
- Communicate to students and parents:
 - Course objectives and requirements
 - Marking/grading procedures
 - Assignment deadlines
 - Expectations for students
 - Classroom conduct plan
- Communicate regularly with students, parents and other teachers concerning growth and achievement.

C. School Counselors

All district school counselors are expected to:

- Assist students in coping with peer pressure and emerging personal, social and emotional problems.
- Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary, as a way to resolve problems.
- Regularly review with students their educational progress and career plans.
- Provide information to assist students with career planning.
- Encourage students to benefit from the curriculum and extracurricular programs.

D. Principals

All district Principals are expected to:

- Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
- Ensure that students and staff have the opportunity to communicate regularly with the principal and approach the principal for redress of grievances.
- Evaluate on a regular basis all instructional programs.
- Support the development of and student participation in appropriate extracurricular activities.
- Be responsible for enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.

E. Superintendent

The Superintendent is expected to:

- Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
- Review with district administrators the policies of the board of education and state and federal laws relating to school operations and management.
- Inform the board about educational trends relating to student discipline.
- Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
- Work with district administrators in enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.

F. Board Of Education

The Board of Education is expected to:

- Collaborate with student, teacher, administrator, parent organizations, school safety personnel and other school personnel to develop a code of conduct that clearly defines expectations for the conduct of students, district personnel and visitors on school property and at school functions.
- Adopt and review at least annually the district's code of conduct to evaluate the code's effectiveness and the fairness and consistency of its implementations.
- Lead by example by conducting board meetings in a professional, respectful and courteous manner.

SPECIAL AREAS OF PROHIBITED CONDUCT

There is a direct connection between the way students behave and the way they learn. Positive student behavior helps set the educational environment that allows teachers to teach and encourages students to learn. The District Conduct Committee cannot reasonably write a code of conduct in such detail as to anticipate every type of misconduct that could possibly occur. Therefore, various rules and policies (school district code of Conduct, handbooks, etc.) serve as a guideline encouraging students to become self disciplined, responsible students making proper decisions which keep our school respectful, safe and organized for learning.

Students, who cannot accept responsibility and violate school rules, will be required to accept penalties and more regulated supervision. The vast range of penalties is listed in the Responses to Student Misconduct section. These penalties may be imposed either alone or in combination. Depending upon the nature of the violation, it is the Board's desire that responses to student misconduct be progressive, i.e. a student's first violation should merit a lighter penalty than subsequent violations. It is also the Board's desire that an employee or agent take into account all other relevant factors in determining an appropriate penalty.

A number of areas involving student conduct merit special attention and are addressed in this section. Federal law and the Project SAVE legislation provide for automatic suspensions in the cases of weapons possession, violent behavior and repeated disruptiveness.

A. Dangerous Weapons In School

No student may have in his or her possession upon school premises, in a school vehicle or at a school sponsored program, any rifle, shotgun, pistol, revolver, other firearm, explosive, knives, dangerous chemical, or any object which is not necessary for school activities and which could be used as a weapon. The Federal Gun-Free Schools Act of 1994 requires that any student, other than a student with a disability, found guilty of bringing a weapon onto school property will be subject to suspension from school for at least one calendar year. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law §3214. The Superintendent has the authority to modify the one-year suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the following:

- The student's age.
- The student's grade in school.
- The student's prior disciplinary record.
- The superintendent's belief that other forms of discipline may be more effective.
- Input from parents, teachers and/or others.
- Other extenuating circumstances.

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

B. Other Violent Acts

Any student, who is found to have committed a violent act, other than bringing a weapon onto school property, could be subject to suspension from school for at least five days. If the proposed penalty is the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The Superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

C. Repeated Substantial Disruption or Interference With School Procedure

Any student, who repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom, may be suspended from school for at least five days. For purposes of this code of conduct, "repeatedly is substantially disruptive" means engaging in conduct that results in the student being removed from the classroom by teacher(s) pursuant to Education Law §3214 (3-a) and this code on four or more occasions during a semester. If the proposed penalty is the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The Superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

D. Dress Code

All students are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions. Students and their parents have the primary responsibility for acceptable student dress and appearance. Teachers and all other district personnel should exemplify and reinforce acceptable student dress and help students develop an understanding of appropriate appearance in a school setting. A student's dress, grooming and appearance, including hair style/color, jewelry or other accessories, make-up and nails, shall:

- Be safe, appropriate and not disrupt or interfere with the educational process. The following items are specifically prohibited: spiked jewelry and long pocket chains.
- Recognize that extremely brief garments and see-through garments are prohibited. Examples include: muscle shirts, strapless tube tops, midriff tops, spaghetti straps, halter-tops, low-cut tops, etc. Shirts must touch top of pants. Also recognize that any garment/accessory that detracts from the learning environment or is inappropriate is not allowed.
- Ensure that under garments are discreetly covered with outer clothing. The length of skirts or shorts will be no shorter than 3 inches above the kneecap.
- Not include the wearing of pajama bottoms and/or tops.
- Include footwear at all times. Footwear that is a safety hazard will not be allowed. Slippers are not appropriate footwear. Sneakers are required to participate in physical education classes.
- Ensure that all tank top straps are three fingers wide.
- Not include the wearing of hats or other head covering except for a medical or religious purpose.
- Not include eyewear (i.e., tiger, alien, cat eye contact lenses) that obscures the natural appearance of the eye.
- Not include items that are sexually suggestive, vulgar, obscene, and libelous or denigrate others on account of race, color, religion, creed, national origin, gender, sexual orientation, disability or gang related activities.
- Not promote and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities.

Each 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 and any revisions to the dress code made during the school year. Students who violate the student dress code shall be required to remove the offending item and replace it with an acceptable item. Any student who refuses to do so shall be subject to a misconduct penalty, up to and including in-school suspension for the day. Any student who repeatedly fails to comply with the dress code shall be subject to further penalty, up to and including out of school suspension. Final decision with regards to interpretation of the dress code will rest with the Principal.

E. Student Protests, Demonstrations and Sit-Ins

The Board and the Superintendent have the authority and responsibility to maintain order and discipline with the district's schools as is necessary to protect the safety and welfare of the students, to secure the educational environment within the schools, and to protect the real and personal property owned and maintained by the district from damage. While the Board recognizes that students have a constitutional right to demonstrate peacefully during school hours, students are prohibited from engaging in

conduct which otherwise endangers the safety, morals, health or welfare of themselves or others. The Board prohibits students from willfully disrupting the routine and daily schedule of the school or a school-sponsored event by participating in an individual or group activity, which has as its purpose the encouragement of noncompliance with an existing school policy, regulation or administrative decision. In addition, the Board prohibits students as individuals or groups from participating in sit-ins, stand-ins, walk-outs and other similar conduct which disrupts the order and discipline of the school and/or endangers the safety and welfare of themselves and other students in the school.

F. Drug/Alcohol Misuse

No student shall possess, use, transmit, or attempt to possess, use, or transmit, or be under the influence of any of the following substances on school premises during any school term or off school premises at a school-related activity, function or event:

- Any controlled substance or dangerous drug as defined by law, without regard to amount, including but not limited to marijuana, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine or barbiturate;
- Alcohol or any alcoholic beverage;
- Any glue, aerosol paint or any other chemical substance intended for inhalation;
- Any other intoxicant or mood-changing, mind-altering drugs;
- Any medication including over the counter drugs is administered by the school nurse and must have the prescription label on it with a note from the doctor regarding dosage and time to be given. An adult must transport it to school. Please do not send your child with the prescription or over the counter medicines. He/she cannot self medicate.

“Use” means a student has smoked, ingested, injected, imbibed, inhaled or otherwise taken internally, a prohibited substance recently enough that is detectable by the student’s physical appearance, actions, breath or speech. “Under the influence” means a student’s faculties are noticeably impaired, but the student need not be legally intoxicated. Students are reminded that they are granted choices and if they choose to violate the Drug/Alcohol rule, the consequences of their behavior will be to serve the necessary discipline. It is the intention of the Northern Adirondack Central School District to intervene at the earliest stages of student involvement with drug/alcohol use. Any student with an infraction of this drug/alcohol rule will be recommended to intervention services established by the District Drug and Alcohol Policy and Referral Program. Appropriate referrals and parental contact shall be made in any case involving substance misuse. Outside agencies may be contacted by the administrator/designee as a means of following up the behaviors related to this section.

Drug/Alcohol Use and Special Student Functions

Students under the influence and/or possession of drugs and/or alcohol at events sponsored by Northern Adirondack Central School, including but not limited to school dances, athletic events, junior prom, senior ball and/or class trip, will be immediately removed from the event, have a parental contact made, be subject to further conduct review and in the case of seniors, may not be allowed to participate in the graduation ceremony.

G. Corporal Punishment

Corporal punishment is any act of physical force upon a student for the purpose of punishing that student. Corporal punishment of any student by any district employee is strictly forbidden. However, in situations where alternative procedures and methods that do not involve the use of physical force cannot reasonably be used, reasonable physical force may be used to:

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

The district will file all complaints about the use of corporal punishment with the Commissioner of Education in accordance with Commissioner’s regulations.

Investigation of Complaints

Any complaint about the use of corporal punishment shall be submitted in writing to the Superintendent. This written complaint will be forwarded to the school attorney within seven days. The Superintendent will investigate the complaint to determine whether an incident actually took place, and if so, to determine the identity of the person or persons who administered the punishment, the identity of the student or students punished and the reasons for the action and any other relevant facts or circumstances. Results of this investigation will be forwarded to the school attorney upon completion of the investigation.

H. Student Searches and Interrogations

The Board is committed to ensuring an atmosphere on school property and at school functions that is safe and orderly. To achieve this kind of environment, any school official authorized to impose a misconduct penalty on a student may question a student about an alleged violation of law or the district code of conduct. Students are not entitled to any sort of “Miranda”-type warning before being questioned by school officials, nor are school officials required to contact a student’s parent before questioning the student. However, school officials will tell all students why they are being questioned. In addition, the Board authorizes the Superintendent, building principals and school nurse to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the district code of conduct. An authorized school official may conduct a search of a student’s belongings that is minimally intrusive, such as touching the outside of a book bag, without reasonable suspicion, so long as the school official has a legitimate reason for the very limited search. An authorized school official may search a student or student’s belongings based upon information received from a reliable informant. Individuals, other than district employees, will be considered reliable informants if they have previously supplied information that was accurate and verified, or they make an admission against their own interest, or they provide the same information that is received independently from other sources, or they appear to be credible and the information they are communicating relates to an immediate threat to safety. District employees will be considered reliable informants unless they are known to have previously supplied information that they knew was not accurate. Before searching a student or the student’s belongings, the authorized school official should attempt to get the student to admit that he or she possesses physical evidence that they violated the law or the district code, or get the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought. Whenever practicable, searches will be conducted in the privacy of administrative offices and students will be present when their possessions are being searched.

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

The rules in this code of conduct regarding searches of students and their belongings do not apply to student lockers, desks and other school storage places. Students have no reasonable expectation of privacy with respect to these places and school officials retain complete control over them. This means that student lockers, desks and other school storage places may be subject to search at any time by school officials, without prior notice to students and without their consent. The school district may also from time to time use trained police dogs for sniff searches of school lockers or vehicles on school property.

2. Documentation of Searches

The authorized school official conducting the search shall be responsible for promptly recording the following information about each search:

- a. Name, age and grade of student searched.
- b. Reasons for the search.
- c. Name of any informant(s).
- d. Purpose of search (that is, what item(s) were being sought).
- e. Type and scope of search.
- f. Person conducting search and his or her title and position.
- g. Witnesses, if any, to the search.
- h. Time and location of search.
- i. Results of search (that is, what item(s) were found).
- j. Disposition of items found.
- k. Time, manner and results of parental notification.

The building principal or the principal’s designee shall be responsible for the custody, control and disposition of any illegal or dangerous items taken from a student. The principal or his or her designee shall clearly label each item taken from the student and retain control of the item(s), until the item is turned over to the police. The principal or his or her designee shall be responsible for personally delivering dangerous or illegal items to police authorities.

3. Police Involvement in Searches and Interrogations of Students

District officials are committed to cooperating with police officials and other law enforcement authorities to maintain a safe school environment. Police officials, however, have limited authority to interview or search students in schools or at school functions, or to use school facilities in connection with police work. Police officials may enter school property or a school function to question or search a student or to conduct a formal investigation involving students only if they have:

- a. A search or an arrest warrant; or
- b. Probable cause to believe a crime has been committed on school property or at a school function; or
- c. Been invited by school officials.

Before police officials are permitted to question or search any student, the building principal or his or her designee shall first try to notify the student's parent to give the parent the opportunity to be present during the police questioning or search. The principal or designee will also be present during any police questioning or search of a student on school property or at a school function. Students who are questioned by police officials on school property or at a school function will be afforded the same rights they have outside of school. This means:

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

4. Child Protective Services Investigations

Consistent with the district's commitment to keep students safe from harm and the obligation of school officials to report to child protective services when they have reasonable cause to suspect that a student has been abused or maltreated, the district will cooperate with local child protective services workers who wish to conduct interviews of students on school property relating to allegations of suspected child abuse, and/or neglect, or custody investigations.

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

A child protective services worker may not remove a student from school property without a court order, unless the worker reasonably believes that the student would be subject to danger of abuse if he or she were not removed from school before a court order can reasonably be obtained. If the worker believes the student would be subject to danger of abuse, the worker may remove the student without a court order and without the parent's consent.

Discipline of Students with Disabilities

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

Strip Searches

A strip search is a search that requires a student to remove any or all of his or her clothing, other than an outer coat or jacket. If an authorized school official believes it is necessary to conduct a strip search of a student, the school official may do so only if the search is authorized in advance by the superintendent or the school attorney. The only exception to this rule requiring advanced authorization is when the school official believes there is an emergency situation that could threaten the safety of the student or others.

Strip searches may only be conducted by an authorized school official of the same sex as the student being searched and in the presence of another district professional employee who is also of the same sex as the student.

In every case, the school official conducting a strip search must have probable cause – not simply reasonable cause – to believe the student is concealing evidence of a violation of law or the district code. In addition, before conducting a strip search, the school official must consider the nature of the alleged violation, the student's age, the student's record and the need for such a search.

School officials will attempt to notify the student's parent by telephone before conducting a strip search or in writing after the fact if the parent could not be reached by telephone.

Referrals

1. Counseling

The Guidance Office shall handle all referrals of students to counseling.

2. PINS Petitions

The district may file a PINS (person in need of supervision) petition in Family Court on any student under the age of 16 who demonstrates that he or she requires supervision and treatment by:

- a. Being habitually truant and not attending school as required by part one of Article 65 of the Education Law.
- b. Engaging in an ongoing or continual course of conduct which makes the student ungovernable or habitually disobedient and beyond the lawful control of the school.
- c. Knowingly and unlawfully possesses marijuana in violation of Penal Law §221.05. A single violation of §221.05 will be a sufficient basis for filing a PINS petition.

3. Juvenile Delinquents and Juvenile Offenders

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

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

Maintenance and Enforcement of Public Order in School

The district is committed to providing an orderly, respectful environment that is conducive to learning. To create and maintain this kind of environment, it is necessary to regulate public conduct on school property and at school functions. For purposes of this section of the code, “public” shall mean all persons when on school property or attending a school function including students, teachers and district personnel. The restrictions of public conduct on school property and at school functions contained in this code are not intended to limit freedom of speech or peaceful assembly. The district recognizes that free inquiry and free expression are indispensable to the objectives of the district. The purpose of this code is to maintain public order and prevent abuse of the rights of others. All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner. In addition, all persons on school property or attending a school function are expected to be properly attired for the purpose they are on school property.

A. Prohibited Conduct

No person, either alone or with others, shall:

- Intentionally injure any person or threaten to do so.
- Intentionally damage or destroy school district property or the personal property of a teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
- Disrupt the orderly conduct of classes, school programs or other school activities.
- Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.
- Intimidate, harass or discriminate against any person on the basis of race, color, creed, national origin, religion, age, gender, sexual orientation or disability.
- Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
- Obstruct the free movement of any person in any place to which this code applies.
- Violate the traffic laws, parking regulations or other restrictions on vehicles.
- Possess, consume, sell, distribute or exchange alcoholic beverages and/or controlled substances, or be under the influence of either on school property or at a school function.
- Possess or use weapons in or on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by the school district.
- Loiter on or about school property.
- Play card or casino type games for money.
- Refuse to comply with any reasonable order of identifiable school district officials performing their duties.
- Willfully incite others to commit any of the acts prohibited by this code.
- Violate any federal or state statute, local ordinance or board policy while on school property or while at a school function.
- Leave school grounds without authorization.
- Posses or use a skateboard on school grounds.
- Smoke on school grounds.
-

B. Penalties

Persons who violate this code shall be subject to the following penalties:

- Visitors: Their authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection.
- Students: They shall be subject to a conduct referral as the facts may warrant, in accordance with the due process requirements.
- Tenured faculty members: They shall be subject to disciplinary action as the facts may warrant, in accordance with Education Law §3020-a or any other legal rights they may have.
- Staff members in classified service of the civil service entitled to the protection of Civil Service Law §75. They shall be subject to immediate ejection and disciplinary action as the facts may warrant, in accordance with Civil Service Law §75 or any other legal rights they may have.
- Staff members other than those described above: They shall be subject to warning, reprimand, suspension or dismissal as the facts may warrant, in accordance with any legal rights they may have.

C. Enforcement

The building principal or his or her designee shall be responsible for enforcing the conduct required by this code. When the building principal or his or her designee sees an individual engage in prohibited conduct, which in his or her judgment does not pose any immediate threat of injury to persons or property, the principal or his or her designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The principal or his or her designee shall also warn the individual of the consequences for failing to stop. If the person refuses to stop engaging in the prohibited conduct, or if the person's conduct poses an immediate threat of injury to persons or property, the principal or his or her designee shall have the individual removed immediately from school property or the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the person. The district shall initiate a conduct referral against any student or staff member, as appropriate, with the "Penalties" section above. In addition, the district reserves the right to pursue a civil or criminal legal action against any person violating the code.

PROCEDURES/REFERRALS/PENALTIES

The types of misconduct and levels of severity are applicable to students in K-12. Specific rules and regulations for students in the elementary, middle and high school are found in the student rules/handbooks/brochures.

A. Procedures

The amount of due process a student is entitled to receive before a penalty is imposed depends on the penalty being imposed. In all cases, regardless of the penalty imposed, the school personnel authorized to impose the penalty must inform the student of the alleged misconduct and must investigate, to the extent necessary, the facts surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to the school personnel imposing the disciplinary penalty in connection with the imposition of the penalty. Students who are to be given penalties other than a verbal warning, written warning or written notification to their parents are entitled to additional rights before the penalty is imposed. These additional rights are explained below and in the student due process section of the code.

1. Detention

Teachers, principals and the superintendent may use after school detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate. The student will be provided transportation home.

2. Suspension from transportation

If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the building principal's attention. Students who present serious conduct problems may have their riding privileges suspended by the building principal, the superintendent or the designees. In such cases, the student's parent will become responsible for seeing that his or her child gets to and from school safely. Should the suspension from transportation amount to a suspension from attendance, the district will make appropriate arrangements to provide for the student's education. A student subjected to a suspension from transportation is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the building principal or the principal's designee to discuss the conduct and the penalty involved.

3. Suspension from athletic participation, extracurricular activities and other privileges

A student subjected to a suspension from athletic participation, extra-curricular activities or other privileges is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the district official imposing the suspension to discuss the conduct and the penalty involved.

4. In-school suspension

The board recognizes the school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the board authorizes building principals and the superintendent, to place students who would otherwise be suspended from school as the result of a code of conduct violation, in “in-school suspension.” A student subjected to an in-school suspension is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student’s parent will be provided with a reasonable opportunity for an informal conference with the district official imposing the in-school suspension to discuss the conduct and the penalty involved.

5. Teacher disciplinary removal of disruptive students

A student’s behavior can affect a teacher’s ability to teach and can make it difficult for other students in the classroom to learn. In most instances, the classroom teacher can control a student’s behavior and maintain or restore control over the classroom by using good classroom management techniques. These techniques may include practices that involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain his or her composure and self-control in an alternative setting. Such practices may include, but are not limited to: (1) short-term “time-out” in an in-school suspension classroom or in an administrator’s office; (2) sending a student into the hallway briefly; (3) sending a student to the principal’s office for the remainder of the class time only; or (4) sending a student to a school counselor or other district staff member for counseling. Time-honored classroom management techniques such as these do not constitute disciplinary removals for purposes of this code.

On occasion, a student’s behavior may become disruptive. For purposes of this code of conduct, a disruptive student is a student who is substantially disruptive of the educational process or substantially interferes with the teacher’s authority over the classroom. A substantial disruption of the educational process or substantial interference with a teacher’s authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher’s instructions or repeatedly violates the teacher’s classroom behavior rules.

A classroom teacher may remove a disruptive student from class for up to two days. The removal from class applies to the class of the removing teacher only.

If the disruptive student does not pose a danger or ongoing threat of disruption to the academic process, the teacher must provide the student with an explanation for why he or she is being removed and an opportunity to explain his or her version of the relevant events before the student is removed. Only after the informal discussion may a teacher remove a student from class.

If the student poses a danger or ongoing threat of disruption, the teacher may order the student to be removed immediately. The teacher must, however, explain to the student why he or she was removed from the classroom and give the student a chance to present his or her version of the relevant events within 24-hours or on the next school day.

The teacher must complete a district-established conduct referral form and meet with the principal or his or her designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the removal form. If the principal or designee is not available by the end of the same school day, the teacher must leave the form with the secretary and meet with the principal or designee prior to the beginning of classes on the next school day.

Within 24-hours or on the next school day after the student’s removal; the principal or another district administrator designated by the principal must notify the student’s parents, in writing, that the student has been removed from class and why. The notice must also inform the parent that he or she has the right, upon request, to meet informally with the principal or the principal’s designee to discuss the reasons for the removal.

The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the student’s removal at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents.

The principal may require the teacher who ordered the removal to attend the informal conference.

If at the informal meeting the student denies the charges, the principal or the principal’s designee must explain why the student was removed and give the student and the student’s parents a chance to present the student’s version of the relevant events. The informal meeting must be held within 48 hours of the student’s removal or on the second school day following the removal. The timing of the informal meeting may be extended by mutual agreement of the parent and principal.

The principal or principal’s designee may overturn the removal of the student from class if the principal finds any one of the following:

- The charges against the student are not supported by substantial evidence.
- The student’s removal is otherwise in violation of law, including the district’s code of conduct.
- The conduct warrants suspension from school pursuant to Education Law §3214 and a suspension will be imposed.

The principal or his or her designee may overturn a removal at any point between receiving the referral form issued by the teacher and the close of business on the day following the 48-hour period for the informal conference, if a conference is requested. No student removed from the classroom by the classroom teacher will be permitted to return to the classroom until the principal makes a final determination, or the period of removal expires, whichever is less.

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 (on a district provided form) for all cases of removal of students from his or her class. The principal must keep a log of all removals of students from class.

Removal of a student with a disability, under certain circumstances, may constitute a change in the student's placement. Accordingly, no teacher may remove a student with a disability from his or her class 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 regulations.

6. Suspension from school

Suspension from school is a severe penalty, which may be imposed only upon students who are insubordinate, disorderly, violent or disruptive, or whose conduct otherwise endangers the safety, morals, health or welfare of others.

The board retains its authority to suspend students, but places primary responsibility for the suspension of students with the superintendent and the building principals.

Any staff member may recommend to the superintendent or the principal that a student be suspended. All staff members must immediately report and refer a violent student to the principal or the superintendent for a violation of the code of conduct. All recommendations and referrals shall be made in writing unless the condition underlying the recommendation or referral warrants immediate attention. In such case a written report is to be prepared as soon as possible by the staff member recommending the suspension.

The superintendent or principal, upon receiving a recommendation or referral for suspension or when processing a case for suspension, shall gather the facts relevant to the matter and record them for subsequent presentation, if necessary.

a. Short-term (5 days or less) suspension from school

When the superintendent or principal (referred to as the "suspending authority") proposes to suspend a student charged with misconduct for five days or less pursuant to Education law §3214(3), the suspending authority must immediately notify the student verbally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student's parents in writing that the student may be suspended from school. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting the parents.

The notice shall provide a description of the charges against the student and the incident for which suspension is proposed and shall inform the parents of the right to request an immediate informal conference with the principal. Both the notice and informal conference shall be in the dominant language or mode of communication used by the parents. At the conference, the parents shall be permitted to ask questions of complaining witnesses under such procedures as the principal may establish.

The notice and opportunity for an informal conference shall take place before the student is suspended unless the student's presence in school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process. If the student's presence does pose such a danger or threat of disruption the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable.

After the conference, the principal shall promptly advise the parents in writing of his or her decision. The principal shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the superintendent within five business days, unless they can show extraordinary circumstances precluding them from doing so. The superintendent shall issue a written decision regarding the appeal within 10 business days of receiving the appeal. If the parents are not satisfied with the superintendent's decision, they must file a written appeal to the board of education with the district clerk within 10 business days of the date of the superintendent's decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the Board may be appealed to the Commissioner within 30 days of the decision.

b. Long-term (more than 5 days) suspension from school

When the superintendent or building principal determines that a suspension for more than five days may be warranted, he or she shall give reasonable notice to the student and the student's parents of their right to a fair hearing. At the hearing the student shall have the right to be represented by counsel, the right to question witnesses against him or her and the right to present witnesses and other evidence on his or her behalf.

The superintendent shall personally hear and determine the proceeding or may, in his or her discretion, designate a hearing officer to conduct the hearing. The hearing officer shall be authorized to administer oaths and to issue subpoenas in conjunction with the proceeding before him or her. A record of the hearing shall be maintained, but no stenographic transcript shall be required. A tape recording shall be deemed a satisfactory record.

The hearing officer shall make findings of fact and recommendations as to the appropriate measure of discipline to the superintendent. The report of the hearing officer shall be advisory only, and the superintendent may accept all or any part thereof.

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

c. Permanent suspension

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

B. Penalties

Students who are found to have violated the district's code of conduct may be subject to the following penalties, either alone or in combination. The school personnel identified after each penalty are authorized to impose the penalty, consistent with the student's right to due process.

- Verbal warning – any member of the district staff.
- Parent contact – transportation supervisor, activity advisor, athletic director, coaches, school counselors, teachers, director of special education, principal, superintendent.
- Written warning – hall and lunch monitors, coaches, school counselors, teachers, athletic director, director of special education, principal, superintendent.
- Written notification to parent – hall and lunch monitors, coaches, school counselors, teachers, athletic director, director of special education, principal, superintendent.
- Special assignment (written or oral) – school counselors, teachers, athletic director, director of special education, principal, superintendent.
- Behavioral contract – school counselors, teachers, athletic director, director of special education, principal, superintendent.
- Teacher/Parent/Student Conference – school counselors, teachers, athletic director, director of special education, principal, superintendent.
- School Counselor Referral for follow-up
- Detention – teachers, principal, superintendent.
- Suspension from transportation – director of transportation, principal, superintendent.
- Suspension from athletic participation – coaches, athletic director, principal, superintendent.
- Suspension from social or extracurricular activities – activity director, principal, superintendent.
- Suspension of other privileges – principal, superintendent.
- In-school suspension – principal, superintendent.
- Removal from classroom – teachers, principal.
- Short-term (five days or less) suspension from school – principal, superintendent.
- Long-term (more than five days) suspension from school – principal, superintendent.
- Involuntary transfer – principal, superintendent.
- Alternative Education Placement/Homebound Instruction; Special Education Temporary Educational Placement; CV-TEC – director of special education, principal, superintendent.

- Outside Agency Referral – school counselor, director of special education, principal, superintendent.
- Law Enforcement Referral – principal, superintendent.
- Permanent suspension from school – superintendent.

Any illegal act may be reported to the proper authority!

PLEASE NOTE: The administration reserves the right to alter any disciplinary action based upon individual circumstances.

NORTHERN ADIRONDACK CENTRAL SCHOOL
DISTRICT PERSONNEL

DISTRICT OFFICES

Superintendent of Schools – Laura Marlow

Business Manager – Brian Tousignant

Chairperson of Special Education – Cindy Hoff

Transportation Director – Wayne Magoon

School Lunch Manager – Lisa Carter

Athletic Director – Jeff Doorey

MIDDLE/HIGH SCHOOL

Middle School Principal – Pamela Ross

Interim High School Principal – Bonnie Berry

High School Counselor – Timothy McAfee

Middle School Counselor – Mary Sexton

High School Nurse – Julie Finley

ELEMENTARY SCHOOL

Elementary Principal – Lisa Silver

Elementary Counselor – Christine Brudvig

Elementary School Nurse – Kimberly Barnes

ADMINISTRATIVE ASSISTANTS

Superintendent's Office – Martha Cayea

Business Office – Sandy Dominic & Sarah Watts

High School/Middle School – Darla Bilow & Jamie Lord

Elementary School – Tricia Brassard & Mae Guay

Counseling Office – Jo Ann McNeil

Special Education – Tina Trombley