Valley Stream Central High School District

CENTRAL HS

NORTH HS

Valley Stream CHSD
Information
Handbook 2025-2026

MEMORIAL JHS

SOUTH HS

Challenging Students, Staff and Parents to Become All They Can Be in our Very Supportive Community

www.vschsd.org

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Board of Education

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Sarah Sabatino, Trustee
Markus Wilson, Trustee

Superintendent of Schools

Wayne R. Loper, Ed.D.

Building Principals

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Central High School

Mr. Bret Strauss
Memorial Junior High School

Robin Small, Ed.D.
North High School

Mr. Matthew Swinson
South High School

District Staff

Deputy Superintendent .....Jennifer DiMaio, Ed.D.
Assistant Superintendent for Personnel & Administration.....Mr. Clifford Odell
Assistant Superintendent for Finance & Operations ..... Mr. Thomas McDaid
District Director of Special Education .....William Bushman, Ed.D.
District Director of Guidance and Chief Information Officer .....Ms. Kelly Whitney-Rivera
District Director of Instructional Services.....Mr. Steven Gilhuley
District Director of Health, Physical Education and Athletics…….....…Mr. John Kostkowicz
District Director of Fine & Performing Arts ..... Adam Erdos, Ed.D.
District Director of Facilities…….....Mr. Anthony Deluca
District Director of Restorative Practices & Community Engagement……..….Ms. Nakeshia Smith-Farnum

DISTRICT NUMBERS

Administration
- Superintendent of Schools 872-5601
- Deputy Superintendent 872-5607
- Asst. Superintendent for Personnel & Administration 872-5671
- Asst. Superintendent for Finance & Operations 872-5610

Adult Education 872-5664
Business Department 872-5610
- Accounting 872-5613
- Billing & Purchasing 872-5615
- Cafeteria Office 872-7773
- Custodial & Maintenance Personnel 872-5610
- Director of Facilities 872-5686
- Maintenance Shop 872-5690
- Payroll 872-5620
- Transportation & Health Insurance 872-5618
- Workers Compensation 842-5610

Curriculum Office 872-5607
District Clerk 872-5628
District Director of Fine & Performing Arts 561-4439
District Director of Health, Physical Education and Athletics 872-5695
District Director of Special Education 872-5640
District Treasurer 872-5613
Teacher Center 837-1001
Technology Department 872-5642

EMERGENCY CLOSINGS

Should weather conditions make it necessary to close the schools, or open on a delayed basis, the following stations will make early morning announcements:

WALK (1370 AM) WBAB (102.3 FM) WCBS (880 AM)

WHLI (1100 AM) WKJY (98.5 FM) WINS (1010 AM) News 12(Cablevision)

WABC-TV (Channel 7), WNBC-TV (Channel 4) and WNYW-TV (Channel 5).

You may also visit our website: www.vschsd.org

In addition, the District will use a telephone notification system

In case of delayed opening, staff members would report at 9:30 A.M., students at 10 A.M.

Dear Students, Parents and Staff,

Welcome to the Valley Stream CHSD! I am pleased to present you with this Information Booklet, which is just one of the many ways the District communicates with the school community. Other means of communication include:

1. District Policy Book
2. Infinite Campus
3. Board of Education Meetings
4. District Newspaper (Observer)
5. Parent/Staff Meetings
6. PTSA Meetings
7. District Calendar of Activities
8. Minutes of Board Meetings
9 Meet Your School Board Brochure
10. District Website (www.vschsd.org)

We urge you to read this booklet thoroughly and when appropriate, utilize other channels of communication. As always, the Board and Administration are available to answer any questions or concerns.

Best wishes for a productive and rewarding school year!

Sincerely

Dr. Wayne R. Loper
Superintendent of Schools

Student Rights and Responsibilities

Regulations of the NYS Commissioner of Education, effective January 1, 1986 and SAVE legislation adopted in 2000 require that “Each school district shall adopt and implement a written policy on school conduct and discipline designed to promote responsible student behavior.”

The Valley Stream Central High School District developed such a policy locally in consultation with teachers, administrators, other school service professionals, students, parents, and the Board of Education. This policy is reviewed and distributed annually to students, parents, and staff. The material is shared in an attempt to emphasize the rights and responsibilities of the students and to ensure that all students, parents, teachers and administrators are fully aware of behavioral expectations and the consequences which will result if infractions of these behavioral expectations occur.

VSCHSD Code of Conduct

5300.05 INTRODUCTION

The Board of Education 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 principles 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, 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.

To be successful, this code must be thoroughly understood in its spirit and its particulars by teachers, guidance counselors, administrators, parents, and students themselves. It will, therefore, be communicated in writing annually to all members of the school community. Its success depends upon the commitment and support of all concerned.

Teachers are responsible for initiating this code in the classroom, and all professional staff members have the responsibility of applying the code in all parts of the school and on its grounds, teachers, counselors, administrators, parents, and the Board of Education must all take initiative of insuring proper and reasonable communication with one another.

5300.10 DEFINITIONS

For purposes 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.

NOTE: The definition of "disruptive student" is from Education Law §3214(2-a)(b). “Gender” means actual or perceived sex and shall include a person’s gender identity or expression.

NOTE: The definition of “gender” comes from §11(6).

“Gender expression” is the manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyle, activities, voice or mannerisms.

“Gender identity” is one’s self-conception as being male or female, as distinguished from actual biological sex or sex assigned at birth.

“**Parent”** means parent, guardian, or person in parental relation to a student.

“Protective hairstyles” includes, but is not limited to such hairstyles as braids, locks, and twists.

“Race” includes traits historically associated with race, including, but not limited to, hair texture and protective hairstyles.

“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.

NOTE: The definition of “school property” is from Education Law §2801(1).

“School function” means any school-sponsored extra-curricular event or activity.

NOTE: The definition of “school function” is from Education Law §2801(1).

“Sexual orientation” means actual or perceived heterosexuality, homosexuality, or bisexuality.

NOTE: The definition of “sexual orientation” is from §11(5).

"Violent student" means a student under the age of 21 who:

1. Commits an act of violence upon a school employee, attempts to do so, or threatens 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 the school function, attempts to do so, or threatens to do so.
3. Possess, 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, attempts to do so, or threatens to do so.
7. Knowingly and intentionally damages or destroys school district property or attempts to do so.

"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 cutters, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance that can cause physical injury or death when used to cause physical injury or death.

"Illegal substances" include, but are not limited to, inhalants, synthetic cannabinoids, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any substances commonly referred to as "designer drugs."

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

"Disability" means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological condition which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment, provided, however, that in all provisions of this article dealing with employment, the term must be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held (Education Law §11[4] and Executive Law §292[21]).

"Employee" means any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title nine of article five of the Social Services Law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact (Education Law §§11[4] and 1125[3]).

"Harassment" means the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical wellbeing; or conduct, verbal threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; such conduct, verbal threats, intimidation or abuse includes but is not limited to conduct, verbal threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex (Education Law §11[7]).

"Discrimination" means discrimination against any student by a student or students and/or employee or employees on school property or at a school function including, but not limited to, discrimination based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex.

5300.15 STUDENT RIGHTS AND RESPONSIBILITIES

A. Student Rights

The district is committed to safeguarding the rights given to all students under federal and state law as well as district policy. In addition, to promote a safe, healthy, orderly, and supportive school environment, all district students have the right to:

1. Each student has the right to free education until the age of 21 or until he/she graduates (exception "Driver Education" Board Policy 5118.1)
2. Take part in all district activities on an equal basis regardless of actual or perceived race, (including traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists), weight, color, religion, religious practice, sex, sexual orientation, ethnic group, national origin, creed, disability, gender (including gender identity and expression) or sexual orientation or disability.
3. To be respected as an individual and treated fairly and with dignity by other students and school staff.
4. To express one's opinion either verbally or in writing, as long as it is done so in a respectful manner. (5401)
5. Present their version of the relevant events to school personnel authorized to impose consequences. (5401)
6. Students have the right to due process in all disciplinary action and have access to school policies, regulations, and rules and, when necessary, receive an explanation of those rules from school personnel. (5114) (Ed. Law 3214)

7. To be provided with clear expectations regarding:
    1. Course objectives, requirements, and state standards.
    2. Grading criteria and procedures.
    3. Assignment requirements and deadlines and
    4. School and classroom rules and expectations regarding behavior.

B. Student Responsibilities

All district students have the responsibility to:

1. Contribute to maintaining a safe, supportive, and orderly school environment that is conducive to learning and to show respect to other persons and to property.
2. Be familiar with and abide by all district policies, rules and regulations dealing with student conduct.
3. Attend school every day unless they are legally excused and be in class, on time, and prepared to learn.
4. Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.
5. React to direction given by teachers, administrators, and other school personnel in a respectful, positive manner.
6. Use a polite tone of voice and appropriate body language, listening when others are speaking to you.
7. To be truthful when speaking with school officials regarding Code of Conduct violations.
8. Respect personal space.
9. Work to develop skills to manage their emotions and reactions and resolve conflict with others.
10. Ask questions when they do not understand.
11. Seek help in solving problems
12. Dress appropriately for school and school functions.
13. Accept responsibility for their actions.
14. Conduct themselves as representatives of the district when participating in or attending school-sponsored extracurricular events and to hold themselves to the highest standards of conduct, demeanor, and sportsmanship.

5300.20 ESSENTIAL PARTNERS

A. Parents

All parents are expected to:

1. Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community and collaborate with the district to optimize their child’s educational opportunities.
2. Send their children to school ready to participate and learn.
3. Ensure their children attend school regularly and on time.
4. Ensure absences are excused.
5. Insist their children be dressed and groomed in a manner consistent with the student dress code.
6. Help their children understand that in a democratic society, appropriate rules are required to maintain a safe, orderly environment.
7. Know school rules and help their children understand them so that their children can help create a safe, supportive school environment.
8. Convey to their children a supportive attitude toward education and the district.
9. Build positive, constructive relationships with teachers, other parents, and their children's friends.
10. Tell school officials about any concerns or complaints in a respectful and timely manner.

11. Help their children deal effectively with peer pressure.
12. Inform school officials of changes in the home situation that may affect student conduct or performance.
13. Provide a place for study and ensure homework assignments are completed.
14. Be respectful and courteous to staff, other parents/guardians, and students while on school premises.

B. Teachers

All district teachers are expected to:

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race (including traits, historically associated with race, such as hair texture and protective hairstyles like braids, locks and twists), color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, including gender identity and expression or actual or perceived sex, which will strengthen students' self-concept and promote confidence to learn.
2. Be prepared to teach.
3. Demonstrate interest in teaching and concern for student achievement.
4. Know school policies and rules and enforce them in a fair and consistent manner.
5. Maintain confidentiality in conformity with federal and state law.
6. Communicate to students and parents:
    1. Course objectives and requirements.
    2. Marking/grading procedures.
    3. Assignment deadlines.
    4. Expectations for students.
    5. Classroom behavior and consequences plan.
7. Communicate regularly with students, parents and other teachers concerning growth and achievement.
8. Participate in school-wide efforts to provide adequate supervision in all school spaces, in conformity with the Taylor Law.
9. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
10. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
11. Report incidents of discrimination and harassment witnessed by or brought to the teacher’s attention in a timely manner to the principal or another building administrator.

C. School Counselors

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, (including traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists) color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity and expression) or sex.
2. Assist students in coping with peer pressure and emerging personal, social, and emotional problems.
3. Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary, as a way to resolve problems.
4. Regularly review with students their educational progress and career plans.
5. Maintain confidentiality in accordance with federal and state law.
6. Provide information to assist students with career planning.
7. Encourage students to benefit from the curriculum and extracurricular programs.
8. Make known to students and families the resources in the community that are available to meet their needs.
9. Participate in school-wide efforts to provide adequate supervision in all school spaces.

10. Be familiar with the code of conduct.
11. Help children understand the district's expectations for maintaining a safe, orderly environment.
12. Participate in school-wide efforts to provide adequate supervision in all school spaces.
13. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
14. Address personal biases that may prevent equal treatment of all students.
15. Confront issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function; and
16. Report incidents of discrimination and harassment witnessed by or brought to the individual's attention in a timely manner.

D. Other School Personnel

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race (including traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists), color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity and expression) or sex.
2. Maintain confidentiality in accordance with federal and state law.
3. Be familiar with the code of conduct.
4. Help children understand the District's expectations for maintaining a safe, orderly environment.
5. Participate in school-wide efforts to provide adequate supervision in all school spaces.
6. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
7. Address personal biases that may prevent equal treatment of all students.

E. Principals

1. Promote a safe, orderly, and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, (including traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists) color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, including gender identity or expression or sex.
2. Ensure that students and staff have the opportunity to communicate regularly with the Principal and approach the Principal for redress of grievances.
3. Maintain confidentiality in accordance with federal and state law.
4. Evaluate on a regular basis all instructional programs.
5. Support the development of and student participation in appropriate extracurricular activities.
6. Provide support in the development of the code of conduct, when called upon. Disseminate the code of conduct and anti-harassment policies.
7. Be responsible for enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.
8. Participate in school-wide efforts to provide adequate supervision in all school spaces.
9. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
10. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.

11. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, (including traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists) color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, including gender identity and expression or actual or actual or perceived sex, which will strengthen students' confidence and promote learning.
12. Confront issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function; and
13. Address or otherwise report incidents of discrimination and harassment witnessed by or brought to the principal's attention in a timely manner.

F. The Dignity Act Coordinator/Bullying Prevention Coordinator

1. Promote a safe, orderly, and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, (including traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists) color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, gender identity and expression or sex.
2. Oversee and coordinate the work of the district-wide and building-level bullying prevention committees.
3. Identify curricular resources that support infusing civility in classroom instruction and classroom management; and provide guidance to staff as to how to access and implement those resources.
4. Coordinate, with the Professional Development Committee, training in support of the bullying prevention committee.
5. Be responsible for monitoring and reporting on the effectiveness of the district's bullying prevention policy.
6. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
7. Address personal biases that may prevent equal treatment of all students and staff.
8. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, including gender identity and expression or actual or actual or perceived sex, which will strengthen students' confidence and promote learning; and
9. Address or otherwise report incidents of discrimination and harassment witnessed by or brought to the Dignity Act Coordinator/Bullying Prevention Coordinator's attention in a timely manner.

G. Superintendent

1. Promote a safe, orderly, and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, (including traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists) color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, gender identity and expression or sex.
2. Review with district administrators the policies of the Board of education and state and federal laws relating to school operations and management.
3. Inform the Board about educational trends relating to student discipline.
4. Maintain confidentiality in accordance with federal and state law.
5. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
6. Work with district administrators in enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.
7. Participate in school-wide efforts to provide adequate supervision in all school spaces.

8. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
9. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
10. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, including gender identity and expression or actual or actual or perceived sex, which will strengthen students' confidence and promote learning.

H. Board of Education

1. Promote a safe, orderly, and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, (including traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists) color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, gender identity and expression or sex.
2. Maintain confidentiality in accordance with federal and state law.
3. Develop and recommend a budget that provides programs and activities that support achievement of the goals of the code of conduct.
4. Collaborate with student, teacher, administrator, and 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.
5. 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 implementation.
6. Lead by example by conducting Board meetings in a professional, respectful, courteous Manner.
7. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
8. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
9. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, including gender identity and expression or actual or actual or perceived sex, which will strengthen students' confidence and promote learning.

5300.25 STUDENT DRESS CODE

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

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

1. Be safe, appropriate, and not disrupt or interfere with the educational process.
2. Recognize that extremely brief garments and see-through garments are not appropriate.
3. Ensure that underwear is completely covered with outer clothing.
4. Include footwear at all times. Footwear that is a safety hazard will not be allowed.

5. Not include the wearing of headgear or items that cover the student's face to the extent the student is not identifiable in the school building, on school buses or property, except for medical or religious purposes, or personal protective equipment as ordered by safety protocols implemented by the District.
6. Not include items that are vulgar, obscene, libelous, or denigrate, harass, or discriminate against others on account of race (including traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists), color, weight, religion, religious practice, disability, creed, national origin, ethnic group, gender, (including gender identity and expression), sex, sexual orientation, or disability.
7. Not promote and/or endorse the use of alcohol, tobacco or controlled substances or illegal drugs and/or encourage other illegal or violent activities.

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

5300.30 PROHIBITED STUDENT CONDUCT

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 school community, and for the care of school facilities and equipment.

The best discipline is self-imposed, and students must learn to assume and accept responsibility for their own behavior, as well as the consequences of their misbehavior. District personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in self-discipline.

The Board recognizes the need to make its expectations for student conduct while on school property or engaged in a school function specific and clear. The rules of conduct listed below are intended to do that and focus on safety and respect for the rights and property of others.

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

Students may be subject to disciplinary action, up to and including suspension from school, when they:

A. Engage in conduct that is disorderly. Examples of disorderly conduct include, but are not limited to:
1. Running or otherwise unsafe behavior in hallways.
2. Making unreasonable noise.
3. Using language or gestures that are profane, lewd, vulgar, or abusive.
4. Obstructing vehicular or pedestrian traffic.
5. Engaging in any willful act which disrupts the normal operation of the school community.

6. Trespassing. Students are not permitted in any school building, other than the one they regularly attend, without permission from the administrator in charge of the building.
7. Computer/electronic communications misuse, including any unauthorized use of computers, software, or internet/intranet account; accessing inappropriate websites; or any other violation of the district's acceptable use policy.

B. Engage in conduct that is insubordinate. Examples of insubordinate conduct include, but are not limited to:

1. Failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students or otherwise demonstrating disrespect.
2. Lateness for, missing or leaving school without permission.
3. Skipping detention.
4. Failing to identify self to a staff member when requested to do so.

C. Engage in conduct that is disruptive. Examples of disruptive conduct include, but are not limited to:

1. Failing to comply with the reasonable directions of teachers, school administrators or other school personnel in charge of students.

D. Engage in conduct that is violent. Examples of violent conduct include, but are not limited to:

1. Committing an act of violence (such as hitting, kicking, punching, and scratching) upon a teacher, administrator or other school employee, another student, or another person lawfully on school property, or attempting to do so.
2. Possessing a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function.
3. Displaying what appears to be a weapon.
4. Threatening to use any weapon.
5. Intentionally damaging or destroying the personal property of a student, teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
6. Intentionally damaging or destroying school district property.

E. Engage in any conduct that endangers the safety, physical or mental health or welfare of others. Examples of such conduct include, but are not limited to:

1. Lying to school personnel.
2. Attempting to engage in or perform an act of violence noted in section D.
3. Subjecting other students, school personnel or any other person lawfully on school property or attending a school function to danger by recklessly engaging in conduct which creates a substantial risk of physical injury.
4. Stealing, or attempting to steal, the property of other students, school personnel or any other person lawfully on school property or attending a school function.
5. Defamation, which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them.
6. Discrimination, which includes the use of race (including traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists), color, creed, national origin, religion, gender (identity and expression), sexual orientation or disability as a basis for treating another in a negative manner.
7. Harassment (or Bullying), which includes a sufficiently severe action or persistent pervasive pattern of actions or statements directed at an identifiable individual or group which are intended to be, or which a reasonable person would perceive as ridiculing or demeaning. Harassment is also the creation of a hostile environment. (See policy, 0115, Student Harassment and Bullying Prevention and Intervention for a more complete definition.)
8. Sexual Harassment (see Board policy 0110)
9. Intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm.
10. Bullying, which may be a hostile activity which harms or induces fear through the threat of further aggression and/or creates terror. (See policy 0115 for a more complete definition).

11. Hazing, which includes induction, initiation or membership process involving harassment. (See policy 0115 for a more complete definition).
12. Selling, using, or possessing obscene material.
13. Using vulgar or abusive language, cursing, or swearing.
14. Smoking a cigarette, cigar, pipe, electronic cigarette (i.e.: vape), or using chewing or smokeless tobacco, or smoking/vaping/ingesting cannabis or concentrated cannabis (includes cannabis products) or smoking cannabinoid hemp (except for lawful medical cannabis use in compliance with state law and regulation).
15. Possessing, consuming, selling, offering, manufacturing, distributing, or exchanging alcoholic beverages or illegal substances, or being under the influence of either. "Illegal substances" include, but are not limited to, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any synthetic “designer drugs” which are substances designed and synthesized to mimic the intended effects and usages of, which are chemically substantially similar to illegal drugs which may or may not be labeled for human consumption.
16. Inappropriately possessing, consuming, selling, distributing, or exchanging prescription and/or over-the-counter drugs.
17. Gambling.
18. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner.
19. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
20. Knowingly making false statements or knowingly submitting false information to school staff during a disciplinary process.

F. Engage in misconduct while on a school bus. It is crucial for students to behave appropriately while riding on district buses, to ensure their safety and that of other passengers and to avoid distracting the bus driver. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. Excessive noise, pushing, shoving, and fighting will not be tolerated. Students are to remain seated, keep objects and body parts inside the bus, obey the directions from the bus driver or monitor.

G. Engage in any form of academic misconduct. Examples of academic misconduct include, but are not limited to:

1. Plagiarism.
2. Cheating.
3. Copying.
4. Altering records.
5. Assisting another student in any of the above actions.

H. Engage in off-campus misconduct that interferes with or can reasonably be expected to substantially disrupt the educational process in the school or at a school function. Examples of such misconduct include, but are not limited to:

1. Cyberbullying (i.e.: inflicting willful and repeated harm through the use of electronic devices). (See policy 0115 for a more complete definition).
2. Threatening, harassing, or bullying students or school personnel through any means off-campus, including over the phone or other electronic medium. (See policy 0115 for a more complete definition).
3. Failure to adhere to safety protocols implemented by the District including but not limited to social distancing, participation in health screenings, wearing of personal protective equipment such as face coverings, gloves, or other equipment, and following directives by teachers, administrators, and/or other school personnel as to such protocols.

5300.35 REPORTING VIOLATIONS

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

Students are prohibited from knowingly making false statements or knowingly submitting false information to school staff during a disciplinary process.

Teachers and all other District staff are required to report violations of the Code of Conduct. All district staff who are authorized to impose disciplinary sanctions are expected to do so in a prompt, fair and lawful manner. District staff who are not authorized to impose disciplinary sanctions are expected to promptly report violations of the code of conduct to their supervisor, who shall in turn impose an appropriate disciplinary sanction, if so authorized, or refer the matter to a staff member who is authorized to impose an appropriate sanction.

Any weapon, alcohol or illegal substance found shall be confiscated immediately, if possible, followed by notification to the parent of the student involved and the appropriate disciplinary sanction, which may include permanent suspension and referral for prosecution.

The Principal or his/her designee must notify the appropriate local law enforcement agency of those code violations that constitute a crime and substantially affect the order or security of a school as soon as practical, but in no event later than the close of business the day the Principal or his/her designee learns of the violation. The notification may be made by telephone, followed by a letter mailed on same day as the telephone call is made. The notification must identify the student and explain the conduct that violated the code of conduct and constituted a crime.

5300.40 DISCIPLINARY PENALTIES, PROCEDURES AND REFERRALS

Discipline is most effective when it deals directly with the problem at the time and place it occurs, and in a way that students view as fair and impartial. School personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in self-discipline.

Disciplinary action, when necessary, will be firm, fair, and consistent so, as to be the most effective in changing student behavior. In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will consider the following:

1. The student's age.
2. The nature of the offense and the circumstances which led to the offense.
3. The student's prior disciplinary record.
4. The effectiveness of other forms of discipline.
5. Information from parents, teachers and/or others, as appropriate.
6. Other extenuating circumstances.

As a general rule, discipline will be progressive. This means that a student's first violation will usually merit a lighter penalty than subsequent violations.

Procedures have been established which will enable school personnel to identify and evaluate negative patterns of behavior while such patterns are still in their early stages.

A student who does not conform to the Code of Conduct is referred to the administration. Based on the nature of the referral, the student's discipline record, and a student conference, the administrator will determine appropriate action.

The school district employs the following for the early identification and resolution of discipline problems:

1. Individual Progress Reports - Teachers are required to send home I.P.R.'s periodically. The I.P.R. is designed to include comments about a student's behavior as well as his/her academic performance. Parent conferences may be requested.
2. Report Cards - Report cards are prepared and distributed quarterly. While reporting on the student's academic performance is the primary function, teachers should also comment on the student's skills or behavior. Parent conferences may be requested.
3. Parents' Night - Parents are invited to meet with teachers early in the school year. At this meeting, the teachers may discuss a student's behavior as well as his/her academic achievement. In addition, parents are encouraged to meet the teachers as needed throughout the year.
4. Administrative/Pupil Personnel Services Team - The Administrative/ Pupil Personnel Services Team considers all available information pertaining to the referred student. The disposition of each student case includes an intervention strategy and appointment of a team member to act as coordinator responsible for implementing the intervention and reporting back to the team.

<u>Members of the team may include:</u>

Principal

Assistant Principal

Pupil Personnel Services Head

Guidance Counselors Psychologist

Social Worker

Nurse, Attendance Personnel, and Teachers (as appropriate)

<u>Interventions may include the following:</u>

Parent contacts

In-school counseling (group or individual) with the counselor, school psychologist, or social worker

Student/Administrative contact

Referral to Family court (PINS)

Referral to Child Protective Services

Referral to other outside agencies

Referral to the Committee for Special Education (CSE)

Referral back to CSE for a student identified as having a disability

Group Parent meetings

Recommend Principal request a Superintendent's suspension hearing

A record of the behavior and the subsequent disposition is maintained by the administration with the student's discipline folder.

If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education and discipline, if warranted, shall be administered consistent with the separate requirements of this code of conduct for disciplining students with a disability or presumed to have a disability. A student identified as having a disability shall not be disciplined for behavior related to their disability.

In those instances where detention is called for and the student is transported from another school within the district, every effort should be made to arrange with the parent a reasonable time for the student to serve the detention.

In those instances where an in-school suspension is called for, when necessary, it is to be implemented with the benefit of counseling by the school psychologist.

A. Consequences

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

1. Oral warning – any member of the district staff
2. Written warning – bus drivers, hall and lunch monitors, coaches, guidance counselors, teachers, Principal, Superintendent
3. Written notification to parent – bus driver, hall and lunch monitors, coaches, guidance counselors, teachers, Principal, Superintendent
4. Detention – teachers, Principal, Superintendent
5. Suspension from transportation – Director of Transportation, Principal, Superintendent
6. Suspension from athletic participation – coaches, Principal, Superintendent
7. Suspension from social or extracurricular activities – Activity Director, Principal, Superintendent
8. Suspension of other privileges – Principal, Superintendent
9. In-school suspension – Principal, Superintendent
10. Removal from classroom by teacher – teachers, Principal
11. Short-term (five days or less) suspension from school – Principal, Superintendent, Board
12. Long-term (more than five days) suspension from school – Superintendent, Board
13. Permanent suspension from school – Superintendent, Board.

B. 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 consequence in connection with the imposition of the consequence.

Students who are to be given consequences other than an oral warning, written warning or written notification to their parents are entitled to additional rights before the consequence is imposed. These additional rights are explained below.

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. Detention will be imposed as a consequence only after the student's parent has been notified to confirm that there is no parental objection to the consequence and the student has appropriate transportation home following detention.

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 Principal's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the Principal or the Superintendent or their 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 Principal or the Principal's designee to discuss the conduct and the penalty involved.

3. Suspension from athletic participation, extra-curricular activities, and other privileges

A student subjected to a suspension from athletic participation, extra-curricular activities or other privileges is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent(s) 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 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." The in-school suspension teacher will be a certified teacher or teaching assistant under the supervision of a certified teacher.

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(s) 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, including a virtual 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 or virtual 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 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 guidance 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 or virtual 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.

The teacher must complete a district-established disciplinary removal 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 after the student's removal, the Principal or another district administrator designated by the Principal must notify the student's parent(s), in writing, that the student has been removed from class and why. The notice must also inform the parent(s) 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 parent(s). 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. The timing of the informal meeting may be extended by mutual agreement of the parent and Principal.

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

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

The Principal or his/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 or virtual 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 or virtual classroom by the classroom teacher shall be offered continued educational programming and activities until he or she is permitted to return to the classroom or virtual classroom.

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 regulation.

6. Suspension from School

Suspension from school is a severe consequence, 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 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 conditions underlying the recommendation or referral warrant immediate attention. In such cases 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 (five 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 orally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student's parents in writing that the student may be suspended from school. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension at the last known address for the parents. Where possible, notice 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 ten 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. Should the Superintendent uphold the Principal’s suspension, the suspension from school shall begin immediately. If the parents are not satisfied with the Superintendent’s decision, they may 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. The Board of Education shall render its decision within 30 days of the appeal. Only final decisions of the Board may be appealed to the Commissioner of Education within 30 days of the decision.

b. Long Term (more than five days) Suspension from School

When the Superintendent 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 may 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 30 business days of the date of the Superintendent's decision. The Board may allow for exceptions to deadlines in filing appeals. The Board may adopt in whole or in part the decision of the Superintendent. Final decisions of the Board may be appealed to the Commissioner of Education within 30 days of the decision.

c. Permanent Suspension

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

d. Procedure After Suspension

The Board and/or the Superintendent of Schools may condition a student's early return from a suspension on the student's voluntary participation in counseling or specialized classes, such as anger management or dispute resolution. The Board retains discretion in offering this opportunity. If and when the student and/or parent/guardian agrees to this option, the terms and conditions shall be specified in writing.

C. Minimum Periods of Suspension

1. Students who bring or possess certain weapons on school property

Any student, other than a student with a disability, found guilty of bringing a gun, knife, explosive or incendiary bomb, or other dangerous instrument capable of causing physical injury or death onto school property will be subject to suspension from school for at least one calendar year. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law §3214.

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

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

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

2. Students who commit violent acts other than bringing a weapon to school

Any student, other than a student with a disability, who is found to have committed a violent act, other than bringing a weapon onto school property, shall be subject to suspension from school for at least one day. If the proposed penalty is the minimum one-day suspension, the student and the student's parent(s) 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 a five-day suspension, the student and the student's parent(s) 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 one-day suspension on a case-by-case basis. In deciding whether to modify the consequences, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

3.Students who are repeatedly substantially disruptive of the educational process or repeatedly substantially interferes with the teacher's authority over the classroom

Any student, other than a student with a disability, who repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom will be suspended from school for at least one day. 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, or three or more occasions during a trimester. If the proposed consequence is the minimum one-day suspension, the student and the student's parent(s) 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 a five-day suspension, the student and the student's parent(s) 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 one-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. Referrals

1. Counseling

The Pupil Personnel staff 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 18 who demonstrates that he or she requires supervision and treatment by:

1. Being habitually truant and not attending school as required by part one of Article 65 of the Education Law.
2. Being ungovernable, or habitually disobedient and beyond the lawful control of the school.
3. Engaging in prostitution in violation of Penal Law §230.00 (engaging or agreeing or offering to engage in sexual conduct with another person in return for a fee): or
4. Appearing to be a sexually exploited child under Social services Law §447-a(1)(a), (c), or (d) bur the student must consent to filing the PINS petition.

For items "a" and "b" above, when filing the petition, the district must describe the diversion efforts it has undertaken, or services provided to the student and the ground for concluding the allegations cannot be resolved without the 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:

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

The Superintendent is required to refer students age 16 and older or any student 14 or 15 years old who qualifies for juvenile offender status to the appropriate law enforcement authorities.

5300.45 ALTERNATIVE INSTRUCTION

When a student of any age is removed from class by a teacher or a student of compulsory attendance age is suspended from school pursuant to Education Law §3214, the district will take immediate steps to provide alternative means of instruction for the student.

The Board of Education expects students, administrators, teachers, and parents to make every effort to maintain student academic progress in the event of removal or suspension, and support student re-entry to the classroom at the conclusion of the disciplinary action.

5300.50 DISCIPLINE OF STUDENTS WITH DISABILITIES

The Board recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities who violate the district's student code of conduct, and/or to temporarily remove a student with disabilities from their current placement because maintaining the student in that placement is substantially likely to result in injury to the student or to others. The Board also recognizes that students with disabilities deemed eligible for special education services under the IDEA and Article 89 of New York's Education Law enjoy certain procedural protections that school authorities must observe when they decide to suspend or remove them. Under certain conditions those protections extend, as well, to students not currently deemed to be a student with a disability but determined to be a student presumed to have a disability for discipline purposes. The Board is committed to ensuring that the procedures followed for suspending, removing or otherwise disciplining students with disabilities are consistent with the procedural safeguards required by applicable laws and regulations.

This code of conduct is intended to afford students with disabilities and students presumed to have a disability for discipline purposes the express rights they enjoy under applicable law and regulations.

Definitions

For purposes of this portion of the code of conduct, and consistent with applicable law and regulations, the following definitions will apply:

1. *Behavioral intervention plan* (BIP) means a plan that is based on the results of a functional behavioral assessment and that, at a minimum, includes a description of the problem behavior, global and specific hypotheses as to why the problem behavior occurs, and intervention strategies that include positive behavioral supports and services to address the behavior.
2. *Controlled substance* means a drug or other substance abuse identified under schedule I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 USC § 812(c)).

3. *Disciplinary change in placement* means a suspension or removal from a student's current educational placement that is either:

   a. For more than 10 consecutive school days; or
   b. For a period of 10 consecutive school days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they cumulate to more than 10 school days in a school year, because the student's behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals, and because of such additional factors as the length of each suspension or removal, the total amount of time the student has been removed and the proximity of the suspensions or removals to one another.
4. *Illegal drug* means a controlled substance, but does not include a controlled substance legally possessed or used under the supervision of a licensed health-care professional, or a substance that is otherwise legally possessed or used under the authority of the Controlled Substances Act or under any other provision of federal law.
5. *Interim alternative educational setting* (IAES) means a temporary educational placement, other than the student's current placement at the time the behavior precipitating the IAES placement occurred. An IAES must allow a student to continue to receive educational services that enable them to continue to participate in the general curriculum and progress toward meeting the goals set out in the student's individualized education program; as well as to receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications designed to address the behavior violation so that it does not recur.
6. *Manifestation review* means a review of the relationship between the student's disability and the behavior subject to disciplinary action required when the disciplinary action results in a disciplinary change of placement and conducted in accordance with requirements set forth later in this policy.
7. *Manifestation team* means a district representative knowledgeable about the student and the interpretation of information about child's behavior, the parent(s), and relevant members of the committee on special education as determined by the parents and the district.
8. *Removal* means a removal of a student with a disability for disciplinary reasons from their current educational placement, other than a suspension; and a change in the placement of a student with a disability to an IAES.
9. *School day* means any day, including a partial day, that students are in attendance at school for instructional purposes.
10. *Serious bodily injury* means bodily injury which involves a substantial risk of death, extreme physical pain, protracted obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.
11. *Student presumed to have a disability for discipline purposes* means a student who, under the conditions set forth later in this policy, the district is deemed to have had knowledge was a student with a disability before the behavior that precipitated the disciplinary action.
12. *Suspension* means a suspension pursuant to §3214 of New York's Education Law.
13. *Weapon* means the same as the term "dangerous weapon" under 18 U.S.C.§ 930(g)(2). Which includes a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except a pocketknife with a blade of less than two and one-half inches in length.

Authority of School Personnel to Suspend or Remove Students with Disabilities

The Board, District Superintendent, Superintendent of Schools, or a Building Principal with authority to suspend students under the Education Law may order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed five consecutive school days.

The Superintendent may, directly or upon the recommendation of a designated hearing officer, order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed ten consecutive school days inclusive of any period in which the student has been suspended or removed for the same behavior pursuant to the above paragraph, if the Superintendent determines that the

student's behavior warrants the suspension. The Superintendent also may order additional suspensions of not more than ten consecutive school days in the same school year for separate incidents of misbehavior, as long as the suspensions do not constitute a disciplinary change of placement.

In addition, the Superintendent may order the placement of a student with a disability into an IAES, another setting, or suspension for a period in excess of ten consecutive school days if the manifestation team determines that the student's behavior was not a manifestation of the student's disability. In such an instance, the Superintendent may discipline the student in the same manner and for the same duration as a non-disabled student.

Furthermore, the Superintendent may, directly or upon the recommendation of a designated hearing officer, order the placement of a student with a disability to an IAES to be determined by the committee on special education for a period of up to 45 school days if the student either:

1. Carries or possesses a weapon to or at school, on school premises or to a school function, or
2. Knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises, or at a school function under the district's jurisdiction, or
3. Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the district's jurisdiction.

The Superintendent may order the placement of a student with a disability to an IAES under such circumstances, whether or not the student's behavior is a manifestation of the student's disability. However, the committee on special education will determine the IAES.

Procedures for the Suspension or Removal of Students with Disabilities by School Personnel

1. In cases involving the suspension or removal of a student with a disability for a period of five consecutive school days or less, the student's parents or persons in parental relation to the student will be notified of the suspension and given an opportunity for an informal conference in accordance with the same procedures that apply to such short-term suspensions of non-disabled students.
2. The suspension of students with disabilities for a period in excess of five school days will be subject to the same due process procedures applicable to non-disabled students, except that the student disciplinary hearing conducted by the Superintendent, or a designated hearing officer will be bifurcated into a guilt phase and a penalty phase. Upon a finding of guilt, the Superintendent or the designated hearing officer will await notification of the determination by the manifestation team as to whether the student's behavior was a manifestation of their disability. The penalty phase of the hearing may proceed after receipt of that notification. If the manifestation team determined that the behavior was not a manifestation of the student's disability, the student may be disciplined in the same manner as a non-disabled student, except that they will continue to receive services as set forth below. However, if the behavior was deemed a manifestation of the student's disability, the hearing will be dismissed, unless the behavior involved concerned weapons, illegal drugs or controlled substances, or the infliction of serious bodily injury, in which case the student may still be placed in an IAES.

Limitation on Authority of School Personnel to Suspend or Remove Students with Disabilities

The imposition of a suspension or removal by authorized school personnel may not result in a disciplinary change of placement of a student with a disability that is based on a pattern of suspensions or removals as set forth above in the *Definitions* section of this policy, unless:

1. The manifestation team determines that the student's behavior was not a manifestation of the student's disability, or
2. The student is removed to an IAES for behavior involving weapons, illegal drugs or controlled substances, or the infliction of serious bodily injury as set forth above.

School personnel will consider any unique circumstances on a case-by-case basis when determining whether a disciplinary change in placement is appropriate for a student with a disability who violates the district's code of conduct.

In addition, school personnel may not suspend or remove a student with a disability in excess of the amount of time that a non-disabled student would be suspended for the same behavior.

Parental Notification of a Disciplinary Change of Placement

The district will provide the parents of a student with a disability notice of any decision to make a removal that constitutes a disciplinary change of placement because of a violation of the student code of conduct. Such notice will be accompanied by a copy of the procedural safeguards notice.

Authority of an Impartial Hearing Officer to Remove a Student with a Disability

An impartial hearing officer may order the placement of a student with a disability to an IAES for up to 45 school days at a time if they determine that maintaining the current placement of the student is substantially likely to result in injury to the student or to others. This authority applies whether or not the student's behavior is a manifestation of the student's disability.

Manifestation Review

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

1. The Superintendent to change the placement of a student to an IAES;
2. An impartial hearing officer to place a student in an IAES; or
3. The Board, the Superintendent, or Building Principal to impose a suspension that constitutes a disciplinary change in placement.

The manifestation team must determine that the student's conduct was a manifestation of the student's disability if it concludes that the conduct in question was either:

1. Caused by or had a direct or substantial relationship to the student's disability, or
2. The direct result of the district's failure to implement the student's individualized education program.

The manifestation team must base its determination on a review. All relevant information in the student's file including the student's individualized education program, any teacher observations, and any relevant information provided by the parents.

If the manifestation team determines that the student's conduct is a manifestation of the student's disability, the district will:

1. Have the committee on special education conduct a functional behavioral assessment of the student and implement a behavioral intervention plan, unless the district had already done so prior to the behavior that resulted in the disciplinary change of placement occurred. However, if the student already has a behavioral intervention plan, the CSE will review the plan and its implementation, and modify it as necessary to address the behavior.
2. Return the student to the placement from which they were removed, unless the change in placement was to an IAES for conduct involving weapons, illegal drugs or controlled substances or the infliction of serious bodily injury, or the parents and the district agree to a change in placement as part of the modification of the behavioral intervention plan.

If the manifestation team determines that the conduct in question was the direct result of the district's failure to implement the student's individualized education program, the district will take immediate steps to remedy those deficiencies.

Services for Students with Disabilities during Periods of Suspension or Removal

Students with disabilities who are suspended or removed from their current educational setting in accordance with the provisions of this policy and applicable law and regulation will continue to receive services as follows:

1. During suspensions or removals of up to 10 school days in a school year that do not constitute a disciplinary change in placement, the district will provide alternative instruction to students with disabilities of compulsory attendance age on the same basis as non-disabled students. Students with disabilities who are not of compulsory attendance age will receive services during such periods of suspension or removal only to the same extent as non-disabled students of the same age would if similarly suspended.

2. During subsequent suspensions or removals of up to 10 school days that in the aggregate total more than 10 school days in a school year but do not constitute a disciplinary change in placement, the district will provide students with disabilities services necessary to enable them to continue to participate in the general education curriculum and to progress toward meeting the goals set out in their respective individualized education program. School personnel, in consultation with at least one of the student's teachers, will determine the extent to which services are needed to comply with this requirement.

   In addition, during such periods of suspension or removal, the district will also provide students with disabilities services necessary for them to receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications designed to address the behavior violation so that it does not recur.

3. During suspensions or removals in excess of 10 school days in a school year that constitute a disciplinary change in placement, including placement in an IAES for behavior involving weapons, illegal drugs or controlled substances, or the infliction of serious bodily injury, the district will provide students with disabilities services necessary to enable them to continue to participate in the general curriculum, to progress toward meeting the goals set out in their respective individualized education program, and to receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications designed to address the behavior violation so it does not recur.

In such an instance, the committee on special education will determine the appropriate services to be provided.

Students Presumed to Have a Disability for Discipline Purposes

The parent of a student who is facing disciplinary action but who was not identified as a student with a disability at the time of misbehaviors has the right to invoke any of the protections set forth in this policy in accordance with applicable law and regulations, if the district is deemed to have had knowledge that the student was a student with a disability before the behavior precipitating disciplinary action occurred and the student is therefore a student presumed to have a disability for discipline purposes.

If it is claimed that the district had such knowledge, it will be the responsibility of the Superintendent, Building Principal or other authorized school official imposing the suspension or removal in question for determining whether the student is a student presumed to have a disability for discipline purposes. The district will be deemed to have had such knowledge if:

1. The student's parent expressed concern in writing to supervisory or administrative personnel, or to a teacher of the student that the student is in need of special education. Such expression may be oral if the parent does not know how to write or has a disability that prevents a written statement; or
2. The student's parent has requested an evaluation of the student; or
3. A teacher of the student or other school personnel has expressed specific concerns about a pattern of behavior demonstrated by the student, directly to the district's director of special education or other supervisory personnel.

Nonetheless, a student will not be considered a student presumed to have a disability for discipline purposes if notwithstanding the district's receipt of information supporting a claim that it had knowledge the student has a disability,

1. The student's parent has not allowed an evaluation of the student; or
2. The student's parent has refused services; or
3. The District conducted an evaluation of the student and determined that the student is not a student with a disability.

If there is no basis for knowledge that the student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as any other non-disabled student who engaged in comparable behaviors. However, if the district receives a request for an individual evaluation while the student is subjected to a disciplinary removal, the district will conduct an expedited evaluation of the student in accordance with applicable law and regulations. Until the expedited evaluation is completed, the student will remain in the educational placement determined by the district which can include suspension.

Expedited Due Process Hearings

The district will arrange for an expedited due process hearing upon receipt of or filing of a due process complaint notice for such a hearing by:

1. The district to obtain an order of an impartial hearing officer placing a student with a disability in an IAES where school personnel maintain that it is dangerous for the student to be in their current educational placement.
2. The district during the pendency of due process hearings where school personnel maintain that it is dangerous for the student to be in their current educational placement during such proceedings.
3. The student's parent regarding a determination that the student's behavior was not a manifestation of the student's disability; or
4. The student's parent relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES.

The district will arrange for, and an impartial hearing officer will conduct, an expedited due process hearing in accordance with the procedures established in Commissioner's regulations. Those procedures include but are not limited to convening a resolution meeting and initiating and completing the hearing within the timelines specified in those regulations.

When an expedited due process hearing has been requested because of a disciplinary change in placement, a manifestation determination, or because the district believes that maintaining the student in the current placement is likely to result in injury to the student or others, the student will remain in the IAES pending the decision of the impartial hearing officer or until the expiration of the period of removal, whichever occurs first unless the student's parent and the district agree otherwise.

Referral to Law Enforcement and Judicial Authorities

Consistent with its authority under applicable law and regulations, the district will report a crime committed by a student with a disability to appropriate law enforcement and judicial authorities. In such an instance, The Superintendent will ensure that copies of the special education and disciplinary records of the student are transmitted for consideration to the appropriate authorities to whom the crime is reported, to the extent that the transmission is permitted by the Family Educational Rights and Privacy Act (FERPA).

5300.55 CORPORAL PUNISHMENT

Corporal punishment is any act of physical force upon a student for the purpose of punishing that

Corporal punishment does not include the use of physical restrain to protect the student, another student, teacher or any other person from physical injury, when alternative procedures and methods involving the use of physical restraint cannot reasonable be employed to achieve these purposes.

Physical restraint will not be used to prevent property damage, except in situations where there is imminent danger of serious physical harm to the student or others, and the student has not responded to psotive, proactive intervention strategies.

The authorized use of timeout and physical restrain is addresses in policy 4321.12 and regulation 4321.12-R.

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

5300.60 STUDENT SEARCHES AND INTERROGATIONS

The Board of Education is committed to ensuring an atmosphere on school property and at school functions that is safe and orderly. To achieve this kind of environment, any school official authorized to impose a disciplinary penalty on a student may question a student about an alleged violation of law or the district code of conduct. Students are not entitled to any sort of "Miranda"-type warning before being questioned by school officials, nor are school officials required to contact a student's parent before questioning the student. However, school officials will tell all students why they are being questioned.

In addition, the Board authorizes the Superintendent of Schools, Building Principals, the school nurse, and district security officials to conduct searches of students and their belongings, in most instances, with exceptions set forth in A. and B., 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 the student's belongings based upon information received from a reliable informant. Individuals, other than the 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.

A. 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.

B. 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. In general, the Board prohibits district staff from conducting strip searches of students. If, under extraordinary circumstances, 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 in consultation with 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.

C. Treatment of Cell Phones

Teachers and administrators are authorized to confiscate student cell phones that are being used in violation of the code of conduct. Teachers and administrators are permitted to look at the screen of the cell phone and can request the student's cooperation to search the cell phone further. Without a student's permission, teachers and administrators should not undertake a more extensive search until conferring with the Superintendent or school attorney for guidance.

If a cell phone is confiscated the phone will be stored in an administrative office or the school safe. The cell phone will be returned to the student or parent as soon as possible.

D. Documentation of Searches

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

1. Name, age and grade of student searched.

2. Reasons for the search.

3. Name of any informant(s).

4. Purpose of search (that is, what item(s) were being sought).

5. Type and scope of search.

6. Person conducting search and his or her title and position.

7. Witnesses, if any, to the search.

8. Time and location of search.

9. Results of search (that is, what items(s) were found).

10. Disposition of items found.

11. Time, manner, and results of parental notification.

The Principal or the Principal's designee shall be responsible for the custody, control, and disposition of any illegal or dangerous item 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.

E. 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:

1. A search or an arrest warrant; or
2. Probable cause to believe a crime has been committed on school property or at a school function; or

Before police officials are permitted to question or search any student, the 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. If the student's parent cannot be contacted prior to the police questioning or search, the questioning or search shall not be conducted, unless the student is 16 years of age or older.

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 the school. This means:

1. They must be informed of their legal rights.
2. They may remain silent if they so desire.
3. They may request the presence of an attorney.

F. Child Protective Services Investigations

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

All requests by child protective services to interview a student on school property shall be made directly to the Principal or his or her designee. The Principal 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.

5300.65 VISITORS TO THE SCHOOLS

The Board welcomes parents and other district citizens to become involved in the life of the school. Since schools are a place of work and learning, however, certain limits must be set for such visits. The Principal or his or her designee is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to visitors to the schools:

1. Anyone who is not a regular staff member or student of the school will be considered a visitor.

2. All visitors to the school must enter through the designated single point of entry and report to the security desk. There they will be required to sign the visitor's register and will be issued a visitor's identification badge, which must be worn at all times while in the school or on school grounds. The visitor must return the identification badge to the security desk before leaving the building.

3. Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings, are not required to sign in.

4. Parents or citizens who wish to observe a classroom while school is in session are required to arrange such visits in advance with the Building Principal and 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 his or her designee. Unauthorized persons will be asked to leave. The police may be called if the situation warrants.

7. All visitors are expected to abide by the rules for public conduct on school property contained in this code of conduct.

8. All visitors are expected to adhere to safety protocols implemented by the District including but not limited to social distancing, participation in health screenings, wearing of personal protective equipment such as face coverings, gloves, or other equipment, and following directives by teachers, administrators, and/or other school personnel as to such protocols.

5300.70 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 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 on public conduct on school property and at school functions contained in this code are not intended to limit freedom of speech or peaceful assembly. The district recognizes that free inquiry and free expression are indispensable to the objectives of the district. The purpose of this code is to maintain public order and prevent infringement of the rights of others.

All persons on school property or attending a school function shall conduct themselves in a safe, 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:

1. Intentionally injure any person or threaten to do so or endanger the safety of themselves or others.
2. 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.
3. Disrupt the orderly conduct of classes, school programs or other school activities.
4. 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.
5. Intimidate, harass, or discriminate against any person on the basis of actual or perceived race (including traits historically associated with race, such as hair texture and protective hairstyles like braid, locks, and twists), creed, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (including gender identity and expression).
6. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
7. Obstruct the free movement of any person in any place to which this code applies.
8. Violate the traffic laws, parking regulations or other restrictions on vehicles.
9. Possess, consume, sell, offer, manufacture, distribute or exchange alcoholic beverages, controlled or illegal substances or any synthetic versions (whether or not specifically illegal or labeled for human consumption), or be under the influence of either on school property or at a school function.
10. 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.
11. Loiter on or about school property.
12. Gamble on school property or at school functions.
13. Refuse to comply with any reasonable order of identifiable school district officials performing their duties.
14. Willfully incite others to commit any of the acts prohibited by this code.
15. Violate any federal or state statute, local ordinance, or Board policy while on school property or while at a school function.
16. Smoke a cigarette, cigar, pipe, electronic cigarette (i.e. vape) or use chewing or smokeless tobacco or smoke/vape/ingest cannabis or concentrated cannabis (includes cannabis products) or smoking cannabinoid hemp (except for lawful medical cannabis use in compliance with state law and regulation).
17. Fail to adhere to safety protocols implemented by the District including but not limited to social distancing, participation in health screenings, wearing of personal protective equipment such as face coverings, gloves, or other equipment, and following directives by teachers, administrators, and/or other school personnel as to such protocols.

B. <u>Consequences</u>

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

1. 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.
2. Students. They shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.
3. 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 that they may have.

4. Staff members in the classified service of the civil service entitled to the protection of Civil Service Law § 75. They shall be subject to immediate ejection and to disciplinary action as the facts may warrant in accordance with Civil Service Law § 75 or any other legal rights that they may have.
5. Staff members other than those described in subdivisions 4 and 5. 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 Principal or his/her designee shall be responsible for enforcing the conduct required by this code.

When the Principal or his or her designee sees an individual engaged in prohibited conduct, which in their judgment does not pose any immediate threat of injury to persons or property, the Principal or designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The Principal or 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 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 disciplinary action against any student or staff member, as appropriate, with the "Consequences" section above. In addition, the district reserves its right to pursue a civil or criminal legal action against any person violating the code.

5300.75 SMOKING AND THE USE OF TOBACCO PRODUCTS

The Board of Education of the Valley Stream Central High School District recognizes the health hazards associated with smoking and the use of other tobacco products. It is the intent and purpose of this policy to provide protection to all persons on school property and during school sponsored events from tobacco smoke and the use of other tobacco products.

This policy has been formulated to meet the requirements of the federal "Pro-Children Act of 1994," and the New York State Public Health Law Article 13-E.

The Board prohibits any person from smoking or carrying a lighted cigar, cigarette, pipe, or another form of smoking object or device in school buildings, on school grounds, in any vehicle owned or being used by the school, or at any school sponsored activity.

The Board prohibits the use of any tobacco product in school buildings, on school grounds, in any vehicle owned or being used by the school, or at any school sponsored activity.

The Superintendent of Schools, or his/her designee, shall be responsible for the implementation of the program.

5300.80 DISSEMINATION AND REVIEW

A. Dissemination of Code of Conduct

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

1. Providing copies of an age-appropriate, written in plain language summary of the code to all students at an assembly held at the beginning of each school year.
2. Providing a plain language summary to all parents at the beginning of the school year, and thereafter upon request.
3. Posting the complete code of conduct on the district's website.
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.

The Board will sponsor an in-service education program for all district staff members to ensure the effective implementation of the code of conduct and other trainings to contribute to its success as needed. 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. On-going professional development will be included in the district's professional development plan, as needed.

B. Review of Code of Conduct

The Board 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, but is not required to, 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 Commissioner of Education, in a manner prescribed by the Commissioner, no later than 30 days after adoption.

DIGINITY FOR ALL STUDENTS ACT

Student Harassment and Bullying Prevention and Intervention

The Board of Education is committed to providing an educational and working environment that promotes respect, dignity, and equality. The Board recognizes that discrimination, such as harassment, hazing, bullying, and cyberbullying, are detrimental to student learning and achievement. These behaviors interfere with the mission of the district to educate its students and disrupt the operation of the schools. Such behavior affects not only the students who are its targets but also those individuals who participate and witness such acts.

To this end, the Board condemns and strictly prohibits all forms of discrimination, such as harassment, hazing, bullying, and cyberbullying on school grounds, school buses and at all school-sponsored activities, programs, and events.

Discrimination, harassment, hazing, bullying, and cyberbullying that takes place at locations outside of school grounds which can be reasonably expected to materially and substantially interfere with the requirements of appropriate discipline in the operation of the school or impinge on the rights of other students are prohibited, and may be subject to disciplinary consequences.

Definitions

Bullying

Bullying under the amended Dignity of All Students Act, has the same meaning as harassment (see below). The accompanying regulation provides more guidance regarding the definition and characteristics of bullying.

Cyberbullying

Cyberbullying is defined as harassment (see below) through any form of electronic communication**.**

Discrimination

Discrimination is the act of denying rights, benefits, justice, equitable treatment, or access to facilities available to all others, to an individual group of people because of the group, class, or category to which that person belongs. Discrimination is discrimination against any student by a students or students and/or employee or employees on school property or at a school function including, but not limited to, discrimination based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex.

Hazing

Hazing is an induction, initiation or membership process involving harassment which produces public humiliation, physical or emotional discomfort, bodily injury or public ridicule is likely to occur.

Harassment

Harassment has been defined in various ways in federal state law and regulation. The Board recognizes that these definitions are important standards, but the Board's goal is to prevent misbehavior from escalating in order to promote a positive school environment and to limit liability. The Dignity for All Students Act (§§10-18 of Education Law) defines harassment as the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse including cyberbullying that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical well-being; or conduct, verbal threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a student to gear for his or her physical safety; reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or occurs off school property and creates or would reach school property. The harassing behavior may be based on any characteristic, including but not limited to a person's actual or perceived race: color, weight, national origin, ethnic group, religion, religious practices, disability, sex, sexual orientation, or gender (including gender identity and expression). For the purpose of this definition, the term "threat, intimidation or abuse" shall include verbal and non-verbal actions.

In Some instances, bullying or harassment may constitute a violation of an individual's civil rights. The district is mindful of its responsibilities under the law and in accordance with district policy regarding civil rights protections**.**

Prevention

The school setting provides an opportunity to teach children, and emphasize among staff, that cooperation with and respect for others is a key district value. A program geared to prevention is designed to not only decrease incidents of bullying but to help students build more supportive relationships with one another by integrating the bullying prevention program into classroom instruction. Staff members and students will be sensitized, through district-wide professional development and instruction, to the warning signs of bullying, as well as to their responsibility to become actively involved in the prevention of bullying before overt acts occur.

Curricular material that raises awareness and sensitivity to discrimination or harassment and civility in the relationships of people of different races, weights, national origins, ethnic groups, religions, religious practices, mental or physical abilities, sexual orientations, sexes, or gender expression or identifies will be included in the instructional program K-12

In order to implement this program, the Board will designate at its annual organizational meeting a Bullying Prevention Coordinator (BPC). The role of the BPS is to coordinate and enforce this policy. In addition, a Dignity Act Coordinator (DAC) for each school in the district will be determined by the superintendent. The role of each DAC is to oversee and enforce this policy in the school to which they are assigned. The Superintendent will establish a district-wide

Task Force on Bullying Preventions well as Bullying Prevention Coordinating Committees in each school that will be overseen by the BPC. Committees will include representation from staff administration, students, and parents.
The district-wide task force and the school-level committee will assist the administration in developing and implementing specific prevention initiatives, include reporting, investigating, remedying, and tracking allegations of bullying. The accompanying regulation provides more detail on the specific program programs and strategies implanted by the district.

Intervention

Intervention by adults and bystanders is an important step in preventing escalation and resolving issues at the earliest stages. Intervention will emphasize education and skill-building. Successful intervention may involve remediation. Remedial responses to bullying and harassment include measures designed to correct the problem behavior, prevent another occurrence of the behavior, and protect the target. Remediation may be targeted to the individual(s) involved in the bullying behavior or environmental approaches which are targeted to the school or district as a whole. In addition, intervention will focus upon the safety of the target. Staff is expected, when aware of bullying, to either refer the student to designated resources for assistance, or to intervene in accordance with this policy and regulation.

Provisions for students who do not feel safe at school

The Board acknowledges that, notwithstanding actions taken by district staff, intervention may require a specific coordinated approach if the child does not feel safe at school. Students who do not feel safe at school are limited in their capacity to learn and reach their academic potential, Staff, when aware of bullying should help ensure the safety of the student and bring this to the attention of the building principal or their designee. The building principal, other appropriate staff, the student, and the student's parents will work together to define and implement any needed accommodations.

The district realizes that there is a need to balance accommodations which enhance student safety against the potential to further stigmatize the targeted student. Therefore, each case will be handled individually. The student, parent/guardian, and school administration will collaborate to establish safety provisions that best meet the needs of the targeted student. Follow-up discussion and/or meetings will be scheduled, as needed, to ensure that safety concerns have been adequately addressed and to determine when and if accommodations need to be changed or discontinued.

Training

The Board recognizes that in order to implement an effective bullying prevention and intervention program, professional development is needed. The Superintendent, the BPC and the District Professional Development Team will continue their, professional development will incorporate training to support this program in new teacher orientation and the annual professional development plan, as needed. Training opportunities will be provided for all staff, including but not limited to bus drivers, cafeteria and hall monitors and all staff who have contact with students. The BPC will be trained in accordance with the state requirements and will continue their professional development as to successfully support this policy and program.

Disciplinary Consequences/Remediation

While the focus of this policy is on prevention, bullying acts may still occur. In cases, offenders will be given the clear message that their actions are wrong, and the behavior must improve. Student offenders will receive in-school guidance in making positive choices in their relationships with others. If appropriate, disciplinary action will be taken by the administration in accordance with the district's Code of Conduct as applicable.

Consequences for a student who commits an act of bullying shall be unique to the individual incident and will vary in method and severity according to the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors, and must be consistent with the district's Code of Conduct.

Non-Retaliation

All complainants and those who participate in the investigation of a complaint in conformity with the state law and district policies, who have acted reasonably and in good faith, have the right to be free from the retaliation of any kind.

Dissemination, Monitoring, Review, and Reporting

This policy, or a plain language summary, shall be published in student registration material; student, parent, and employee handbooks; and posted on the district's website. A bullying complaint form will be available on the district's website. The district will ensure that the process of reporting bullying is clearly explained. Each year, as part of the annual review of the Code of Conduct, this policy will be reviewed to assess its effectiveness and compliance with the state and federal law. If changes are needed, revisions will be recommended to the Board for its consideration.

Reporting and Investigation

Although it can be difficult to step forward, the district can't effectively address bullying if incidents are not reported. Students who have been bullied, parents whose children have been bullied or other students or staff who observe bullying behavior are encouraged and expected to make a verbal and/or written complaint to any school personnel in accordance with the State Law, to make an oral report to the Principal, or DAC within one school day and to fill out the district reporting form within three school days. At all times, complaints will be documented, tracked, and handled in accordance with the regulations and procedures accompanying this policy, or, if applicable, and the district's Code of Conduct.

If a staff person is unsure of the reporting procedures, he/she is expected to inquire about how to proceed by speaking with their supervisor. Incidents will be included in the Violent and Disruptive Incident Reporting (VADIR) system when applicable. The Principal, BPC, DAC will prepare a report for the superintendent based on the complaints filed.

There shall be a duty for all school personnel to report any incidents of student -to- student and staff -to- student bullying of which they are made aware by students to their building principals or other administrator who supervises their employment. Supervisors will refer the information to the appropriate district staff or investigation as designated in regulation. A district employee may be deemed to have permitted unlawful discrimination or harassment is he/she fails to report to an observed incident. Whether or not the target complains.

The rest of the investigation shall be reported back to both the target and the accused in accordance with the accompanying regulation. If either of the parties disagrees with the results of the investigation, they can appeal the findings in accordance with the regulations that accompany this policy.

Although it can be difficult to step forward, the district can't effectively address bullying if incidents are not reported. Students who have been bullied, parents whose children have been bullied or other students or staff who observe bullying behavior are encouraged and expected to make a verbal and/or written complain to the following school personnel:

District BPC	Ms. Kelly Whitney-Rivera, Bully Prevention Coordinator	872-5625
Central High School	Mr. Mat Pearson, Assistant Principal	561-4412
Memorial Junior High School	Mr. John Squadrito, Assistant Principal	872-7720
North High School	Ms. Jennifer Buonaspina, Assistant Principal	564-5512
South High School	Mr. Thomas Zervas, Assistant Principal	791-0320

At all times, complaints will be documented, tracked, and handled in accordance with the regulations and procedures accompanying this policy, or, if applicable, The District's Code of Conduct. If a staff person is unsure of the reporting procedure, he/ she is expected to inquire about how to proceed by speaking with their supervisor.

There shall be a duty for all school personnel to report any incidents of student-to- student and staff-to-student bullying that they observe to their building principal or other administrator who supervises their employment. In addition, there shall be a further duty for all school personnel to report any incidents of student-to-student and staff-to-student bullying of which they are made aware of by students to their building principals or other administrator who supervises their employment. Supervisors will refer the information to the appropriate district staff for investigation as designated in regulation. A district employee may be deemed to have permitted unlawful discrimination or harassment if he/she fails to report an observed incident. Whether or not the target complains.

The results of the investigation shall be reported back to both the target and the accused in accordance with the accompanying regulation. If either of the parties disagrees with the results of the investigation, they can appeal the findings in accordance with the regulations that accompany this policy.

Fraternities, Sororities, and Youth Gangs

The Valley Stream Central High School District Board of Education has endorsed the philosophy stated below pertaining to fraternities, sororities, and youth gangs.

Fraternities and Sororities are secret organizations which have no place in the public high schools of a democratic society. They promote social standards based upon snobbery and measures of exclusion which are contrary to the teachings of public schools. Youth gangs also have no place in the schools. The physical abuse of individuals which occurs because of hazing or gang activity is dangerous and has been tragic in consequences. The disruptions of and interferences with the academic process of our schools and with the academic progress of individual students shall not be tolerated. We, therefore, urge all parents to forbid the participation of their children in such organizations.

The Board in its discretion has further adopted rules and regulations designed to abolish

Behavioral Expectations

Discipline is a word too often misinterpreted. It has long carried with it the idea of restriction and limitation of constricting within a set of rules and regulations. This concept can be changed if a code of conduct is defined in positive terms for positive results.

Much can be achieved in a school where acceptable behavior is not only well defined but is interpreted wisely. It is an accepted fact that students function better when they know what is expected of them and it is the responsibility of a school system to define and publicize these expectations for all concerned staff, students, parents/guardians, and the community as a whole. These behavioral expectations have been established over time through an amalgamation of input from many concerned factions. The expectations and consequences are comprehensive, applicable, understandable, and humanistic. The expectations and consequences underscore the reality of determining how positive responses can best be obtained. The system has been devised to ensure a close relationship between teacher and student, teacher and parent, student and parent, and the school and the home.

The justification for positive remediation is related to one basic essential: whether or not infractions of these behavioral expectations have been premeditated. This distinction impacts tremendously on a decision-maker's ability to find a satisfactory solution to a problem.

Furthermore, the nature of the consequences imposed on a student allows the student the opportunity to accept responsibility for the rule's infraction, complete the required aspect of the imposed penalty and continue with his/her education with minimal delay. The involvement and support of parents in the implementation of the disciplinary code are critical. Few students should be faced with the most severe disciplinary consequences if the school and parent(s) work together to remediate minor problems.

In order to preserve the unique characteristics and to meet the individual needs of the four schools within the District, each building has established specific procedures and guidelines for the implementation of the following consequences for infractions of behavioral expectations. Each building will publish and widely distribute these additional procedures to all members of the school community.

Sample Consequences for Infractions of Behavioral Expectations Infraction

I. Lateness to School Accepted/Legal Excuses

Note must be brought prior to day of appointment or upon arrival to school.

1. Medical, dental-with not/verification from doctor/dentist.
2. Religious – with note/verification from parent.
3. Dept. of Motor Vehicle appointments – (2) with prior verifications.
4. Required court appearances.

Consequences

1-4 Lateness's - Warning to student. Home to be notified by the 4th lateness
5-6 Lateness's - One (1) administrative detention per infraction
7-10 Lateness's – Two (2) detentions per infraction. Mandatory parent conference. (May be held at the 7th infraction but not later than the 10th infraction)
11+ - Continued administrative detentions and/or in-school extended detentions or suspension and/or possible court action.
NOTE: Accepted/legal excused lateness as outlined will *not* count as occurrences for disciplinary purposes.

II. Lateness to Class Accepted/Legal Excuses

1. Signed pass from school office or teacher

Consequences

Teacher Warning to student
Teacher/Student conference
Teacher/Department assigned make-up of time missed

III. Cutting, Truancy, Leaving School Without Permission

1. Early dismissal from school will be approved only if:
   a. An acceptable note for medical, dental, or motor vehicle appointment is shown *prior* to leaving school.
   b. Verification of a court appearance is shown *prior* to leaving school.

2. Illness is an acceptable excuse if a student signs out through the clinic or office.
   Failure to do so may be treated as INSUBORDINATION.
   Consequences
   Two (2) administrative detentions per class missed on first incident. Home notified.

   Two (2) administrative detentions per class missed on second incident. Mandatory parent conference.
   Possible suspension or extended detention.

   One (1) day suspension per class missed up to a maximum of five days per incident.
   One (1) day suspension per class missed up to a maximum of five days per incident.

Other possible action(s):
Referral to CSE
Superintendent's Hearing
Court action

IV. Smoking in School or on School Property

Each incident: Automatic extended detention and/or suspension. Parent notification.

V. Insubordination

1. In class
2. Disorderly behavior
3. Littering
4. Loitering
5. Wearing illegal/disruptive attire (e.g.: fraternity/sorority/gang attire)
6. Fighting
7. Failure to identify self
8. Presence in a restricted area without permission
9. Failure to follow directions/directives
10. Use of cassette radio, beeper, portable telephone, pager, voice simulator, cell phone or similar devices within a school building or other instructional areas.
11. Unauthorized presence on school grounds within the district.

Consequences
Each incident: Automatic administrative referral.
Possible action(s): Administrative detention(s), extended detention, parent conference(s), loss of open lunch privilege, loss of senior privileges, suspension(s), referral to CSE, Superintendent's Hearing, court action.

VI. Illegal Parking on School Grounds and/or Improper Use of a Motor Vehicle (i.e. automobile, motorcycle, moped, motorbike) on or near school grounds

Each incident: Loss of parking privilege for the school year if privilege had been granted.
If no privilege had been granted or if privilege has been lost, this illegal parking on school grounds will be treated as INSUBORDINATION.

IX. Anti-social and/or Criminal Behavior

1. Use of profanity/vulgarity
2. Biased or prejudicial act(s)
3. Assault on another person
4. Vandalism
5. Theft
6. Contraband (possession)
7. Weapons (possession) – including box cutter
8. Tear gas, mace, pepper spray, gas, etc. (possession, use)
9. Fireworks (possession, sale, or use)
10. False fire alarm
11. Possession of drugs and/or alcohol
12. Consumption of alcohol and/or drugs prior to and/or during a school function
13. Sexual harassment
14. Other unspecified

Consequences

Each incident: Automatic administrative referral.

Possible action(s): Administrative detention(s), extended detention, parent conference(s), loss of open lunch privilege, loss of senor privileges, suspension(s), restitution (monetary, service), referral to CSE, Superintendent's Hearing court action

Closed Lunch for Seventh, Eighth and Ninth Graders

Students in grades 7, 8 & 9 are not permitted to leave the school for lunch. All seventh, eighth and ninth graders must either bring their lunch or purchase it from the cafeteria.

Students in grades 10, 11 & 12 may choose to eat in the cafeteria or leave the school grounds during the lunch recess. If a parent/guardian does not want their student to leave the building for lunch, a letter revoking this privilege should be sent to the principal

What's for lunch? In addition to the Daily Menu Selection, there is a wide variety of ala carte choices. Two hot sandwiches daily (burgers, chicken patty, Philly steak), pizza parlor style pizza, hot dogs, French fries and a made to order Deli Bar with a Panini Grill. The three high schools now have self-serve salad bars.

Loss of Open Lunch Privilege

The opportunity for a student in grades ten through twelve to choose either to eat in the cafeteria during the lunch recess or to use the school grounds or leave the school grounds is a privilege. A student who is involved in littering or loitering on school property or on the streets, sidewalks, and/or public or private property during his/her lunch time or during the time immediately prior to or after school hours shall lose the privilege of selecting where and with whom s/he will eat lunch. A student who has lost the privilege of unrestricted lunch recess shall be required to report to and remain in a seat in a designated, supervised area as established by the building principal, during the lunch period. A first offense shall require not less than one week of restricted lunch recess; a second offense not less than one month of restriction; and any additional offense shall cause such restriction to be extended to one full year from the date of the offense.

Photo Identification Cards

All students will be issued photo identification cards that must be carried with them to school each day. These cards must be presented to a staff member upon request as well as presented when attending school dances and recreation programs.

Visitors to the Building

All visitors to the building must sign in at the entrance of the building and receive a visitor's pass that must be worn for the duration of the visit. When the visit is over, the visitor must return to the entrance, turn in his/her pass and sign out before exiting the building.

Family Education Rights and Privacy Act

The Board of Education recognizes its legal responsibility to maintain the confidentiality of student records. The procedures for ensuring the confidentiality of student records shall be consistent with state and federal law, including the Family Educational Rights and Privacy Act of 1974 (FERPA) and its implementing regulations.
The Board also recognizes its responsibility to ensure the orderly retention and disposition of the district's student records in accordance with Schedule ED-1 as adopted by the Board in policy 1120.

The Superintendent of Schools shall be responsible for ensuring that all requirements under law and the Commissioner's regulations are carried out by the district.

Annual Notification

At the beginning of each school year, the district will publish a notification that informs parents, guardians, and eligible students currently in attendance of their rights under FERPA and the procedures for exercising those rights. This notice may be published in a newspaper, handbook or other school bulletin or publication. This notice will also be provided to parents, guardians, and eligible students who enroll during the school year.
The notice will include a statement that the parent/guardian or eligible student has a right to:

1. Inspect and review the student's education records.

2. Request that records be amended to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy rights.

3. Consent to disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent; and

4. File a complaint with the United States Department of Education alleging failure of the district to comply with FERPA and its regulations.

In addition, the annual notice will inform parents/guardians and eligible students:

1. That it is the District's policy to disclose personally identifiable information from student records, without consent, to other school officials within the district whom the district has determined to have legitimate educational interests. For purposes of this policy, a school official is a person employed by the district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel; a member of the Board of Education; a person or company with whom the district has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official performing his or her tasks. A school official has a legitimate educational interest if the official needs to review a student record in order to fulfill his or her professionalresponsibilities.

2. That, upon request, the district will disclose education records without consent to officials of another school district in which a student seeks or intends to enroll.

3. That, upon request, the district will disclose a high school student's name, address and telephone number to military recruiters and institutions of higher learning unless the parents or eligible student exercises their right to opt out and prohibit release of the information without prior written consent.

4. of the procedure for exercising the right to inspect, review and request amendment of student records.

The district will provide translations of this notice, where necessary, to parents, guardians and eligible students in their native language or dominant mode of communication.

Directory Information

The district has the option under FERPA of designating certain categories of student information as "directory information." The Board directs that "directory information" include a student's name, address, telephone number, date and place of birth, major course of study, participation in school activities or sports, weight, and height if a member of an athletic team, dates of attendance, degrees and awards received, most recent school attended, class schedule, photograph, e-mail address, and class roster.

Once the proper FERPA notification is given by the district, a parent/guardian or eligible student will have 14 days to notify the district of any objections they have to any of the "directory information" designations. If no objection is received, the district may release this information without prior approval of the parent/guardian or eligible student for the release. The district may elect to provide a single notice regarding both directory information and information disclosed to military recruiters.

Student Privacy

The Board of Education recognizes that student surveys are a valuable tool in determining student needs for educational services. Parents have the right to inspect all instructional material that will be used for a survey, analysis, or evaluation as part of a U.S. Department of Education (DOE)-funded program. In addition, no minor student may, without parental consent, take part in a survey, analysis or evaluation funded in whole or in part by the U.S. DOE that reveals information concerning:

1. Political affiliations or beliefs of the student or the student's parent.

2. Mental or Psychological problems of the student or the student's family.

3. Sex behavior or attitudes.

4. Illegal, Anti-Social, Self-incriminating or Demeaning behavior.

5. Critical appraisals of other individuals with whom respondents have close family relationships.

6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers.

7. Religious practices, Affiliations or Beliefs of the student or the student's parent; or

8. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

Parents/guardians shall have the right to inspect, upon request, any instructional material, used as part of the educational curriculum for students. "Instructional material" is defined as: "instructional content that is provided to a student, regardless of format including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). It does not include tests or academic assessments." A parent/guardian who wishes to inspect and review such instructional material shall submit a request in writing to the Building Principal. Upon receipt of such request, arrangements shall be made to provide access to such material within 30 calendar days after the request has been received.

Every Student Succeeds Act

According to the Every Student Succeeds Act parents are entitled to request the following information on the qualifications of their children's classroom teachers and paraprofessionals: whether the teacher has met state qualifications and licensing criteria for the grade levels and subject areas being taught; whether the teacher is teaching under emergency or other provisional status through which state qualifications or licensing criteria have been waived; the baccalaureate degree major and any other graduate certification or degree held by the teacher; and the qualifications of any paraprofessionals providing services to their children.

Parents requesting this information should write to:
Superintendent of Schools
Valley Stream Central High School District
One Kent Road
Valley Stream, NY 11580-3398

Attendance Policy Overview

An attendance policy will be in effect for all students in grades 7 - 12 who attend school in the Valley Stream Central High School District. As this policy will affect each student directly, it is most important that every student, parent, and staff member understands the implications of this policy. The intent of this material is to provide you with details of this policy.

Purpose

The classroom is the focus of instruction and student learning. Every student must be actively engaged in classroom activities if each is to develop his/her potential. Regular attendance is required. This policy intends to improve the attendance of many students who have neither understood nor accepted the responsibility and importance of regular attendance. In addition, as a result of improved attendance, student achievement is expected to improve.

Inherent in this policy is the recognition that many important proficiencies are developed through participation in classroom activities including, but not limited to, discussions, debates, group projects and other speaking, listening, and writing activities. Class participation is counted as a percent of the grade and is a significant component of learning which affects the development of the student's full potential. A student who attends school regularly and timely with the required materials for each class is developing attitudes, habits and proficiencies which will increase his/her potential for success both in and beyond high school.

Student Attendance

The Board of Education recognizes that regular school attendance is a major component of academic success. Through implementation of this policy, the Board expects to reduce the current level of unexcused absences, encourage full attendance by all students, maintain an adequate attendance recordkeeping system, identify patterns of student absences, and develop effective intervention strategies to improve school attendance.

Notice of Policy

To be successful in this endeavor, it is imperative that all members of the school community are aware of this policy, its purpose, procedures, and the consequences of non-compliance. To ensure that students, parents, teachers, and administrators are notified of and understand this policy, the following procedures shall be implemented:

A. The attendance policy will be included in student handbooks and will be reviewed with students at the start of the school year.
B. Parents will receive a plain language summary of this policy by mail at the start of the school year
C. The district will provide a copy of the attendance policy and any amendments thereto to faculty and staff. New staff will receive a copy upon their employment.
D. Copies of this policy will also be made available to any community member, upon request.
E. When a student cuts class or is absent without excuse, designated staff members will notify the student's parent(s) and review the attendance procedures with them.

Excused and Unexcused Absences

Excused absences are defined as:

A. Personal illness
B. Illness or death in the family
C. Impassable roads or weather
D. Religious observances
E. Quarantine
F. Attendance at health clinics
G. Approved college visits

H. Approved cooperative work programs
I. military obligations
J. Participation in school sponsored trips or activities; and
K. such other reasons as may be approved by the Commissioner of Education.

All other absences (e.g., class cuts, undocumented absences and tardiness, unapproved early leaves) are considered unexcused absences.
It is the parent's/guardian's responsibility to notify the school on the morning of the absence, if possible, by 9:30 a.m.
A parent/guardian's written note must explain each instance of an absence. The student upon returning from any absence should bring this note to school.

General Procedures/Data Collection

a. Attendance will be taken during each class period.
b. At the conclusion of each class period or school day, all attendance information shall be compiled and provided to the appropriate individual(s) responsible for attendance.
c. The nature of an absence (full day, class cut) shall be coded on a student's record.
d. Student absence/class cut data shall be available on the following school day and should be reviewed by attendance officers or other appropriate school personnel.
e. Attendance data will be analyzed periodically to identify patterns or trends in student absences.
f. Continuous monitoring will be conducted to identify students who are cutting class.

Disciplinary Consequences

Generally, disciplinary sanctions will be imposed progressively. This means a pupil's first unexcused absence, tardiness or early departure will usually merit a lighter penalty than subsequent violations.
In accordance with the District's Code of Conduct, the following range of disciplinary sanctions may be imposed to discourage unexcused pupil absences, tardiness, and early departure.

1. Oral warning
2. Written warning
3. Written or oral notification to parent
4. Detention
5. Suspension from athletic participation
6. Suspension from social or extracurricular activities
7. Suspension from other privileges
8. In-school suspension.

Attendance/Grade Policy

The Board of Education recognizes that an important relationship exists between class attendance and student performance. Students are expected to attend all scheduled classes. Consequently, each student's marking period grade will be based on classroom participation as well as the student's performance on homework, tests, papers, projects, etc. Consistent with the importance of classroom participation, any absence from class which is not made up shall negatively affect the student's grade for the marking period.

Any student who misses a class is expected upon his or her return to consult with his/ her teachers regarding missed work. Only students who are absent from school for excused reasons or who receive home instruction from the district, are entitled to make arrangements with their teachers to make up work missed so that they will be eligible for a classroom participation grade make-up.

Only those students with excused absences will be given the opportunity to make up a test and/or turn in a late assignment for inclusion in the calculation of the performance portion of their final grade. Make up opportunities must be completed by a date specified by the student's teacher for the class in question.

Students who are unable to attend a class on a given day/period due to their participation in a school-sponsored activity (i.e., music lessons, field trips, etc.) may arrange with their teachers to make up any work missed.

Any student with more than fourteen absences for a half year course or twenty-eight absences for a full year course will be in jeopardy of not receiving credit for that course. To ensure that parents and students are aware of the implications of this minimum attendance requirement, the teacher and other appropriate school personnel will counsel the student and contact the parent at appropriate intervals prior to the student reaching fourteen or twenty-eight absences.

A parent or student disputing a determination to deny course credit for excused absences may appeal that decision to a building committee made up of the principal/ assistant principal, a guidance counselor, and a teacher. The parent and student will be invited to the appeal meeting. The appeal must be in writing and contain supporting documentation by explaining the reasons that an exception should be made for excused absences. This committee's decision may be appealed in writing to the Superintendent or his or her designee.

Attendance/Participation in Activity

A student may not take part in a public performance, practice session, grade or council meeting, rehearsal or any other school activity done under the auspices of the school unless (s)he has attended school that day or has been granted special permission by the principal or his (her) designee. Students must be in school prior to the end of 2nd period in order to participate. A student absent from school on a school day immediately preceding a weekend, holiday or non-school day may not participate in any athletic contest or non-athletic performance prior to returning to school without the approval of the principal or his/her designee. This decision may be appealed in writing to the Superintendent or his designee.

Attendance/Summer School

Any student who has not met the attendance and academic requirements (fourteen absences for a half year course or twenty-eight absences for a full year course and a minimum grade of 55) may be given the opportunity to attend summer school following an individual student building-based review.

This policy shall be enforced in a manner as to accommodate a student who has a disability pursuant to the Individuals with Disabilities Act, 20 USC 1400 et. Seq. or 504 of the Rehabilitation Act of 1973, 29 USC 794.

Emergency Illness or Accident at School

A registered nurse is on duty during the school day. If a student becomes ill or has an accident, the nurse will contact the parent or a designated emergency contact to make arrangements for the student to be released from school. In accordance with district procedure, it is required that the parent come into school to sign the student release. In the event a parent or designated surrogate is not available to sign the student out, the nurse, in her best judgment, and with an administrator's approval, will release the student at the parent's direction.

State law requires a physical examination for students entering the 7th grade and for all those entering a public school district for the first time. This examination must be done within 90 days prior to the start of the school year and completed forms must be presented to the clinic within 15 days of the start of school. If you do not have a private physician, the physical will be scheduled with the school doctor. It is recommended that a vision test be part of the physical examination. If you prefer, this screening can be done by the school nurse. A yearly dental check-up is also recommended.

Every student must have an Emergency Card on file in the Clinic. This card supplies the nurse with essential information necessary for the welfare of each student. Emergency cards are to be returned to the clinic the first week of school.

Student Accident Insurance Limitations. Your school district has selected an excess plan of medical benefits for accidental bodily injuries which occur during school sponsored and supervised activities. Only after payment by any other insurance, the district's insurance carrier will pay up to the "Usual and Reasonable" covered charges incurred within 3 years from the date of the accident. Usual and reasonable charges are defined as "fees and prices charged in the area where the services and supplies are offered." The services and supplies used for treatment of the injury are those that are usually required for similar injuries.

An Excess plan requires that all medical/dental bills be submitted first to your own insurance carrier(s). Be sure to copy all bills before submitting them to your carrier, as you will need to submit copies to the district's insurance carrier. In cases where there is no other insurance, the district's insurance carrier may require verification from your employer. A $100 deductible applies to all benefits under the policy, payable by the Parent/guardian.

Field Trips and Excursions

The Board of Education recognizes the desirability of providing off-campus experiences which will enhance the educational program of the school system. Each student must secure the permission of his/her parent or guardian before participating in such activity.

All field trips and other school sponsored trips and activities must be approved by the student activities director, the athletic director, the departmental supervisor, or the person in a position of direct responsibility for such a trip. Thereafter, approval must be obtained from the Building Principal or his/her designee.

The Superintendent of Schools must approve overnight domestic trips. Trips outside the continental United States must be approved by the Board.

There are detailed Regulations which are on file with the Office of the District Clerk. Excerpted below are those regulations that refer to eligibility for overnight trips.

Overnight Trips

Due to the unique nature of "unstructured time" that is inherent in overnight field trips, the following additional regulations apply:

A. Accommodations/Special Conditions

When organizing sleeping accommodations for students attending overnight field trips, the Board prefers the following arrangements in the order stated:

i. dormitory style accommodations with at least two adult supervisors to each dormitory.

ii. no more than two students to any particular room.

iii. rooms servicing three or more students each with his/her own bed. It is recognized that the preferred sleeping accommodation will be determined by the administration based upon the site's space availability as well as the realization that some accommodations are arranged by County/State/ National associations and NOT by the school district.

B. Student Disciplinary History

Participation in interscholastic, co-curricular and extra-curricular activities is a privilege. Students who have not exemplified appropriate disciplinary history should be precluded from attending overnight trips during which there is considerable unstructured time. The determination of appropriate disciplinary history for attending overnight trips should be made by the building principal with such determination appealable to the Superintendent of Schools. Overnight trips that are directly related to credit bearing courses shall be governed by procedures that apply to respective academic offerings.

C. Student Academic Progress

Participation in interscholastic, co-curricular and extra-curricular activities is a privilege. Overnight field trips shall require students to be in appropriate academic status. Overnight trips that are directly related to credit bearing courses shall be governed by procedures that apply to respective academic offerings.

D. Mode of Transportation

Selected mode of transportation for overnight field trips shall reflect the most current national security alert status. The Superintendent of Schools shall incorporate appropriate measures for implementing these regulations into the district's Practices and Procedures manual.

E. Supervision

The ratio of students to chaperones shall be determined by the Superintendent of Schools.

PSAT/SAT Preparation Programs

PSAT and SAT Preparation Programs are offered to VSCHSD students. Counselors are knowledgeable about these programs and will mention them during group guidance sessions.

Study Halls

Each student in the study hall must have something with which to occupy him/herself for study purposes. Study hall teachers may issue passes to the office, counselor's office, and to the lavatories in emergency cases. Students desiring to see a teacher other than their study hall teacher must have previously obtained a pass from that teacher. If the student is to remain with the teacher all period, this is to be indicated on the pass.

Extra Help

Students may always seek extra help from their teachers if they do not understand an assignment, if the work is difficult or if they have been absent and missed assignments and class discussions. Students should arrange a conference with their teachers before or after school or during a mutually convenient time during the day. A posting of teacher extra help is available at www.vschsd.org.

Homework

Homework is the out of class tasks that a student is assigned in connection with classroom work. Homework serves various purposes including:

1. Development of positive attitudes, habits, character traits.
2. Review and Reinforcement of information taught.
3. Development of Background and information in preparation for planned learning.
4. Determination of prior knowledge; diagnosis of individual learning problems; and
5. Acquisition of knowledge and skills in specific topics.

Frequency

Grades 7 to 8 For each day of school instruction one might reasonably expect 11/2- 2 hours per night.
Grades 9 to 12 For each day of school instruction one might reasonably expect 2-21/2 hours per night.

Types

Homework assignments should be designed to solicit a reasonable effort by the student for successful completion. Types of homework include:

1. Practice Assignments:
   - reinforce newly acquired skills or knowledge
   - most effective when reviewed by teacher and match the individual student's ability
   - used to directly apply recent learning

2. Preparation Assignments:
   - provide background information for new material
   - may include textbook reading, library research, collecting materials and/or information gathering
   - require guidelines on assignment completion
   - the level of difficulty should correspond with student's ability
3. Extension Assignments:
   - require students to apply learned knowledge and skills
   - provide opportunities for individual and creative learning requiring initiative and analysis
   - frequently long-term projects that parallel class work

Monitoring

Homework assignments should be checked periodically to diagnose students' achievement of specified objectives. Forms of monitoring include checking, questioning, viewing students' written work and in-class performance.

Responsibilities

1. Teachers:

   Teachers will inform students of practices and procedures regarding homework assignments. Teachers will clearly state the assignment, its relationship to the topic under study, the purpose of the assignment and the expectations of the student in successfully completing the assignment.

2. Students:

   Students are responsible for completing assignments to the best of their abilities. Students should communicate with teachers about missed assignments, as well as inquire as to any uncertainty concerning any assignment.

3. Parents:

   Parents should create an environment conducive to self-study and should support the district's homework policy and encourage their children to complete the assignments.

Parental Involvement

The Board of Education believes that positive parental involvement is essential to student achievement, and thus encourages such involvement in school educational planning and operations. Parental involvement may take place either in the classroom or during extra-curricular activities. However, the Board also encourages parental involvement at home (e.g., planned home reading time, informal learning activities, and/or homework "contracts" between parents and children). The Board directs the Superintendent of Schools to develop a home-school communications program in the effort to encourage all forms of parental involvement.

To assure compliance with Federal Title I guidelines, the Board further directs the administration to implement programs, activities, and procedures to achieve parental involvement in planning, designing, and implementing such programs. To this end, the district will send an annual newsletter informing parents of the reasons, objectives, and methods of the program; provide training opportunities for parents to work with their children at home; convene an annual meeting for parents of participating students; and utilize such parents as volunteers or paid classroom aides. Parent notification correspondence will be provided in the language understood by the parents.

Grading Systems

Grading is considered a positive tool to indicate achievement and development in each class or subject in which a student is enrolled. The Board of Education recognizes that the classroom teacher has the primary responsibility to evaluate students and determine student grades.

The district will use a uniform grading system. Classroom teachers will evaluate students and assign grades according to the established system. Each of the four marking period grades shall be computed as follows: students earning grades of 65 and below shall receive a grade based on five-point intervals (i.e., 60, 55, 50, etc.) while students earning grades of 65 and above shall receive the numerical grade earned (i.e., 85, 86, 87, etc.). In all cases, the final grade for the course shall be the numerical average of the four marking period grades. If there is a final or Regents exam, the Superintendent shall assign a percentage weighting for the final exam grade that would then be averaged with the four marking period grades in determining the course grade.

Grading will be based upon student improvement, achievement, and participation in classroom discussions and activities. Parent(s)/Guardian(s) will be informed regularly, at least four (4) times a year, of their child's progress. The use of marks and symbols will be appropriately explained. Grading will not be used for disciplinary purposes, i.e., reducing grade for an unexcused absence, although a lower grade can be given for failure to complete assigned work or for lack of class participation.

All students are expected to complete the assigned class work and homework as directed. Students are also expected to participate meaningfully in class discussions and activities in order to receive course credit. If work is missed due to an absence, the student is expected to make up the work. The student and/or the student's parent(s) or guardian(s) should discuss with the student's teacher an appropriate means of making up the missed work, with the possible exception of absences intended by the student as a means of gaining an unfair academic advantage (e.g., to

secure more time to study for a test), every effort will be made to provide students with the opportunity and assistance to make up all work missed as a result of absence from class.

The mark earned in the repetition of a course will be recorded as the official grade on all permanent records and will be used in the computation of cumulative averages. The professional judgment of the teacher should be respected. Once a grade is assigned to a student by a teacher, the grade may only be changed by a district administrator after notification to the teacher of the reason for such change. Should an administrator enforce a grade change, he/she shall be prepared to report to the Superintendent of Schools and/or the Board.

Class Ranking

The final class rank will be developed using the ranking averages of all graduating students. Ranking averages are computed by using final averages for all completed credit bearing courses except physical education and driver's education courses. Rankings are generally computed twice. The first ranking includes courses completed by the end of August preceding the student's senior year and the second includes mid-year averages in senior year.

Computation of Averages

A. Computation of ranking averages will be as follows:

1. For full year and BOCES courses, the final average is multiplied by the number of credits.
2. For semester courses, the final average is multiplied by .5.
3. For mid year grading, the average of the first two marking periods is multiplied by their respective weighting.
4. The final average times credit total is divided by the total number of credits including one half of the anticipated credits as of mid-senior year.

B. The following weighting values will be added to the students' overall GPA for Advanced Placement courses and Science Research 10-12 when ranking is calculated. In order to receive the Advanced Placement course designation on the student transcript and to receive the course weighting accruing to Advanced Placement courses, students enrolled in Advanced Placement courses are required to participate in the respective Advanced Placement exam(s).

1. 1 for each final average and .5 for each midyear average between 95 and 100;
2. .8 for each final average and .4 for each midyear average between 90 and 94;
3. .6 for each final average and .3 for each midyear average between 85 and 89;
4. .4 for each final average and .2 for each midyear average between 80 and 84;
5. .2 for each final average and .1 for each midyear average between 75 and 79; and
6. .1 for each final average and .05 for each midyear average between 65 and 74.

C. The following weighting values will be added to the students' overall GPA for dual-credit college/university courses when ranking is calculated.

In order to receive the course weighting in dual-credit college courses, students must be awarded college/university credit from the respective institution.

1. 0.5 for each final average and .25 for each midyear average between 95 and 100;
2. 0.4 for each final average and .2 for each midyear average between 90 and 94;

3. 0.3 for each final average and .15 for each midyear average between 85 and 89;
4. 0.2 for each final average and .1 for each midyear average between 80 and 84; and
5. 0.1 for each final average and .05 for each midyear average between 75 and 79;

D. Preliminary class ranking developed prior to the end of the first semester of senior year shall reflect courses and Advanced Placement weighting up to the time that the preliminary class ranking is computed. The revised weighting is effective beginning the 2023-24 school year and thereafter.

Valedictorian and Salutatorian

Rank in class shall be the sole criterion for determining the valedictorian(s) and salutatorian(s). Determination of these honors will be calculated after the first semester of the graduating year.

In order to be considered for these honors, a student, at the time of the determination of these honors, must have had at least three consecutive high school semesters (grades 9-12) in residence as a district student.

Interscholastic Athletics

Interscholastic athletics for boys and girls, is an integral and desirable part of the district's educational program. Individual and Team sports shall be based upon comprehensive physical education instruction and intramural activities, seeking broad participation from all eligible secondary students. Lifetime or carry-over sports are to be particularly encouraged and supported. Parity in the number and kind of sports activities for girls and boys is a clear objective of the district.

Classification

The Superintendent of Schools is responsible for instituting a classification system to determine placement of students at various athletic levels in accordance with their physiological maturity, physical fitness, and sports skill. The Building Principals will be responsible for implementing this classification system.

All students who participate in interscholastic athletics will be classified prior to trying out for a team. The term "interscholastic athletics" when used in this policy refers to teams which have regularly organized contests and schedules under the rules of the New York State Athletic Association. Classification will be re-assessed at the beginning of each sport season. The Director of Physical Education (Athletics) will prepare athletic profiles for participating students and will update the profiles prior to each season in which a student participates. Parents will be notified of the student's placement. Students may not try out nor participate in a sport at a classification level above or below their placement, although a student may be placed in more than one level.

Mixed Competition Process

The Superintendent is authorized to use the following mixed competition process for all secondary school interscholastic team memberships. It is expected that the great majority of students participating in interscholastic athletics will participate in the sport provided for their gender. Students may move to a sport provided for the opposite gender according to the mixed competition guidelines provided by the New York State Public High School Athletic Association. The more restrictive selection classification previously adapted by the district (see 5141.2R), shall be used to determine a student's placement for mixed competition.

Physical Examinations

Students participating in interscholastic athletics will be examined by either the school physician or by a family physician for medical clearance prior to taking part in either practices, games, performances, or competitions. The family physician must use the school's Sports Physical Examination Record which is to be returned to the school nurse upon completion and signed by the doctor. The doctor's stamp and license number must also be affixed to the form. A parent/guardian who opts to have the family physician examine the student will be responsible for the entire cost of the exam. Any physician conducting the exam must be a licensed medical doctor in New York State.

Final approval for medical clearance resides with the school physician.
Prior to participating in any sport, a student's parent/guardian must complete the Medical Questionnaire & Sport Physical Examination Record.

A student who has qualified for participation for a particular sport or related activity must qualify for participation in any other sports for the current school year by completion of an Interval Health History form completed by the school nurse. The form must also be signed by the student and his/her parent/guardian within 30 days of the examination. A student who suffers an injury or undergoes an invasive procedure (i.e, surgery) must notify the school nurse immediately upon returning to school. He/she must submit a physician's note stating that he/she is capable of participating in athletics again. Once the note is received by the school nurse, he/she will either clear the student or contact the school physician for clearance if a concern exists. The date that the student receives the clearance from the school nurse or physician is the effective date of the clearance. No clearances will be made retroactively, regardless of the date on the family physician's note. No physical exam for these purposes may be conducted prior to June 15 for the following school year. The Coordinator of Physical Education is responsible for ensuring that physical exams are completed in conformance with this policy.

Athletic Contests

In the best interest of the students, the Board of Education requires that an adequate number of trained persons in first aid and CPR are present during athletic contests and events. The Board also requires that a licensed physician be present for all interscholastic football games. In the event of an emergency, the Board will allow for a physician's assistant, emergency medical technician or advanced medical technician to provide coverage. Adequate supervision by coaches trained in first aid will be provided to ensure the student's safety.

Insurance-Athletics

Students participating on interscholastic athletic teams will be covered by the district's accident insurance.

Academic Eligibility for Extracurricular Activities

In order to participate in any extra-curricular activities and certain co-curricular activities, a student must:

1. Not be currently subject to disciplinary action.
2. Not be failing more than one course in which credit is given. For students taking approved non-credit

courses, the student must be progressing satisfactorily in more than one course at the end of a marking period or year.

Each building principal will be responsible for establishing procedures to carry out this policy. The building principals shall keep records and provide reports to document compliance with this policy.

Re-eligibility

A student may become re-eligible to participate in extra-curricular activities by the following:

1. Students failing or progressing unsatisfactorily in two or more courses at the end of a marking period may retain eligibility by attending extra help sessions, three times a week until the next mid-marking period. The student will be evaluated at that time for re-eligibility. If, at this time, the student has failed to attend the required help sessions or continues to fail or progress unsatisfactorily in two or more courses, the student will remain ineligible for the remainder of the marking period.
2. If a student is under disciplinary action, the student may not participate at all until eligibility is re-established by the building principal/superintendent.

Ineligibility Status

1. A student who is scholastically ineligible may attend meetings or practice but may not take part in nor be present at any performance, scrimmage, game, etc.
2. When a student becomes ineligible, steps will be taken to help the student overcome the problem and re-establish eligibility.
3. The following chart outlines the authorized level of participation by ineligible students in co-curricular and extra-curricular activities.

Participation by Ineligible Students

Activity	**Co-curricular**	**Extra-curricular Activities**
Participate in performance, contests	Yes	No
Participate in after school activities other than practices and meetings	Yes	Yes
Serve in leadership position and represent the activity	Yes, up to 5 weeks only of ineligibility status, then resign	Yes, up to 5 weeks only of ineligibility status, then resign
Attend non-performance related field trips connected with activity	No	No

All school related clubs and activities are considered extra-curricular except those activities directly related to credit bearing courses or courses for which marks are earned. Activities related to musical performing groups (band, chorus, orchestra) will be considered co-curricular.

Driver Education

Eligibility

Residents may attend Driver Education with payment of tuition as approved by the Board of Education., provided they:

1. are District residents who have obtained a New York State learner's permit and,
2. are either enrolled in a district or BOCES high school program or in a private and/or parochial high school program; or have graduated and are less than 17 years of age on July 1 immediately preceding their enrollment for the course.

Preference will be given to seniors as of September 1 immediately preceding their enrollment for the course.

Driver Education is not offered as part of the regular curriculum.

Use of District Technology

The purpose of the District's Educational Intranet and its related devices is educational. The use of this technology is to be considered a privilege, not a right. Inappropriate use of it may result in disciplinary action and cancellation of user privileges.

Students should adhere to the following rules when using technology:

- Under no circumstances should you share your password with another student or person other than a teacher.
- Do not post personal contact information such as name, address, phone number, email address, etc., about you or anyone else.
- Do not attempt to gain access to unauthorized sections of the system or to someone else's files.
- Do not use language that is obscene, profane, lewd, vulgar, rude, inflammatory, threatening, or disrespectful.
- Do not access material that is profane or obscene, that advocates illegal acts, or that advocates violence or discrimination against other people.
- Do not access chat rooms or email.
- Do not vandalize, maliciously harm, or destroy district technology equipment, software, data or introduce a virus into the system.

If you accidentally find yourself at an Internet place you should not be, notify your teacher or the nearest adult supervisor as soon as possible. An example of this is finding that you have accessed a website with inappropriate content.

Gifts to School Personnel

No district officer or employee shall directly or indirectly receive any gift having a value of seventy-five dollars ($75) or more, whether in the form of money, services, loans, travel, entertainment, hospitality, etc., under the circumstances in which it could reasonably be inferred that the gift was intended to influence the performance of his/ her duties or to gain favor for the donor.

While rules for ethical conduct cannot be specific enough to anticipate every conceivable situation, certain specifics are cited to further clarify the intent of the Board that gifts and favors shall be avoided:

1. No gift shall be accepted from any person or organization doing business with the Board or seeking such business.
2. No gift of more than symbolic value shall be exchanged between employees.

Emergency Plans

The Board of Education recognizes the necessity of preparing an emergency management plan and practicing it in order to ensure that the safety and health of students and staff, as well as district property, are safeguarded in the event of a true emergency. Pursuant to this concern and the regulations of the Commissioner of Education, the Superintendent of Schools is directed to develop such a plan for each school and for the district and to ensure that sufficient training in carrying it out takes place.

Such plan shall provide for sheltering, evacuation, early dismissal, written notification to students and staff, an annual drill and coordination with local and county emergency preparedness administrators. The Superintendent shall establish an Emergency Planning Committee to oversee the emergency management plan.

The Superintendent is to provide such plan to the Board for approval in time to ensure that it will be in place, reviewed, and, if appropriate, modified each year by October 1.

It is the responsibility of the principal of each building located within the district to provide the Superintendent with information about school population, number of staff, transportation needs and the business and home telephone numbers of their key officials.

The Superintendent is to ensure that copies of the plan are available for public inspection and that there are copies in appropriate places throughout the district.

The Superintendent is to notify the District (BOCES) Superintendent whenever the Plan is activated and results in the closing of a school building in the district.

Dissemination of Materials through the Schools

To make the most effective use of administrative and instructional time, the Board of Education finds it necessary to impose some limits on the dissemination of materials through the schools by the variety of external organizations sponsoring activities. The guidelines are:

1. Materials originating from within the school system may be distributed.
2. Materials originating from organizations or sources outside the school system must be approved by the Superintendent of Schools or his/her designee prior to distribution.

3. To be approved for distribution, materials should be of potential benefit to the students to whom the material is directed. The materials should contain no commercialism and serve no partisan political purposes.
4. Except for materials originating within the school system, staff members are prohibited from sending home flyers, unless the flyer has been approved in accordance with established procedures.

The Board requires the distribution of authorized materials on an equitable basis to all students at a given educational level who may benefit from the content of the material.

Student Bicycle Use

Students are permitted to ride bicycles to school. Children between the ages of one to fourteen must wear a safety helmet when riding a bicycle in accordance with state law. Building principals are responsible for ensuring that students are wearing helmets while riding bicycles on school property. Violators and their parents/guardians will be notified. Repeat offenders may lose the privilege of bringing a bicycle onto school property.

Student Automobile Use and Parking on School Property

The Board of Education permits students with a valid driver's license to drive on school property in a safe and reasonable manner. In order for a student to be allowed to park on school property, he/she must be a senior in good standing.

To be in good standing, a student must:

1. Be eligible for graduation in either June or August of that year.
2. Maintain passing marks in all subjects taken during the senior year (a five-week review may reinstate a student who has become ineligible).
3. Maintain satisfactory attendance (generally this means ninety percent attendance in the year preceding the senior year and regular attendance during the senior year, but the Principal may make exceptions based on the facts of individual cases such as, but not limited to, prolonged illness); and
4. be unencumbered by any ongoing disciplinary action.

In addition, an eligible student must, at minimum, possess a valid New York State Class D driver's license as defined in the New York Vehicle and Traffic Law Section 501 and obtain a school issued parking sticker. In order to obtain a parking sticker, a student and his or her parent or guardian must attend a school sponsored driver safety program. Parking stickers must be placed in the location designated by the District.

Students who park on school property will not be permitted to remove cars during lunch or unscheduled periods unless authorized to do so by the Principal or his or her designee.

Students may not park in the section of the parking field which is reserved for the faculty or visitors.
Loitering and congregating in cars, unsafe driving in the parking lot or inappropriate use of a car will not be tolerated.

Unsafe operation of any vehicle or failure to comply with rules established by the Building Principal shall result in a termination of the Principal's approval for parking privileges. Students must remember that student driving and parking at the high school is a privilege, not a right, and such privileges can be lost in cases of violations of this policy or the Student Disciplinary Code. The school retains the authority to conduct routine patrols of any or all school parking areas. The interior of a student's automobile on school premises may be searched if the school authority has reasonable suspicion to believe that such a search will produce evidence that the student has violated or is violating either the law or district policy.

Home Tutoring or Education While Hospitalized

In medical cases, tutoring will be provided after the 3rd day of an absence, when it is expected by the physician that the absence from school will be at least 5 consecutive days. A parent may request tutoring for an extended absence up to two weeks after the date the child returns to school. No requests will be honored past this date.

Quarantined Student

A student who is quarantined by a government agency for his/her own contagious disease or the contagious disease of a family member may apply to the Superintendent of Schools for modification.

Regents – Retaking any State Examination/Test

A Student who retakes a New York State Department of Education Regents Examination, Proficiency Test or Regents Competency Test for a particular course will have his/her highest score on such examination/test used in the calculation of the final average for the course.

1. Retakes of the Regents English examination will be applicable only for inclusion in the recalculation of a student's Level 3 English grade.
2. Students will be allowed to "mix and match" course marks and retakes of Regents examinations. This will be applicable for a student who fails a course with very low marks during the year, but passes the Regents examination, yet is unable to receive credit due to poor performance throughout the year.
   If this student takes the course a second time and passes the course but fails the Regents examination, that student may take the best Regents and the best course grades from the same course in order to calculate a final course average.
3. If a student had previously passed the examination/test, the student will have up to one year from the time of passing the examination/test to retake the examination/test.
4. If a student had previously failed the examination/test, the student may retake the examination/test as many times as necessary until passed.

5. The recalculation of a final course average will be completed by the guidance counselor as soon as the score from the retake of a Regents examination is available.
6. A brief application must be completed by any student who wishes to retake a state examination/test that has been previously passed. Application forms will be provided through the guidance department.
7. There will be no recalculation of past honor rolls because of changes that occur in a student's final course average as a result of a retake of a state examination/ test. However, a student may become eligible for Honor Society consideration as a result of a recalculation of the student's cumulative average.
8. ONLY the final average, which awards the student units of credit, and the best Regents score, will appear on a student's transcript. The grades resulting from all other attempts appear on the student's permanent record.

To encourage each student to complete graduation requirements and course requirements within a most challenging program, the following procedures are to be followed:

a) School building administrators and guidance personnel will be responsible for encouraging or requiring a student who has failed a state examination/test to retake the examination/test. Administrators and/or guidance personnel will arrange for course repeats, test review sessions, extra help, and the retake(s) as are appropriate and necessary. A student will be expected to participate actively in all activities leading to and including the retake(s) of a state examination/test.

b) A student will be responsible for arranging, with the assistance of school guidance personnel, for any preparation leading to and the actual retake(s) of a state examination/test which the student has previously passed.

c) In either case, a) or b), the student shall be responsible for requesting and verifying completion of a recalculation of the final average for a course which will be positively affected by the improved score on a retake of a state examination/test. This request should be made to a student's guidance counselor.

Wellness

The Valley Stream Central High School District is committed to providing that every aspect of the school environment promotes and protects children's health, well-being, and ability to learn. Pursuant to the Child Nutrition and Women, Infants and Children Reauthorization Act of 2004, the District establishes this Wellness Policy to enhance the learning and development of lifelong wellness practices.

Nutrition Education Goals and Standards

1. Nutritional activity should establish connections between health education and school meal programs. Students shall receive nutrition education that is interactive and teaches the skills they need to adopt healthy eating behaviors and provide them with the knowledge and skills to promote and protect their health.
2. Parents should be informed about nutrition education developments.
3. The school district shall have information available to families that encourages them to teach their children about health and nutrition and to provide nutritious meals.

4. Students shall receive consistent nutrition messages throughout the schools, classrooms, cafeterias, homes, community, and media. School-based marketing will be consistent with nutrition education and the promotion of good health.
5. Nutrition standards will meet federal requirements.
6. Products available in vending machines shall meet the guidelines of the New York State "Choose Sensibly" program. For example, in June 2006 these products shall contain total fat of 7 grams or less, saturated fat of 2 grams or less, sodium of 360 milligrams or less and sugar of 15 grams or less.
7. Fundraising food choices shall be consistent with the choices offered in the district-wide food service program.

Physical Activity Goals

1. Students shall be given opportunities for physical activity during the school day as well as through a range of before and/or after school programs including, but not limited to, physical education, recreation and interscholastic activities.
2. Schools shall provide opportunities for professional development to enable teachers and other school staff to promote enjoyable lifelong physical activity among students.

Other School-Based Activities Goals

1. Food and beverage marketing activities shall be consistent with and reinforce the objectives of the education and nutrition environment goals of the District.
2. Efforts will be made to keep school or district-owned physical activity facilities open for use by students outside of school hours.
3. Drinking fountains shall be available in all schools so that students can get water throughout the day.
4. Hand washing/sanitizing dispensers shall be available in cafeterias to enable students to wash their hands before lunch.

Measurement and Evaluation Goals

This policy shall be monitored and evaluated on an annual basis. The District's administration shall be charged with the responsibility of ensuring that the District meets the goals of the policy, and shall report on the District's compliance to the Superintendent of Schools in writing.

Notification of Sex Offenders

The Board of Education acknowledges the efforts of local law enforcement to notify the district when a person with a history of sex offenses against a child is being paroled or released into the community, in accordance with the provisions of the Sex Offender Registration Act, commonly known as Megan's Law. The purpose of this notification is to protect members of the community, particularly children, by notifying them of the presence of individuals in their midst who may present a danger. Consistent with its duty to protect students under its care, the district shall cooperate with local law

enforcement agencies in this endeavor.

Any information provided by local law enforcement officials pursuant to Megan's Law shall be posted in an appropriate location in all school buildings. In addition, the Superintendent of Schools shall ensure the dissemination of any such information to all staff who might come into contact with the offender in the course of doing their jobs, including Building Principals, staff who issue visitors' passes, bus drivers, custodians, playground monitors, security personnel, and coaches. All other staff members and community residents shall be informed of the posting requirement for such information established by this policy and of the availability of the information, upon request. Community residents shall also be reminded of the security measures and personal safety instruction provided at school. All staff requests for information provided by the law enforcement agencies shall be directed to the Building Principal. Requests for information from community residents shall be directed to the Superintendent or his/her designee.

The Superintendent shall establish any necessary regulations for implementing this policy with the advice of the school attorney.

This policy shall be disseminated at least once a year to all district residents.

Administration of Medication

In compliance with the statutory requirements of the State of New York, the Valley Stream Central High School District Board of Education hereby adopts the following policy governing the administration of medication to students:

1. Only those medications, prescription and nonprescription, which are necessary to maintain the student in school and must be given during school hours should be administered under the supervision of the school nurse. This includes storage, dissemination, and documentation of medication distribution.

2. All medications, including nonprescription drugs given in school shall be prescribed by a licensed prescriber on an individual basis as determined by the child's health status. Authorized forms signed by the parent and physician must be on file in the nurse's office. This also applies to students carrying over-the-counter medications and prescriptions. All medication distribution to students must be documented in the nurse's office.

3. In absence of the school nurse, the administering of medication will be under the supervision of a school administrator. The school nurse will train the administrator about the procedures for storing, disseminating, and recording of medication distribution.

4. If a student is going on a field trip or an after school activity and must take medication, the parent must contact the school nurse who will then notify the supervisor of that event. The supervisor will then be instructed about the specific procedure for storing, disseminating, and recording of the student'smedication.

5. All medication must be stored with the school nurse in the original container and labeled properly. Prescription medication will not be accepted in an envelope. Any unused medication should be taken home by the parent. If this is not done, the medication will be disposed of in adherence to N.Y. State guidelines.

6. Any student who has been seen by a faculty or staff member taking medication, including nonprescription drugs, on school grounds will be sent to the nurse. The nurse will contact the parent to explain the proper procedure for administering medication. The second offense of taking medication without parental and physician authorization on file, will require the nurse to report the situation as insubordination to the administrative associate.

7. If a parent requests that a medication be administered to a student during school hours and does not have authorization from a physician, the nurse will instruct the parent that the medication will be administered only on a 48-hour basis. During which at that time, the parent must obtain written authorization by the physician.

8. There are certain conditions, such as asthma or certain allergies, where students must carry and self-administer their own medication. All of the procedures and regulations concerning medications apply. Forms signed by the parent and the physician must be on file in the nurse's office. These forms must specify that the student has been properly instructed about use of the medication.

HIV/AIDS

The Board of Education recognizes the public concern over the health issues surrounding Human Immunodeficiency Virus (HIV) and Acquired Immune Deficiency Syndrome (AIDS). The Board recognizes, based upon the current state of medical knowledge, that the virus associated with AIDS is not easily transmitted and there is no evidence that AIDS or the HIV virus can be transmitted by casual social contact in the open school setting.

The Board further recognizes the privacy rights of students diagnosed with HIV infection or AIDS and their right to a free appropriate public education; the rights of HIV infected employees to privacy and reasonable accommodations; the rights of all non-infected individuals to a safe environment free of any significant risks to their health; and the rights of all students to instruction regarding the nature, transmission, prevention, and treatment of HIV infection, pursuant to the Commissioner's Regulation, Part 135.3.

No individual shall be denied access to any program or activity sponsored by or conducted on the grounds of the district, solely on the basis of his/her status as an HIV-infected individual.

Students

It is the policy of the Board that:

1. A student's education shall not be interrupted or curtailed solely on the basis of his/ her HIV status. HIV-infected students shall be afforded the same rights, privileges, and services available to every other student.
2. No student shall be referred to the Committee on Special Education solely on the basis of his/her HIV status. A student who is infected with HIV shall be referred to the Committee on Special Education (CSE) only when the student's disability interferes with his/her ability to benefit from instruction. Such referral shall be made in accordance with Part 200 of Commissioner's Regulations.
3. If a student who is HIV-infected requires special accommodations to enable him/her to continue to attend school, the student shall be referred to the appropriate multi- disciplinary team as required by §504 of the Rehabilitation Act.
4. No disclosure of HIV related information involving a student shall be made without first obtaining the informed consent of the parent, guardian, or student on the Department of Health (DOH) approved form. (See the generic Department of Health Authorization of Release of Confidential HIV Related Information.)

Confidentiality

1. Any information obtained regarding the HIV status of an individual connected to the school shall not be released to third parties, except to those persons who are:
    a. named on an Authorization for Release of Confidential HIV Related Information form;
    b. named in a special HIV court order; or
    c. as indicated in Public Health Law §2782, when necessary to provide health care to the individual (i.e., to the school physician and the school nurse).
2. Any employee who breaches the confidentiality of a person who is HIV infected shall be subject to disciplinary action in accordance with applicable law and/or collective bargaining agreement.
3. To protect the confidentiality of an HIV infected individual, any documents identifying the HIV status of such individuals shall be maintained by the school nurse (or another authorized individual) in a secure file, separate from the individual's regular file. Access to such file shall be granted only to those persons named on the Department of Health approved Authorization for Release of Confidential HIV Related Information form, or through a special HIV court order. When information is disclosed, a statement prohibiting further disclosure, except when in compliance with the law, must accompany the disclosure.

HIV/AIDS Testing

No school official shall require a student or employee to undergo an HIV antibody test or other HIV-related test. In accordance with OSHA regulations, in the event of an incident involving the exposure of one individual to the potentially infectious body fluids of another individual, particularly blood or any other fluid which contains visible blood, an HIV test may be requested but NOT required. The request and refusal must be documented.

However, school officials shall not be precluded from requiring a student or employee to undergo a physical examination pursuant to Education Law §§903 and 913, when other illness is suspected (e.g., tuberculosis), as long as no HIV antibody test or other HIV-related test is administered without the individual's informed consent as required by Public Health Law§27-F.

To implement this policy, the Superintendent of Schools is directed to arrange for staff training, to distribute copies of this policy to all employees of the district, and to include it in the district's student handbook, and to establish an advisory council to make recommendations on the development, implementation, and evaluation of HIV/ AIDS instruction as a part of comprehensive health education.

New York State's Child Labor Laws

In order to help ensure that working does not interfere with a student's school performance or achieving of a high school diploma, the following New York State Child Labor Laws became effective on September 1, 1999.

The new laws limit work by students as follows:

Students who are 14 or 15 years of age

When school is in session:

- Maximum hours per week 18
- Maximum hours per school day 3
- Maximum hours per non-school day 8
- Maximum days per week 6
- Prohibited hours 7PM – 7 AM

*a student enrolled in a work study program may work a maximum of 23 hours.

When school is not in session:

- Maximum hours per week 40
- Maximum hours per day 8
- Maximum days per week 6
- Prohibited hours 7PM – 7AM

**between 6/21 and Labor Day, prohibited hours are 9PM -7AM

Students who are 16 or 17 years of age

When school is in session:

- Maximum hours per week 28
- Maximum hours on a day before a school day 4 (except Sunday or holiday)
- Maximum hours on Friday, Saturday, Sunday, or holiday 8
- Maximum days per week 6
- Prohibited hours 10AM – 6 AM***

***a student may work until midnight on a day before a school day with written consent from parents AND school verification of satisfactory work at the end of each marking period; a student may work until midnight on days before non-school days with written permission from parents only.

When school is not in session:

- Maximum hours per week 48
- Maximum hours per day 8
- Maximum days per week 6
- Prohibited hours Midnight – 6AM

For more information about the law, exceptions to the law and penalties for non-compliance, please contact the school work-study coordinator or guidance counselor.

EXCEPTIONS:	The new law does not apply to newspaper carriers, child models and some resort performers. Youngsters employed as junior counselors or counselors- in -training in summer camps are exempted from the prohibited hours work hours of 7PM - 7AM. For the purpose of making one or more, shorter workdays or a holiday in a week when school is not in session, 16 and 17 year olds may be employed up to 10 hours on any one day and 9 hours on any four other days, but not in excess of 48 hours in any such week. An employer may exceed the work limits for 16 and 17 year olds for two one-week periods during the year for the purpose of taking inventory. Each period may not exceed 6 hours if the minor is employed on an eight-hour basis or five hours if the minor is employed ten hours on one day and nine hours on any four other days. For mercantile establishments, employers may exceed maximum non-school day hours, maximum total hours and maximum days per week for 16 and 17 year olds between December 18 and December 24 OR for any seven consecutive days from December 4 through December 23 if the employer files written notice with the commissioner prior to the first of December.
EMPLOYER'S RESPONSIBILITIES:	POSTING OF HOURS. Employers must make a schedule for all minors which shall include times for meals. This schedule must be posted conspicuously in each establishment where minors are employed.
REVOCATION OF WORK PERMIT:	Where a student has failed four or more subjects in a semester, the superintendent may revoke such student's work permit. In determining whether to revoke, the superintendent will consider: • overall academic performance • attendance record • financial need of family • Willingness of student to work in a structured work study program earning income and credits

0110 SEXUAL HARASSMENT

The Board of Education recognizes that harassment of students, staff and certain "non-employees" (which includes contractors, subcontractors, vendors, consultant and other persons providing services pursuant to a contract, or their employees) on the basis of sex, gender including gender identity or expression and/or sexual orientation is abusive and illegal behavior that harms targets and negatively impacts the school culture by creating an environment of fear, distrust, intimidation and intolerance. The Board further recognizes that preventing and remedying such harassment in schools is essential to ensure a healthy, nondiscriminatory environment in which students can learn and employees and "non-employees" can work productively.

Sex-based harassment can be comprised of two types of behavior: sexual harassment and/or gender-based harassment. Sexual harassment is unwelcome conduct of a sexual nature, which can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature (see regulation 0110-R for examples). Gender-based harassment includes verbal, nonverbal or physical aggression, intimidation or hostility that is based on actual or perceived gender and sexual stereotypes (see regulation 0110-R for examples). Sexual or gender-based harassment of a student can deny or limit the student's ability to participate in or to receive benefits, services, or opportunities from the school's program.

The Board is committed to providing an educational and working environment that promotes respect, dignity, and equality and that is free from all forms of sexual harassment. To this end, the Board condemns and strictly prohibits all forms of sexual harassment on school grounds, school buses and at all school-sponsored activities, programs and events including those that take place at locations outside the district, or outside the school setting if the harassment impacts the individual's education or employment in a way that violates their legal rights.

Sexual harassment is considered a form of employee misconduct and sanctions will be enforced against individuals engaging in sexual harassment and against supervisory and managerial personnel who knowingly allow such behavior to continue.

Under various state and federal laws, students, employees and "non-employees" have legal protections against sexual harassment in the school environment as described above. The district's Code of Conduct also addresses appropriate behavior in the school environment. Sexual harassment can occur between persons of all ages and genders.

In order for the Board to effectively enforce this policy and to take prompt corrective measures, it is essential that all targets of sexual harassment and persons with knowledge of sexual harassment report the harassment immediately. The district will promptly investigate all complaints of sexual harassment, either formal or informal, verbal or written. To the extent possible, all complaints will be treated in a
confidential manner. Limited disclosure may be necessary to complete a thorough

investigation. If the complainant reports that they feel unsafe at school due to the nature of the complaint, the district will determine if accommodations need to be made until the issue is resolved.

If, after appropriate investigation, the district finds that a student, an employee, "non-employee" or a third party has violated this policy, prompt corrective action will be taken in accordance with the applicable collective bargaining agreement, contract, district policy and state law. Individual nondisclosure agreements may only be used as permitted by law, described in the accompanying regulation. Mandatory arbitration clauses are prohibited in all district contracts and agreements.

All complainants and those who participate in the investigation of a complaint of sexual harassment have the right to be free from retaliation of any kind.

The Superintendent of Schools is directed to develop and implement regulations for reporting, investigating and remedying allegations of sexual harassment. These regulations are to be attached to this policy. In addition, training programs shall be established for employees to raise awareness of the issues surrounding sexual harassment and to implement preventative measures to help reduce incidents of sexual harassment. This policy shall be posted in a prominent place in each district facility, on the district's website, and shall also be published in student registration materials, student, parent and employee handbooks, and other appropriate school publications.

This policy will be provided at the time of hiring and at every annual sexual harassment training in English and in the language identified as the employee's primary language.

The Policy Committee shall conduct a periodic review of this policy and procedures.

Ref:

Education Amendments of 1972, Title IX, 20 U.S.C. §1681 *et seq.*

Title VII of Civil Rights Act (1964), 42 U.S.C. §2000-e; 34 CFR §100 *et seq.*

Executive Law §296-d (prohibition of sexual harassment of non-employees)

Labor Law §201-g (required sexual harassment policy and training)

Civil Practice Law and Rules §§5003-b (nondisclosure agreements optional); 7515 (mandatory arbitration prohibited)

General Obligations Law §5-336 (nondisclosure agreements optional) *Davis v. Monroe County Board of Education*, 526 U.S. 629, 652 (1999) *Gebser v. Lago Vista Independent School District*, 524 U.S, 274 (1998)

Faragher v. City of Boca Raton, 524 U.S. 775 (1998)

Burlington Industries v. Ellerth, 524 U.S. 742 (1998)

Oncale v. Sundowner Offshore Services, Inc., 523 U.S. 75 (1998)

Franklin v. Gwinnett County Public Schools, 503 U.S. 60 (1992)

Meritor Savings Bank, FSB v. Vinson, 477 U.S. 57 (1986)

Office for Civil Rights *Revised Sexual Harassment Guidance (January 19, 2001)* Office for Civil Rights, *Dear Colleague Letter: Sexual Harassment Issues (2006)*

0110-R SEXUAL HARASSMENT REGULATION

This regulation is intended to create and preserve an educational and working environment free from unlawful sexual harassment on the basis of sex, gender (including gender identity or expression) and/or sexual orientation in furtherance of the district's commitment to provide a healthy and productive environment for all students, employees and "non-employees" (i.e., contractors, subcontractors, vendors, consultant and other persons providing services pursuant to a contract, or their employees) that promotes respect, dignity and equality.

Sexual Harassment Defined

"Sexual harassment" means unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature.

"Gender-based harassment" means verbal, non-verbal or physical aggression, intimidation or hostility that is based on actual or perceived gender identity or expression.

Sexual or gender-based harassment occurs when:

1. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of an employee's or "non-employee's" employment or a student's education (including any aspect of the student's participation in school-sponsored activities, or any other aspect of the student's education);or
2. submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting an employee's or "non-employee's" employment or a student's education; or
3. the conduct or communication has the purpose or effect of substantially or unreasonably interfering with an employee's or "non-employee's" work performance or a student's academic performance or participation in school-sponsored activities, or creating an intimidating, hostile or offensive working or educational environment.

Unacceptable Conduct

School-related conduct that the district considers unacceptable, and which may constitute sexual harassment includes, but is not limited to, the following:

1. rape, attempted rape, sexual assault, attempted sexual assault, forcible sexual abuse, hazing, and other sexual and gender-based activity of a criminal nature as defined under the State Penal Law.
2. unwelcome sexual invitations or requests for sexual activity in exchange for grades, promotions, preferences, favors, selection for extracurricular activities or job assignments, homework, etc.

3. unwelcome and Offensive public sexual display of affection, including kissing, making out, groping, fondling, petting, inappropriate touching of one's-self or others, sexually suggestive dancing, and massages.
4. ANY unwelcome communication that is sexually suggestive, sexually degrading or implies sexual motives or intentions, such as sexual remarks or innuendoes about an individual's clothing, appearance, or activities; sexual jokes; sexual gestures; public conversations about sexual activities or exploits; sexual rumors and "ratings lists;" howling, catcalls, and whistles; sexually graphic computer files, messages, or games, etc.
5. unwelcome and offensive name calling or profanity that is sexually suggestive, sexually degrading, implies sexual intentions, or that is based on sexual stereotypes or sexual orientation, gender identity or expression.
6. unwelcome physical contact or closeness that is sexually suggestive, sexually degrading, or sexually intimidating such as the unwelcome touching of another's body parts, cornering or blocking an individual, standing too close, spanking, pinching, following, stalking, frontal body hugs, etc.
7. unwelcome and sexually offensive physical pranks or touching of an individual's clothing, such as hazing and initiation, "streaking," "mooning," "snuggies" or "wedgies" (pulling underwear up at the waist so it goes in between the buttocks), bra-snapping, skirt "flip-ups," "spiking" (pulling down someone's pants or swimming suit); pinching; placing hands inside an individual's pants, shirt, blouse, or dress, etc.
8. unwelcome leers, stares, gestures, or slang that are sexually suggestive; sexually degrading or imply sexual motives or intentions.
9. clothing with sexually obscene or sexually explicit slogans or messages.
10. unwelcome and offensive skits, assemblies, and productions that are sexually suggestive, sexually degrading, or that imply sexual motives or intentions, or that are based on sexual stereotypes.
11. unwelcome written or pictorial display or distribution of pornographic or other sexually explicit materials such as magazines, videos, films, Internet material, etc.
12. ANY unwelcome behavior based on sexual stereotypes and attitudes that is offensive, degrading, intimidating, or demeaning, including, but not limited to:
    1. disparaging remarks, slurs, jokes about or aggression toward an individual because the person displays mannerisms or a style of dress inconsistent with stereotypical characteristics of the person’s sex.
    2. ostracizing or refusing to participate in group activities with an individual during class projects, physical education classes or field trips because of the individual’s sex, gender expression or gender identity.
    3. taunting or teasing an individual because they are participating in an activity not typically associated with the individual’s sex or gender.

For purposes of this regulation, action or conduct shall be considered "unwelcome" if the student, employee, or non-employee did not request or invite it and regarded the conduct as undesirable or offensive. In addition, in the remainder of this regulation, the term sexual harassment will refer to both sexual and gender-based harassment.

Determining if Prohibited Conduct is Sexual Harassment

Complaints of sexual harassment will be thoroughly investigated to determine whether the totality of the behavior and circumstances meet any of the elements of the above definition of sexual harassment and should therefore be treated as sexual harassment. Not all unacceptable conduct with sexual connotations may constitute sexual harassment. Unacceptable behavior which results in inferior terms, conditions, or privileges of employment because of an individuals' membership in a one or more protected category will be considered sexual harassment. If the behavior doesn't rise to the level of sexual harassment, but is found to be objectionable behavior, the individual will be educated and counseled in order to prevent the behavior from continuing.

In evaluating the totality of the circumstances and making a determination of whether the conduct constitutes sexual harassment, the individual investigating the complaint should consider:

1. the degree to which the conduct affected the ability of the student to participate in or benefit from his or her education or altered the conditions of the student's learning environment or altered the conditions of the employee's or "non-employee's" working environment.
2. the type, frequency, and duration of the conduct.
3. the identity of and relationship between the alleged harasser and the subject of the harassment (e.g., sexually based conduct by an authority figure is more likely to create a hostile environment than similar conduct by another student or a co-worker).
4. the number of individuals involved.
5. the age and sex of the alleged harasser and the subject of the harassment.
6. the location of the incidents and context in which they occurred.
7. other incidents at the school; and
8. incidents of gender-based, but non-sexual harassment.

Reporting Complaints

Any person who believes he or she has been the target of sexual harassment by a student, district employee, "non-employee" or third party related to the school is required to report complaints as soon as possible after the incident in order to enable the district to effectively investigate and resolve the complaint. Targets are encouraged to submit the complaint in writing; however, complaints may be filed verbally.

Complaints should be filed with the Principal or the Title IX coordinator.

Title IX

Title IX is a federal law that prohibits sex-based discrimination in any school or other education program that receives federal money, including gender discrimination and sexual harassment. Title IX was recently revised August 2020. Title IX complaints may also be subject to the grievance procedures outlined in other policies as applicable.
(e.g. 0100-Non-Dicrimination and Equal Opportunity). Additional information can be found by contacting the U.S. Department of Education, Office of Civil Rights, 400 Maryland Avenue, SW, Washington D.C. 20202-1328 or by following the link below.

https://www2.ed.gov/about/offices/list/ocr/docs/tix_dis.html

Title IX Coordinator

The District has designated and authorized the following District employee(s) to serve as its Title IX Coordinator(s):

Cliff Odell, Assistant Superintendent for Personnel & Administration, 1 Kent Rd.,
Valley Stream, NY 11580. Email: odellc@vschsd.org Office number: (516) 872-5671

Kelly Whitney-Rivera, District Director of Guidance/Chief Information Officer, 1 Kent Rd.,
Valley Stream, NY 11580. Email: whitneyk@vschsd.org Office number:(516) 872- 5625

The Title IX Coordinator(s), who must be referred to as such, will coordinate the District's efforts to comply with its responsibilities under Title IX. However, the responsibilities of the Title IX Coordinator(s) may be delegated to other personnel

Any school employee who receives a complaint of sexual harassment from a student shall inform the student of the employee's obligation to report the complaint to the school administration, and then shall immediately notify the Principal and/or the Title IX coordinator. School employees receiving complaints of sexual harassment from "non- employees" shall direct the complainant to the Building Principal.

In order to assist investigators, targets should document the harassment as soon as it occurs and with as much detail as possible including: the nature of the harassment; dates, times, places it has occurred; name of harasser(s); witnesses to the harassment; and the target's response to the harassment.

Confidentiality

It is district policy to respect the privacy of all parties and witnesses to complaints of sexual harassment. To the extent possible, the district will not release the details of a complaint or the identity of the complainant or the individual(s) against whom the complaint is filed to any third parties who do not need to know such information. However, because an individual's need for confidentiality must be balanced with the district's legal obligation to provide due process to the accused, to conduct a thorough investigation, or to take necessary action to resolve the complaint, the district retains the right to disclose the identity of parties and witnesses to complaints in appropriate circumstances to individuals with a need to know. The staff member responsible for investigating complaints will discuss confidentiality standards and concerns with all complainants.

If a complainant requests that his/her name not be revealed to the individual(s) against whom a complaint is filed, the staff member responsible for conducting the investigation shall inform the complainant that:

1. the request may limit the district's ability to respond to his/her complaint.
2. district policy and federal law prohibit retaliation against complainants and witnesses.
3. the district will attempt to prevent any retaliation; and
4. the district will take strong responsive action if retaliation occurs.

If the complainant still requests confidentiality after being given the notice above, the investigator will take all reasonable steps to investigate and respond to the complaint consistent with the request as long as doing so does not preclude the district from responding effectively to the harassment and preventing the harassment of other students, employees or "non-employees."

Investigation and Resolution Procedure

A. Initial (Building-level) Procedure

The Principal or the Title IX coordinator shall conduct a preliminary review when they receive a verbal or written complaint of sexual harassment, or if they observe sexual harassment. Except in the case of severe or criminal conduct, the Principal or the Title IX coordinator should make all reasonable efforts to resolve complaints informally at the school level. The goal of informal investigation and resolution procedures is to end the harassment and obtain a prompt and equitable resolution to a complaint.

While the process may vary from case to case as soon as possible following receipt of a complaint, the Principal or Title IX coordinator should begin an investigation of the complaint according to the following steps:

1. Interview the target and document the conversation. Instruct the target to have no contact or communication regarding the complaint with the alleged harasser. Ask the target specifically what action he/she wants taken in order to resolve the complaint. Refer the target, as appropriate, to school social workers,school psychologists, crisis team managers, other school staff, or appropriate outside agencies for counseling services.
2. Review any written documentation of the harassment prepared by the target. If the target has not prepared written documentation, instruct the target to do so, providing alternative formats for individuals with disabilities and young children, who have difficulty writing and need accommodation.
3. Interview the alleged harasser regarding the complaint and inform the alleged harasser that if the objectionable conduct has occurred, it must cease immediately. Document the conversation. Provide the alleged harasser an opportunity to respond to the charges in writing.
4. Instruct the alleged harasser to have no contact or communication regarding the complaint with the target and to not retaliate against the target. Warn the alleged harasser that if he/she makes contact with, or retaliates against the target, he/she will be subject to immediate disciplinary action.
5. Interview any witnesses to the complaint. Where appropriate, obtain a written statement from each witness. Caution each witness to keep the complaint and his/her statement confidential.
6. Review all documentation and information relevant to the complaint.
7. Where appropriate, suggest mediation as a potential means of resolving the complaint. In addition to mediation, use appropriate informal methods to resolve the complaint, including but not limited to:
    a. discussion with the accused, informing him or her of the district's policies and indicating that the behavior must stop.
    b. suggesting counseling and/or sensitivity training.
    c. conducting training for the department or school in which the behavior occurred, calling attention to the consequences of engaging in such behavior.
    d. requesting a letter of apology to the complainant.
    e. writing letters of caution or reprimand; and/or
    f. separating the parties.

Parent/Student/Employee/"Non-Employee" Involvement and Notification

1. Parents of student targets and accused students shall be notified within one school day of allegations that are serious or involve repeated conduct.
2. The parents of students who file complaints are welcome to participate at each stage of both informal and formal investigation and resolution procedures.

3. If either the target or the accused is a disabled student receiving special education services under an IEP or section 504/Americans with Disabilities Act accommodations, the committee on special education will be consulted to determine the degree to which the student's disability either caused or is affected by the discrimination or policy violation. In addition, due process procedures required for persons with disabilities under state and federal law shall be followed.
4. The Principal or Title IX Coordinator (i.e., the investigator) shall submit a copy of all investigation and interview documentation to the Superintendent.
5. The investigator shall report back to both the target and the accused, notifying them in writing, as well as in person, as appropriate, regarding the outcome of the investigation and the action taken to resolve the complaint. The investigator shall instruct the target to report immediately if the objectionable behavior occurs again or if the alleged harasser retaliates against him/her.
6. The investigator shall notify the target that if he/she desires further investigation and action, he/she may request a district level investigation by contacting the Superintendent of Schools. The investigator shall also notify the target of his/her right to contact the U.S. Department of Education's Office for Civil Rights and/or a private attorney. Employees may also contact the U.S. Equal Employment Opportunity Commission or the New York State Division of Human Rights.

If the initial investigation results in a determination that sexual harassment did occur, the investigator will promptly notify the Superintendent, who shall then take prompt disciplinary action in accordance with district policy, the applicable collective bargaining agreement or state law.

If a complaint received by the Principal or the Title IX Coordinator contains evidence or allegations of serious or extreme harassment, such as employee to student harassment, criminal touching, quid pro quo (e.g., offering an academic or employment reward or punishment as an inducement for sexual favors), or acts which shock the conscience of a reasonable person, the complaint shall be referred promptly to the Superintendent. In addition, where the Principal or the Title IX coordinator has a reasonable suspicion that the alleged harassment involves criminal activity, he/she should immediately notify the Superintendent, who shall then contact appropriate child protection and law enforcement authorities. Where criminal activity is alleged or suspected by a district employee, the accused employee shall be suspended pending the outcome of the investigation, consistent with all contractual or statutory requirements.

Any party who is not satisfied with the outcome of the initial investigation by the Principal or the Title IX coordinator may request a district-level investigation by submitting a written complaint to the Superintendent within 30 days.

B. District-level Procedure

The Superintendent shall promptly investigate and resolve all sexual harassment complaints that are referred to him/her by a Principal or Title IX coordinator, as well as those appealed to the Superintendent following an initial investigation by a Principal or Title IX coordinator. In the event the complaint of sexual harassment involves the Superintendent, the complaint shall be filed with or referred to the Board President, who shall refer the complaint to a trained investigator not employed by the district for investigation.

The district level investigation should begin promptly following receipt of the complaint by the Superintendent or Board President.

In conducting the formal district level investigation, the district will use investigators who have received formal training in sexual harassment investigation or that have previous experience investigating sexual harassment complaints.

If a district investigation results in a determination that sexual harassment did occur, prompt corrective action will be taken to end the harassment. Where appropriate, district investigators may suggest mediation as a means of exploring options of corrective action and informally resolving the complaint.

As soon as possible following receipt of the complaint, the Superintendent (or in cases involving the Superintendent, the Board-appointed investigator) will notify the target and alleged harasser, in writing, of the outcome of the investigation.

The target and the alleged harasser have the right to be represented by a person of their choice, at their own expense, during sexual harassment investigations and hearings. In addition, targets have the right to register sexual harassment complaints with the U.S. Department of Education's Office for Civil Rights.

Employee targets also have the right to register complaints with the Federal Equal Employment Opportunity Commission and the New York State Division of Human Rights. Nothing in these regulations shall be construed to limit the right of the complainant to file a lawsuit in either state or federal court. No district contract or collective bargaining agreement may include a binding arbitration clause for sexual harassment requiring arbitration before bringing the matter to a court.

The district may include nondisclosure agreements (to not disclose the underlying facts and circumstances of a sexual harassment complaint) in any sexual harassment settlement agreement or resolution only if it is the complainant's preference. Any such nondisclosure agreement shall be provided to all parties. Complainants shall have twenty-one days to consider any such nondisclosure provision before it is signed by all parties and shall have seven days to revoke the agreement after signing. Nondisclosure agreements shall only become effective after this seven-day period has passed.

Retaliation Prohibited

Any act of retaliation against any person who opposes sexually harassing behavior, or who has filed a complaint, is prohibited and illegal, and therefore subject to disciplinary actions. Likewise, retaliation against any person who has testified, assisted, or participated in any manner in an investigation, proceeding, or hearing of a sexual harassment complaint is prohibited.

For purposes of this policy, retaliation includes, but is not limited to: verbal or physical threats, intimidation, ridicule, bribes, destruction of property, spreading rumors, stalking, harassing phone calls, and any other form of harassment. Any person who retaliates is subject to immediate disciplinary action, up to and including suspension or termination.

Discipline/Penalties

Any individual who violates the sexual harassment policy by engaging in prohibited sexual harassment will be subject to appropriate disciplinary action. Disciplinary measures available to school authorities include, but are not limited to the following:

Students: Discipline may range from a reprimand up to and including suspension from school, to be imposed consistent with the student conduct and discipline policy and applicable law.

Employees: Discipline may range from a warning up to and including termination, to be imposed consistent with all applicable contractual and statutory rights.

Volunteers: Penalties may range from a warning up to and including loss of volunteer assignment.

"Non-employees" (i.e., contractors, subcontractors, vendors, consultant, and other persons providing services pursuant to a contract, or their employees): Penalties may range from a warning up to and including loss of district business.

Other individuals: Penalties may range from a warning up to and including denial of future access to school property.

False Complaints

False or malicious complaints of sexual harassment may result in corrective or disciplinary action taken against the complainant.

Training

All students and employees shall be informed of this policy in student and employee handbooks, on the district website and student registration materials. In addition, the District will provide this policy and regulation to all employees at the time of hiring and at every annual sexual harassment training in English and in the language identified as the employee's primary language electronically or in writing. A poster summarizing the policy and regulation shall also be posted in a prominent location at each school.

All new employees shall receive information about this policy and regulation at new employee orientation or as soon as possible after an employee's start date. All other employees shall be provided information at least once a year regarding this policy and the district's commitment to a harassment-free learning and working environment.

Principals, Title IX coordinators, and other administrative employees who have specific responsibilities for investigating and resolving complaints of sexual harassment shall receive yearly training on this policy, regulation, and related legal developments.

Annual employee training programs shall be interactive and include: (i) an explanation of sexual harassment consistent with guidance issued by the NYS Department of Labor and the NYS Division of Human Rights; (ii) examples of conduct that is unlawful sexual harassment; (iii) information on federal and state laws about sexual harassment and remedies available to victims of sexual harassment; and (iv) information concerning employees' right to make complaints and all available forums for investigating complaints.

Principals in each school and program directors shall be responsible for informing students and staff on a yearly basis of the terms of this policy, including the procedures established for investigation and resolution of complaints, general issues surrounding sexual harassment, the rights and responsibilities of students and employees, and the impact of sexual harassment on the target.

Legal Protections and External Remedies

Sexual harassment is not only prohibited by the District but is also prohibited by State, Federal, and, where applicable, local law.

Aside from the internal process at Valley Stream CHSD, targets of sexual harassment may also choose to pursue legal remedies with the following governmental entities.
While a private attorney is not required to file a complaint with a governmental agency, you may seek the legal advice of an attorney.

In addition to those outlined below, employees in certain industries may have additional legal protections.

Nothing in these regulations shall be construed to limit the right of the target to file a lawsuit in either state or federal court. No district contract or collective bargaining agreement entered into after July 11, 2018, may include a binding arbitration clause for sexual harassment requiring arbitration before bringing the matter to court.

Office for Civil Rights (OCR)

Targets have the right to register sexual harassment complaints with the U.S. Department of Education's Office for Civil Rights (OCR). The OCR can be contacted at (800) 421-3481, 400 Maryland Avenue SW, Washington, DC 20202-1100, or at https://www2.ed.gov/about/offices/list/ocr/docs/howto.html

State Human Rights Law (HRL)

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 *et seq.*, applies to all employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns and non-employees, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints with DHR may be filed any time within one year of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, within three years of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to the Valley Stream CHSD does not extend your time to file with DHR or in court. The one year or three years is counted from date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If sexual harassment is found after a hearing, DHR has the power to award relief, which varies, but may include requiring your employer or school district to take action to stop the harassment, or redress the damage caused, including paying of monetary damages, attorney's fees, and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call (718) 741-8400 or visit: www.dhr.ny.gov.

Contact DHR at (888) 392-3644 or visit dhr.ny.gov/complaint for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized, and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

Civil Rights Act of 1964

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e *et seq.*). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief but, may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at www.eeoc.gov or via email at info@eeoc.gov.

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city, or town in which they live to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 40 Rector Street, 10th Floor, New York, New York; call 311 or (212) 306-7450; or visit www.nyc.gov/html/cchr/html/home/home.shtml.

Contact the Local Police Department

If the harassment involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

1030 SOCIAL NETWORKING SITES

Philosophy Statement

To accommodate new communication paradigms and tools and remain at the forefront of preparing students for the future, educators and school districts must explore new and emerging technologies to supplement the range of services they currently offer. Among the newest tools available to educators and school districts are social networking sites (hereinafter referred to as "SNS").

Social media are powerful communications tools that have a significant impact on organizational and professional reputations. Social media are defined as media designed to be disseminated through social interaction, created using highly accessible publishing techniques. SNS have great potential to connect people across the globe and enhance communication; however, they are also more informal, less structured, and still emerging. These guidelines are designed to establish some basic parameters for the creation and use of SNS for the Valley Stream Central High School District. A copy of this policy will be included in the Valley Stream CHSD Information Handbook.

The term "social media" includes, but is not limited to:

- Social Networking Sites (e.g., Facebook, Foursquare, LinkedIn)
- Micro-blogging Sites (e.g., Twitter)
- Blogs (including school district and personal blogs, as well as comments)
- Video and Photo Sharing Websites (e.g., Flickr, YouTube, Snapchat, Instagram)
- Forums and Discussion Boards (e.g., Google Groups, Yahoo! Groups, Reddit)
- Online Encyclopedias (e.g., Wikipedia)

A teacher is expected to utilize social media in a manner consistent with his or her professional obligation to act as a role model for students. In this regard, employees may be disciplined and/or liable for anything they post to social media sites to the extent such conduct constitutes professional misconduct.

Definition of Social Networking Sites

Social networking sites (such as Facebook, SnapChat, Instagram, Twitter, LinkedIn, etc.) are websites and/or online communities that connect people through social and other networks. SNS often include a range of communication platforms including, but not limited to, creation of profiles, blogs, discussion boards, personal websites, wikis, online forums, virtual worlds, instant messaging, and file sharing (sharing of text, photos, video, etc.).

I. Establishing the District's Social Networking Site

The Superintendent of Schools, or her or his designee, subject to Board approval, will establish and maintain the official District SNS to further the public relations/outreach/connection to the District community and the public at large and will monitor all the content on these official SNS.

II. Quality Control/Content Integrity on the District's SNS

1) The District's official website will remain the primary source for all online content. Any and all material on the District's SNS will supplement information that exists on the District's official website.

2) District personnel acknowledge that they have no expectation of privacy in any material or content they enter/post on the District's SNS. The District may monitor/ review anything entered/posted on the District's SNS, or any of the affiliated District SNS, at any time without prior notice to the individual who entered/posted the material or content being reviewed.

3) All material and content entered/posted on the District's SNS by District personnel must be school related and must comply with all other applicable District policies.

4) The District reserves the right to delete/remove anything posted on the District's SNS, as determined in the District's sole discretion, without prior notice to the individual who posted the material or content being deleted/removed.

5) The Superintendent or his/her designee, in conjunction with the Administrator of Technology, or his/her designee, shall monitor the District SNS to ensure users contribute accurate, valuable, and high-quality District related information on the District SNS.

6) District personnel acknowledge and agree that when they create or post material on the District SNS they are in effect "content publishers" and as such are subject to a host of ethical and legal obligations, including, but not limited to, compliance with applicable copyright laws. District personnel shall not post anything on a District SNS in violation of any copyright or other applicable law.

III. Prohibited Conduct on All SNS Sites (including non-district SNS)

1) District personnel are responsible for their own conduct when communicating on SNS and should be aware that their conduct may subject them to discipline, in accordance with District policy, regulation, and any applicable collective bargaining agreements, should their communications reasonably or foreseeably result in the disruption of the District's learning atmosphere, educational program, school activities, the rights of others or are otherwise violative of the law.

2) District personnel should be aware that privacy settings and SNS are constantly in flux, and they should never assume that personal information posted on such sites is protected.

3) District personnel should be aware that any information created, transmitted, downloaded, exchanged, posted, or discussed on SNS might be accessible to the public.

4) All employees, faculty, and staff of the District who participate in social media and/or social networking websites shall not post and/or share any data, documents, photos, and/or inappropriate information on any website when it is reasonably foreseeable that such posting will materially and substantially interfere with the District's educational mission and/or the school environment. This determination will be made by the Superintendent of Schools.

5) Inappropriate fraternization via the Internet and/or social media between employees and students is prohibited.

6) Employees shall not post confidential and/or proprietary information about the District, its students, alumni, or employees. Employees shall use good ethical judgment and follow District policies, as well as Federal, State, and local privacy laws.

7) The Board prohibits all conduct, including online activity that may constitute bullying, harassment, and/or a violation of Board Policy, Federal, State, and/or local laws, including the Dignity for All Students Act.

8) All use of social media utilizing the District's computers and/or network shall be subject to, and comply with, the District's Computer Resources and Data Management Policy and Regulation.

IV. Disciplinary Sanctions

District personnel who violate this Policy may be subject to appropriate disciplinary measures up to and including termination of employment in accordance with applicable law, District policy and regulations, and any applicable collective bargaining agreement.

2160 SCHOOL DISTRICT OFFICER AND EMPLOYEE CODE OF ETHICS

The Board of Education is committed to avoiding any situation in which the existence of conflicting interests of any Board member, officer, or employee may call into question the integrity of the management or operation of the school district. The Board of Education recognizes that sound, ethical standards of conduct serve to increase the effectiveness of district officers and staff as educators and public employees in the community. Adherence to a code of ethics promotes public confidence in the schools and the furthers the attainment of district goals.

The Board also recognizes its obligation to adopt a code of ethics setting forth the standards of conduct required of all Board members, district officers and employees under the provisions of the General Municipal Law. Therefore, every Board Member, officer and employee of the district, whether paid or unpaid, including members of the Board of Education, shall adhere to the following code of ethics:

Statutory Conflicts of Interest

It is a conflict of interest for a Board member, officer or employee to benefit personally from contracts made in their official capacity.

- "***Contract***" is defined broadly to include any claim or demand against the district or account or agreement with the district, whether expressed or implied which exceeds the sum of $750.00 in any fiscal year.
- An "***interest***" is defined as a direct or indirect benefit that runs to the employee as a result of a contract with the district.

No Board member, officer or employee shall have an "*interest"* (i.e., receive a direct or indirect benefit as the result of a contract with the district) in:

1. a firm, partnership or association in which he/she is a member or employee;
2. a corporation in which he/she is an officer, director or employee;
3. a corporation in which he/she, directly or indirectly, owns or controls 5% or more of the stock;
4. a contract between the district and his/her spouse, minor child or dependents, except for an employment contract between the school district, a spouse, minor child or dependent of a Board member authorized by §800(3) of the General Municipal Law or §3016 of the Education Law.

1. **Gifts:** An officer or employee shall not directly or indirectly solicit any gift: nor shall an officer or employee accept or receive any gift having a value of $75 or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him or her in the performance of his or her official duties or was intended as a reward for any official action on his or her part.

However, the Board welcomes and encourages the writing of letters or notes expressing gratitude or appreciation to staff members. Gifts from children that are principally sentimental in nature and of insignificant financial value may be accepted in the spirit in which they are given.

2. **Confidential information:** A Board member, officer or employee shall not disclose confidential information acquired by him or her in the course of his or her official duties or use such information to further his or her personal interest. This includes matters discussed in a properly convened executive session. However, the Board, acting as a whole, may decide to disclose such information where disclosure is not prohibited under the law. Additionally, disclosure of such information is not prohibited where it is warranted to appropriate law enforcement entities for investigation and possible action, or where a board member is compelled to reveal the information in a court case.

3. **Representation before the Board:** A Board Member, officer or employee shall not receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before the school district.

4. **Disclosure of interest in matters before the Board:** A member of the Board of Education and any officer or employee of the district, whether paid or unpaid, must publicly disclose the nature and extent of any interest they or their spouse have, will have or later acquire in any actual or proposed contract, purchase agreement, lease agreement or other agreement involving the school district (including oral agreements), to the governing body and his/her immediate supervisor (where applicable) even if it is not a prohibited interest under applicable law. Such disclosure must be in writing and made part of the official record of the school district. Disclosure is not required in the case of an interest that is exempted under Section 803 (2) of the General Municipal Law. The term interest means a pecuniary or material benefit accruing to an officer or employee.

5. **Investments in conflict with official duties:** A Board Member, officer or employee shall not invest or hold any investment directly in any financial, business, commercial or other private transaction that creates a conflict with his or her official duties. Exceptions to the conflict of interest law can be found in Section 802 of the General Municipal Law (see 2160-E.1).

6. **Private employment:** A Board Member officer or employee shall not engage in, solicit, negotiate for, or promise to accept private employment when that employment or service creates a conflict with or impairs the proper discharge of his or her official duties.

7. **Future employment:** A Board Member officer or employee shall not, after the termination of service or employment with the district, appear before the Board in relation to any action, proceeding, or application in which he or she personally participated during the period of his or her service or employment or that was under his or her active consideration.

8. **Involvement with Charitable Organizations**: A Board member, officer or employee may be involved as a volunteer, officer or employee in a charitable organization which has a relationship with the district. If a Board member is a board member, officer or employee of the charitable organization the Board member must disclose such relationship in writing to the district, and the Board member must recuse himself or herself from any discussions or votes relating to the charitable organization which may come before the Board. When participating in the activities of the charitable organization, the Board member, officer or employee shall not disclose any confidential information learned in the course of his or her official duties or use such information to further personal interests. Additionally, the Board member, officer or employee shall not make representations on behalf of the district unless specifically authorized to do so by the Board.

5460 CHILD ABUSE, MALTREATMENT OR NEGLECT IN A DOMESTIC SETTING

The Board of Education recognizes that because of their sustained contact with school-aged children, employees are in an excellent position to identify abused, maltreated or neglected children and refer them for treatment and protection. The Board further recognizes the specific dictates of law which require school officials to report suspected instances of child abuse, maltreatment (which includes neglect) in a domestic setting.

The purpose of mandatory reporting is to identify suspected abused and maltreated children as soon as possible, so that such children determined to be abused or maltreated can be protected from further harm and, where appropriate, can be offered services to assist him or her and his or her family.

School officials, who have reasonable cause to know or suspect that a child has been subjected to abuse or maltreatment, must immediately report this to the New York State Central Register for Child Abuse and Maltreatment (Central Register)., as required by law. No conditions may be imposed which limit their responsibility to report. A school official is defined as:

- Teacher
- Guidance Counselor
- Psychologist
- Nurse
- Social Worker
- Full or part-time paid athletic coach
- Administrator
- Any school personnel required to hold a teaching or administrative license or certificate.

The school official will also report the matter to the Building Principal.

The report shall be made by telephone or by telephone facsimile machine on a form supplied by the Commissioner of Social Services. A written report shall be made within forty-eight hours to the appropriate local child protective service, and to the statewide Central Register.

School employees who are not school officials, as defined above, but who have reasonable cause to know or suspect that a child has been subjected to abuse or maltreatment are encouraged to report to the Central Register. However, the school employee must report the matter to the Building Principal. If the matter has not yet been reported to the Central Register the Building Principal shall make the report, in accordance with state law. In being required to file such report, the Building Principal does not have discretion.

School employees and officials will not contact the child's family or any other person to determine the cause of the suspected abuse or maltreatment. It is not the responsibility of the school official or employee to prove that the child has been abused or maltreated. Any school official or employee who has cause to suspect that the death of any child is a result of child abuse or maltreatment must report that fact to the appropriate medical examiner or coroner. In accordance with the law, any employee who fails to report an instance of suspected child abuse or maltreatment may be guilty of a Class A misdemeanor and may be held liable for the damages caused by the failure to report. The law grants immunity from liability that might otherwise be incurred to employees and other persons who, in good faith, report instances of child abuse.

School employees will not be subject to retaliatory actions, as defined in state law, as a result of making a report when they reasonably suspect that a child has been abused or maltreated.

The Board recognizes that knowingly reporting a false claim of child abuse is a violation of state law and this policy acknowledges that it is a crime to do so. The District will make every reasonable effort to ensure the integrity of the District's child abuse reporting process and procedure.

School District Relationship with Local Social Service District

The school district will cooperate to the extent possible with authorized child protective services workers in investigations of alleged child abuse. The Superintendent, or his or her designee, will represent the District when collaborating with local social service agencies to address instances of abuse or maltreatment, and in the development of policy and procedures regarding abuse or maltreatment (including educational neglect). In addition, the Superintendent will share a copy of the District's attendance policy, 5100, with the local social service district.

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 provide data and assistance to local child protective services workers, or members of a multi-disciplinary team accompanying such workers, who are responding to allegations of suspected child abuse, and/or neglect, or custody investigations. Such data and assistance include access to records relevant to the investigation, as well as interviews with any child named as a victim in a report, or a sibling of that child, or a child residing in the same home and the victim.

All requests by child protective services to interview a student on school property must be made directly to the Principal or her or his designee. Child protective service workers and any associated multi-disciplinary team members must comply with the district's

procedures for visitors, provide identification, and identify the child(ren) to be interviewed.

The Principal or designee will decide if it is necessary and appropriate for a school staff member, including but not limited to an administrator or school nurse, to observe the interview either from inside or outside the interview room.

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 or abuse if they were not removed from school before a court order can reasonably be obtained. If the worker believes the student would be subject to danger or abuse, the worker may remove the student without a court order and without the parent's consent.

Training Program and Dissemination of Information

The school district shall maintain an ongoing training program for all current and new school officials which will address the identification and reporting of child abuse and maltreatment and neglect, including the legal implications of reporting and not reporting. A copy of this policy shall be distributed to all members of the professional staff.

The Superintendent will develop, with input from appropriate personnel, a plan for implementation of such a training program, to be approved by the Board. In addition, the policy and regulations will be included in all employee handbooks and distributed annually to all school officials who are not covered under existing handbooks. The Superintendent will prepare and implement all regulations as are necessary to accomplish the intent of this policy.

As required by state law and regulation, the District shall publicize the toll-free number for reporting child abuse and neglect to the Central Register (800-342-3720) and directions for accessing the NYS Office of Children and Family Services website (heep://ocfs.ny.gov/main/cps/), in both English and Spanish.

Ref:

Child Protective Services Act of 1973, Social Services Law §§411 *et seq.* Social

Services Law §34-a

Family Court Act §1012

Family Educational Rights and Privacy Act, 20 U.S.C. §1232g, 45 CFR §99.36

Education Law §§409-l; 3209-a, 3036

Penal Law 240.50

8 NYCRR §100.2(nn)

Adoption date: October 9, 2001

Revised: February 12, 2008

Revised: January 9, 2018 Revised:

April 12, 2022

0105 EQUITY, INCLUSIVITY AND DIVERSITY IN EDUCATION

The goal of the school district is to provide equitable, inclusive and diverse opportunities for all students to reach their highest potential. The Board of Education is committed to creating and maintaining a positive and inclusive learning environment where all students, especially those currently and historically marginalized, feel safe, included, welcomed, and accepted, and experience academic success. In order to truly realize this goal, it is imperative that the Board, its officers, and employees, be fully conversant in the historical injustices and inequalities that have shaped our society and to recognize and eliminate the institutional barriers, including racism and biases, that contribute to pervasive, disparate educational outcomes within schools. Equity and inclusive education aims to understand, identify, address, and eliminate the biases, barriers, and disparities that limit a student's chance to graduate high school prepared for college, for a career, and for life.

All children deserve to have equal access to opportunity regardless of the color of their skin, their gender, their sexual orientation, neurodivergence, the language they speak or their background. This freedom is fundamental to our K-12 education program and is extended to everyone without exception. However, the district also recognizes that students have been historically marginalized due to inequities associated with aspects of their identities and their contexts, including, but not limited to, race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex; sexual orientation, or gender (including gender identity and expression). Racism, discrimination, and marginalization of any people or groups of people, whether intentional or not, have no place in our schools, our district or our community. Such actions damage not only those individuals and groups at which they are directed, but also our community as a whole. We are committed to addressing these inequities and helping each and every student to equitably access learning opportunities in school to enable them all to thrive and to build a better society.

Equitable and inclusive education is an ongoing process that requires shared commitment and leadership if a district is to meet the ever-evolving societal changes, unique learning needs of all students, and diverse backgrounds of our communities and schools. The Board understands that equitable and inclusive education is achieved when each adult collaborates and affirms each student by creating a respectful learning environment inclusive of actual or perceived personal characteristics.

Educational equity is based on the principles of fairness and ensuring that every student has access to the resources and educational rigor they need at the right moment in their education, despite any individual's actual or perceived personal characteristics, not to be used interchangeably with principles of equality, treating all students with equity.

Inclusive education is based on the principles of acceptance and inclusion of all students. Students see themselves reflected in their curriculum, their physical surroundings and the broader environment, in which diversity is honored and all individuals are respected.

The Board believes students, staff, families and community are our greatest strength and we view our diversity as an asset. Diversity means the condition of being different or having differences, including, but not limited to age, class ethnicity, gender, health, physical and mental ability, race, sexual orientation, religion, physical size, education level, job and function, personality traits, and other human differences. Embracing these diversities and moving beyond tolerance and celebration to inclusivity and respect will help the district reach our goal of creating a community that ensures that each and every voice is heard and valued.

Notice

To be successful in this endeavor, it is imperative that all members of the school community are aware of this policy, its purpose, procedures and the district's commitment to equity and inclusion by fostering a positive learning environment that embraces all diverse, unique and individual differences.

Goals

To achieve educational equity and inclusive education, the Board will commit to:

Culturally Responsive-Sustaining Education

- Adopting procedures to ensure an equitable school community inclusive of diversity in any individual's actual or perceived personal characteristics, including race, ethnicity, language, gender cultural values, and family belief systems. Providing students with exposure to teachers and school leaders of color serves an important function of demonstrating from a young age to all students that everyone, including those from diverse backgrounds and people of color can and should hold positions of authority in schools, as well as in our society.
- Creating opportunities for all students and families to be empowered as partners in education, planning, and decision-making.
- Ensuring an equity lens is used when evaluating district policies, programs, and practices, so that all students, teachers, and staff learn and work in an environment that is caring, safe, inclusive, and accepting of all.

High expectations and rigorous instruction

- Providing every student, especially historically marginalized students, with equitable access to high quality and culturally relevant instruction, curriculum, support, facilities and other educational resources, even when this means differentiating resources to accomplish this goal.

Inclusive curriculum and assessment

- Creating multiple pathways to success in order to meet the needs of historically marginalized students, and shall actively encourage, support and expect high academic achievement for all students.

Ongoing professional learning

- Providing opportunities for all staff to improve culturally-responsive instructional practices, curriculum, and assessments and improving its cultural competencies in serving racially, culturally and ethnically diverse students, families, and communities.

Accountability, Transparency and Review

The Board, its officers and employees, accepts responsibility and will hold themselves and each other accountable for every student having full access to quality education, qualified teachers, challenging curriculum, full opportunity to learn, and sufficient, individually-tailored support for learning so they can achieve at excellent levels in academic and other student outcomes. The district also accepts its responsibility for moving forward on this journey and to committing time, energy and resources to develop a more equitable, inclusive, and diverse welcoming environment for all students, parents and staff.

The district will identify the multiple indicators necessary to monitor student outcomes, engagement, and school climate, and specific data that will be used to ensure accountability for student, school, and district-wide performance; to reduce variability in outcomes; and to ensure that academic outcomes will not be predictable by actual or perceived personal characteristics and can be assessed and reported transparently to the public. The Superintendent of Schools, or designee, will adopt goals and corresponding metrics related to this policy. Reporting will include, but is not limited to the following data:

- access to educational opportunities;
- student achievement data at each school, disaggregated by race, ethnicity, socio-economic status, English Language Learners, special education, and identified gifted;
- student enrollment at each school, disaggregated by race, ethnicity, socio-economic status, English Language Learners, special education, and identified gifted;
- student suspension/discipline data for each school and student average daily attendance data for each school.

The district will monitor and review the district's metrics and equity activities to determine the extent to which district school are complying with this policy, the progress made toward attaining the goals of this policy, whether this policy is having a positive effect on improving academic opportunities for all students and increasing family engagement and reducing achievement gaps. The Superintendent will regularly report progress on the equity, inclusion diversity plan and outcomes. Based on those results, this policy, and the specific objectives set to meet its goals, may be revised as needed.

The Superintendent of Schools is authorized to develop and implement a plan for ensuring that equitable educational opportunities are being provided to all students. In addition, the Board directs that training programs be established for students, and annually for employees, to raise awareness of the issues surrounding cultural responsiveness, equity and inclusion and to implement preventative measures to help counteract biases and practices that perpetuate achievement disparities and lead to disproportionate levels of student success. Age-appropriate instructional materials will be incorporated into the curriculum to educate students so that they can learn from a diverse range of experiences and points of view.

This policy will be posted on the district's website, and will also be published in student registration materials, student, parent and employee handbooks, and other appropriate school publications.

Cross-ref:
4000, Goals for Instructional Programs
9240, Recruiting and Hiring
9700, Professional Development

Adopted: July 9, 2024

1800 GIFTS FROM THE PUBLIC

The Board of Education welcomes and appreciates gifts and donations from the public. Gifts and donations of money, property, equipment and materials may be accepted by the Board, except that the Superintendent of Schools may accept on behalf of the Board gifts and donations having a value of five hundred dollars or less**.**

It is the intent of the Board that such gifts shall be received when they contribute to the well-being of the schools, are in harmony with the educational goals of the district, can be adequately placed or cared for, and are given for the benefit of the schools rather than for advantage to the donor.

Acceptance of any gift to the district shall be by Board action, or by the Superintendent of Schools with subsequent Board ratification. The Board of Education charges the administration with creating appropriate forms for the acceptance of gifts from the public. In granting or withholding its consent, the Board will review the following factors:

1. The terms of the gift must identify:
    a. the subject of the gift;
    b. the purpose of the gift;
    c. the beneficiary or beneficiaries, if any; and
    d. all conditions or restrictions that may apply.

2. The gift must not benefit a particular or named individual or individuals.

3. If the purpose of the gift is an award to a single student, the determination of the recipient of such award shall be made by the school district on the basis that all students shall have an equal opportunity to qualify for it in conformance with federal and state law.

4. If the gift is in trust, the obligation of the investment and reinvestment of the principal shall be clearly specified and the application of the income or investment proceeds shall be clearly set forth.

5 No gift or trust will be accepted by the Board unless:

a. it is in support of and a benefit to all or to a particular public school in the district; or
b. it is for a purpose for which the school district could legally expend its own funds; or
c. t is for the purpose of awarding scholarships to students graduating from the district.

Any gift rejected by the Board shall be returned to the donor or his/her estate within 60 days together with a statement indicating the reasons for the rejection of such gift.

Prior to seeking any grant or donation, the applicant must obtain prior approval from the district. Teachers seeking grants or donations for their classroom must obtain approval from the Building Principal. Other staff or administrators seeking grants or donations to benefit an entire school or the district as a whole must obtain approval from the Superintendent or his/her designee. Grant applications for funding of more than one hundred thousand ($100,000) require prior approval by the Board of Education.

Approval shall depend on factors including, but not limited to: compatibility with the District's educational program and standards; availability of existing district resources; whether ownership would deplete district resources; and its impact on the equitable distribution of district resources.

All grants and donations must benefit the district and be congruent with the following principles:

1. The District's mission, vision, core values and beliefs.
2. The District and school goals that positively impact student performance.
3. The District's instructional priorities and strategies.
4. Equity in funding.
5. Conform to district governance and decision-making procedures of the Board, central office and building-level staff.
6. Provide a value or benefit that is greater than the obligation under the grant award.
7. Not violate management and/or bargaining unit rights and responsibilities.
8. Not carry any conditions that would divert school or District efforts away from the District's primary mission.

The Board reserves the right to deny approval of solicitation of any funding or grant application which does not contribute towards the achievement of the District's goals, or which would deplete the resources of the district. The Board may approve seeking grants which require a match of district funds or resources when the initiative has been identified as a priority by the Board and when such funds are planned as part of the district budget process or can be accommodated by the current budget.

All solicited grants and donations must be formally accepted by the Board.

Coordinating with Support Organizations

The District requires independent support organizations (e.g., booster clubs, parent-teacher associations, education foundations) seeking to make a contribution of money or property to provide a written summary to identify the terms and conditions of the proposed gift and the needs of the district. The Board must approve such gifts and donations prior to any public announcement of the contribution.

The District reserves the right to request additional information related to the background of any individual(s) and/or organization(s) offering scholarships, gifts, and/or donations.

Accounting for, and Oversight of, all Donations, Gifts, and Grants

All gifts, donations, grants, funds, property, and materials received by the District become the property of the District. Such items may not be returned without the approval of the Board.

All items are subject to the same controls and regulations as other district property and shall be deposited or inventoried accordingly.

The Board shall receive a report annually, when requested, of all gifts, donations, grants, funds, property, and materials received by the District during the school year, and where each was used. It is the goal of the Board to properly account for all district resources and to monitor the distribution of those resources to minimize disparities between schools within the district.

Cross-ref:

1810, Gifts to School Personnel
2160, School District Officer and Employee Code of Ethics
5251, Student Fund Raising Activities
6640, Inventories
6750, Relations with Vendors
7500, Naming Facilities and Acceptance of Memorials

Ref:

Education Law §1709(12)

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July 8, 2025

Valley Stream Central High School District