

LONG BEACH PUBLIC SCHOOLS
Long Beach, NY

October 11, 2018

Ladies and Gentlemen:

The Long Beach Board of Education is the authorized state agency responsible for setting educational policy in the district. It consists of five trustees, each serving a three-year term. Board members pay school taxes at the regular rate and receive no salary or other financial compensation.

All meetings, except executive sessions, are held before the public. Members of the public may address the Board of Education on any specific agenda item during special time reserved for that purpose prior to Board discussion and action. The public may also address the Board of Education on any matter of concern at a second public session after the Board of Education completes agenda action items. Visitors should not address the Board in public relative to questions or comments regarding specific staff members or specific students. Such concerns should be brought to the attention of appropriate staff or to board members by telephone, in writing, or by scheduling a personal meeting, as appropriate to the circumstances

Visitors' comments will be limited to three (3) minutes for each agenda item upon which comment is made. Visitors are precluded from speaking on any agenda item more than once during each meeting.

Sincerely,

Your Board of Education

**BOARD OF EDUCATION
LONG BEACH PUBLIC SCHOOLS
LIDO ELEMENTARY SCHOOL MULTI-PURPOSE ROOM
THURSDAY, OCTOBER 11, 2018 – 7:30 P.M.**

AGENDA

REGULAR MEETING

7:30 PM

- I. Pledge of Allegiance/Call to Order/Opening Remarks – Board President
- II. Report of the Superintendent of Schools
 - Presentation – *Three Year Technology Plan – Patrick Kiley-Rendon*
- III. Board of Education Comments
- IV. Student Organization Announcements
- V. Questions and Comments from the Public on Tonight's Agenda Only
- VI. Presentation of Treasurer's Report and Extra-Classroom Report for August 2018
- VII. Approval of Minutes for Executive Sessions and Regular Meeting of September 13, September 17 and September 27, 2018
- VIII. Presentations of the Superintendent:
 1. Personnel Matters: Certificated
 2. Personnel Matters: Non-Certificated
 3. First Reading of Revised Code of Conduct
 4. First Reading of Revised Policy #5660 Meal Charging/Prohibition Against Meal Shaming
 5. First Reading and Approval of Revised Policy #6121 Sexual Harassment
 6. Approval of Agreement – Technology
 7. Approval of Appointment of Health & Safety Committee
 8. Approval of Appointment of District-Wide DASA Coordinator
 9. Acceptance of Recommendations of CPSE/CSE
 10. Approval of Legal Bills: Legal Services
 11. Approval of Use of Schools Applications
- IX. Board of Education – Additional New/Old Business if any
- X. Questions and Comments from the Public
- XI. Announcements:
 1. Long Beach Classroom Teachers' Association
 2. Administrative, Supervisory and PPS Group
 3. LBSEA -Long Beach Schools Employees' Association – Group C
 4. Parent/Teacher Association
- XII. Adjournment

RESOLUTIONS

BE IT RESOLVED THAT, upon the recommendation of the Superintendent of Schools, the Board of Education approves the following personnel actions.

1. CERTIFICATED PERSONNEL

(a) Resignation for the Purpose of Retirement

Name: Denise Kim Jones
Assign./Loc: Part Time Teacher Assistant/Lindell School
Effective Date: December 31, 2018 close of day

(b) Leaves of Absence

Name: Debra Pearce
Assign./Loc: Part Time Teacher Assistant/Lindell School
Effective Dates: September 28, 2018-November 5, 2018
Reason: Medical

Name: Vincent Russo
Assign./Loc: Coordinator of Special Education/LBMS
Effective Dates: October 2, 2018, 2018-June 30, 2019
Reason: Medical

(c) Amended Appointment: Probationary School Social Worker

Name: Conor Manning
Assign./Loc: Probationary School Social Worker/NIKE
Effective Date: September 4, 2018
Tenure Date: September 4, 2022*
*amended tenure date

(d) Appointment: CSE/CPSE Chairperson for the 2018-2019 school year-stipend \$1,000

Maria Vazquez Wright

1. CERTIFICATED PERSONNEL

(e) Appointment: Homebound Instructors for the 2018/2019 school year-Rate of Pay: \$56.77 per hour-individual/\$75.43 per hour-group

- | | |
|-----------------------|----------------------|
| 1. Karen Angst | 16. Carly Baxter |
| 2. Anna Aviani | 17. Judy Braverman |
| 3. Scott Azar | 18. Tinetta Chavis |
| 4. Arielle Bernstein | 19. Brenda Guberman |
| 5. Margaret Butler | 20. Avivia Goldman |
| 6. Patricia Costello | 21. Elsa Farbiarz |
| 7. Susan Feld | 22. Terence Kane |
| 8. Seena Gordon | 23. Rosemary Amorini |
| 9. Maryann Juchem | 24. Cheryl Nacht |
| 10. Patricia Lyon | 25. Miriam Pasetsky |
| 11. Winifred Moroney | 26. Tamara Richards |
| 12. Catherine Parisi | 27. Daniela Torchia |
| 13. Jacqueline Riccio | 28. Marcia Mulé |
| 14. Peter Rubino | |
| 15. Kathleen Tursi | |

(f) Appointment: Teacher Mentors for the 2018/2019 school year-Stipend: \$1,200

1. Jason Zizza
2. James Fiola

(g) Appointment: Odyssey of the Mind-Rate of Pay: \$56.77 per hour-for the 2018-2019 School Year-maximum 80 hours each

1. Justin Sulsky
2. Douglas MacConnell

(h) Appointment: East School Club Advisors for the 2018-2019 School Year-rate of pay \$56.77 per hour

Advisor	Club	Maximum Hours
1. C. Walsh/R. Wesselhoff	Ted-Ed Club	12
2. Lisa Collins	Coding Club	10
3. Lauren Breen	Scrabble Club	10
4. Michele Bennet	Colors of the Rainbow/ Dancing Classrooms	10
5. Jennifer Diamond	Math Olympiad 4 th grade	10
6. Julie Feldman	Math Olympiad 5 th grade	10
7. Mayela Molina	Spanish is Fun	10
8. Lisa Collins	Yearbook Advisor	10
9. J. Byrne/C. Walsh	Mindful Yogis	12

1. CERTIFICATED PERSONNEL

(i) Appointment: Lido School Club Advisors for the 2018-2019 School Year-rate of pay \$56.77 per hour

Advisor	Club	Maximum Hours
1. Shelly Cepeda	Big Brothers/Big Sisters	14
2. Tova Markowitz	Book Club	10
3. Dana Monti	Math Olympiad 5 th grade	10
4. Terri Ann Eidt	Math Olympiad 4 th grade	10
5. M. Root/A. Saracino	Super Smart Strategies	10
6. Andrew Frey	Yearbook	10
7. S. Garcia/D. Armada	Student Government	10
8. Sue Corrie Del Cid	Culture Club	10
9. Mandy Kovel	M&M (Mindful Movements)	10

(j) Appointment: Lindell School Club Advisors for the 2018-2019 School Year-rate of pay \$56.77 per hour

Advisor	Club	Maximum Hours
1. Lindsey Smith	Math Olympiad 4 th grade	10
2. Roseann Malizia	Math Olympiad 5 th grade	10
3. Britany Gervase	Book Club	11
4. Lisa Rundo	Theatre Club	20
5. Edith Guzman	Yearbook Club	10
6. Edith Guzman	WRaP in Spanish	11
7. Sophia Fogarazzo	Invention Convention	11
8. Philip Cabasino	Athletes and Literacy	11

(k) Appointment: West School Club Advisors for the 2018-2019 School Year-rate of pay \$56.77 per hour

Advisor	Club	Maximum Hours
1. Claudine Clark	Math Olympiad 4 th grade	10
2. Travis Van Nostrand	Math Olympiad 5 th grade	10
3. Darice Bynoe	Yearbook	10
4. Darice Bynoe	Student Council	14
5. Mariana Rotenberg	Girl's Leadership Club	10
6. Yasmeeen Valentin	Art Enrichment Club	10
7. Linda Farrell	Coding Club	10
8. June Schechter	Science Club	10
9. Travis Von Nostrand	After School Sports Club	10

1. CERTIFICATED PERSONNEL

(l) Appointment: Advisors for High School Co-Curricular Activities 2018-2019 School Year

Club	Advisor	Stipend
Marching Instructor/Color Guard	C. Tomek	\$2,576

(m) Appointment: Accompanist for Winter and Spring Concerts– 2018-2019 School Year-Rate of pay of \$56.77 per hour-not to exceed 12 hours each.

1. Andrew Frey
2. Bryan Singh

(n) The following Per Diem Substitute Teachers are recommended for approval for the 2018-2019 school year

NAME	CERTIFICATION AREA
1. Celeste Bartels	Permanent Special Education
2. Linda Best	Literacy and GED Preparation, Adult Education Instructor
3. Christine Gardvits	Initial Childhood Education 1-6
4. John Isola	Professional Childhood Education 1-6
5. Margaret Metkiff	Permanent N-6
6. Jacqueline Riccio	Initial English 7-12
7. Kevin Fuller	Permanent Pre K-6
8. Rosemary Amorini	Permanent Mathematics 7-12

(o) Approval of Applications for Participation in Study Programs-Fall 2018-The following staff members have applied for funding for coursework as indicated under the appropriate provision of their contract. Recommend approval of the tuition/fees.

Name	Allocation	Name	Allocation
1. Shannon Ambury	\$1240	9. Stacey Rice	\$1142
2. Patricia Baron	\$1447.40	10. Nicole Scorgia	\$575
3. Robin Gonzalez	\$900	11. Heather Fisher	\$1142
4. Elena Frishman	\$1311.49	12. Nicole Albani	\$375
5. Enza Russo	\$135	13. Adele Taverna	\$1142
6. Christina Dillard	\$824	14. Lauren Andersen	\$839
7. Brooke Connochie	\$430	15. Lorraine Radice	\$1250
8. Elizabeth Vargas	\$982.55	16. Evelyn Daza	\$1250
9. Nelly Jimenez	\$847.55		

2. NON CERTIFICATED PERSONNEL

(a) Resignation

Name: Sarah Tavernese
Assign./Loc: Part Time Teacher Aide/LBMS
Effective Date: September 26, 2018 close of day

(b) Catastrophic Leave of Absence

Name: Evon Beechay
Assign./Loc: Bus Driver/Transportation Department
Effective Dates: September 25, 2018-a date to be determined
Reason: Medical

(c) Amended Leave of Absence

Name: Robin Harris
Assign./Loc: Lunch Aide/Lindell School
Effective Dates: April 20, 2018-December 1, 2018
Original Dated: April 20, 2018-September 24, 2018
Reason: Medical

(d) Amended Appointment: The following personnel are recommended to be employed in the New York State Education Department's funded Adult Education Programs and GED Program dependent upon funding, funding requirements and satisfactory performance for 2018-2019.

NAME	PAYRATE CODE	MAX PER HOUR	HOURS	MAXIMUM
Support Staff				
Lerner, Lori*	S-5	32.62	300	9,786
<i>*corrected name</i>				

(e) Appointment: Lead School Nurse

Name: Mary Beth Thurston
Assign./Loc: Lead School Nurse/Districtwide
Effective Dates: September 1, 2018-June 30, 2019 (or earlier at the district's discretion)
Stipend: \$9,373.39 per annum

2. NON CERTIFICATED PERSONNEL

(f) Appointment: Part Time Regular Substitute School Bus Drivers (30 hours)

1. Name: Jill Romero
Assign./Loc.: Part Time Bus Driver-30 hours/Transportation
Effective Dates: October 15, 2018 on or about -June 30, 2019 (or earlier at the district's discretion)
Salary Classification: \$25,571 per annum
Grade/Step: Grade II/Step 1
Reason: To meet a district need

2. Name: Laverne Speight
Assign./Loc.: Part Time Bus Driver-30 hours/Transportation
Effective Dates: October 15, 2018 On or about -June 30, 2019 (or earlier at the district's discretion)
Salary Classification: \$25,571 per annum
Grade/Step: Grade II/Step 1
Reason: To meet a district need

(g) Appointment: Part Time Bus Aide-(18.75 hours per week)

Name: Nora Torres
Assign./Loc: Part Time Bus Aide (18.75 hrs per week)/ Transportation Department
Effective Date: October 29, 2018 (on or about)
Salary Classification: \$14.72 per hour
Grade/Step: Grade I/Step 1
Reason: To replace Troy Harris

(h) Appointment: Part Time Food Service Worker-(17.5 hours per week)

Name: Mayela Sibrian
Assign./Loc: Part Time Food Service Worker/LBMS
Effective Date: October 12, 2018
Salary Classification: \$17.41 per hour
Grade/Step: Grade 1/Step 10
Reason: To replace Lucia Siminic

(i) Appointment: Part Time Lunch Aides-(15 hours per week)

Name: Virginia Morales
Assign./Loc: Part Time Lunch Aide (15 hrs per week)/West School
Effective Date: October 15, 2018
Salary Classification: \$14.55 per hour
Grade/Step: Grade I/Step 1
Reason: To replace Sondra Arboleda

Name: Jennifer Bella
Effective Date: October 17, 2018
Salary Classification: \$14.55 per hour
Grade/Step: Grade I/Step 1
Reason: To replace Danielle Cesarski

2. NON CERTIFICATED PERSONNEL

- (j) Appointment Part Time Teacher Aides 17.5 hours per week Start Date through June 26, 2018 (or earlier at the district's discretion) According to CSE recommendation or 504 plan. Rate according to contract.**

Name	Location	Grade 1A/Step	Hourly Rate	Start Date
Sohail Akbar	LBMS	Grade 1A/Step 3	17.91	10/12/18
Elizabeth Ohi	LBMS	Grade 1A/Step 1	16.50	10/12/18
Brian Horne	LBMS	Grade 1A/Step 1	16.50	10/12/18
Mohsin Mirza	LBMS	Grade 1A/Step 1	16.50	10/12/18
Vanessa Sarmuksnis	East	Grade 1A/Step 1	16.50	10/09/18
Cynthia Silberman	West	Grade 1A/Step 1	16.50	10/15/18

- (k) The following Per Diem Substitutes are recommended for approval for the 18/19 school year.**

Name	Position
1. Devante Patten	Cleaner
2. Jennifer Bradley	Nurse
3. Erin Brennan	Nurse
4. Joan Taylor	Clerical
5. Brittany Gervase	Teacher Assistant
6. Nicole Rosenberg	Bus Aide

(l) Completion of Probationary Appointment

The staff member listed below has completed her probationary appointment, and has received a satisfactory evaluation and is hereby recommended for permanent appointment.

Name: Susannah Familetti
Assign./Loc.: Senior Personnel Clerk/Human Resources
Effective Date: October 17, 2018

3. **FIRST READING OF REVISED CODE OF CONDUCT**
4. **FIRST READING OF REVISED POLICY #5660 MEAL CHARGING AND PROHIBITION AGAINST MEAL SHAMING**
5. **FIRST READING AND APPROVAL OF REVISED POLICY #6121 SEXUAL HARASSMENT**
6. **APPROVAL OF AGREEMENT - TECHNOLOGY**

BE IT RESOLVED, that on the recommendation of the Superintendent of Schools, the Board of Education approves the Agreement between Long Beach Public Schools and the Board of Cooperative Educational Services (BOCES) to find that the use of the equipment and the district's participation in the Learning Technology Project Planning project is essential to the district's proper, efficient and economic operation of its education program to be supported by the equipment and is necessary to maintain the district's educational program; and that

The expenses arising under this Agreement constitute expenses necessary for providing educational services and the transaction is in the best financial interests of the school district because it enables the district to utilize the equipment in a cost effective and economic manner; and

BE IT FURTHER RESOLVED, that the Board of Education approve an assignment of co-ser Agreement between the Long beach Public Schools and BOCES of Nassau County arising under the agreement for technology program project #24-643760 to replace obsolete computer equipment at Long Beach High School; and

BE IT FURTHER RESOLVED, that the Board of Education authorize the Board President to sign the appropriate assignment and such other documents and agreements as may be necessary to effect the transaction subject to legal counsel review.

7. APPOINTMENT OF HEALTH & SAFETY COMMITTEE AND DISTRICT-WIDE SAFETY TEAM

BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education authorizes the appointment of the Health and Safety Committee and the District-Wide Safety Team members.

Kim Ashmead	Amy Leder	Paul Romanelli
Keith Biesma	Deborah Lovrich	Karen Sauter
Karen Bloom	Cory McLaughlin	Brendan Scully
Kathleen Connolly	Kenrick McPhoy	Marybeth Thurston
Michael DeVito	Jeffrey Myers	Libby Walsh-Bulger
Michael Drance- NYSIR	Dr. Michele Natali	Patricia Van Loon
Amy Dirolf	Nancy Nunziata	Maureen Vrona
Steve Jacob	Sam Pinto	Christopher Webel
Patrick Kiley-Rendron	Beth Prostick	Brenda Young
Steve Lahey	Joanne Rea	Christine Zawatson

8. APPOINTMENT OF DISTRICT-WIDE DASA COORDINATOR

BE IT RESOLVED, that on the recommendation of the Superintendent, the Board of Education approves Dr. Ayesha McArthur as the District-Wide DASA Coordinator for the 2018-2019 school year.

9. ACCEPTANCE OF RECOMMENDATIONS FROM THE COMMITTEE ON PRE-SCHOOL SPECIAL EDUCATION AND COMMITTEE ON SPECIAL EDUCATION

10. APPROVAL OF PAYMENT OF LEGAL BILLS: LEGAL SERVICES

A) FRAZER & FELDMAN

BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education authorized expenditures in the amount of \$5,950 to Frazer & Feldman for the monthly retainers for September 1 through September 30, 2018 and October 1 through October 31, 2018 and \$296.39 to Frazer & Feldman for extraordinary legal services rendered during the period of July 1 to July 31, 2018.

B) THOMAS M. VOLZ, PLLC

BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education authorizes expenditures in the amount of \$6,500 to Thomas M. Volz, PLLC for the monthly retainers for July 1 through July 31, 2018 and August 1 through August 31, 2018 and \$569.50 for extraordinary legal services rendered during the period of August 1 through August 31, 2018.

C) INGERMAN SMITH, LLP

BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education authorized expenditures in the amount of \$6,165.00 to Ingerman Smith, LLP for extraordinary legal services rendered during the period of August 1 through August 31, 2018.

11. APPROVAL OF USE OF SCHOOLS APPLICATIONS

BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education approves the use of schools, as attached, not to conflict with District events. However, please note that events may have to be modified and/or rescheduled based on building schedules.

APPLICATIONS FOR USE OF SCHOOLS

<u>Organization</u>	<u>Purpose</u>	<u>Facility Requested</u>	<u>Date Requested</u>
Beach Lacrosse	Games/Practice	LBHS Alumni Field	Sept – November 2018 Mondays 6:00 PM – 9:00 PM
LB Bulldogs	Charity Event	LBMS Veterans Field	Sat., Nov. 24, 2018 8:00 AM – 6:00 PM
LB Civil Service	Agility Exams	LBMS Gymnasium and Veterans Field	Sat., Oct. 20, 2018 8:00 AM – 3:00 PM
	Agility Exams	LBMS Gymnasium and Veterans Field	Sat. Oct. 27, 2018 8:00 AM – 3:00 PM
	Exams	LBHS 8 classrooms	Sat., Nov 3, 2018 8:00 AM – 5:00 PM
LB-USA Wrestling	Tournament	LBHS Gym	Sun, Dec 2, 2018 7:00 AM – 3:00 PM
	Wrestling Camp	LBMS Gym and Wrestling Room	June 27 – July 3, 2018 Thursday-Wednesday 8:00 AM – 3:00 PM
	Wrestling Practice	LBMS Wrestling Room	Sept. 24, 2018 through June 14, 2019 Monday - Friday 6:30 PM – 9:00 PM
LB Recreation	Family Fun Zone	West School Playground/Gym	Sat., Oct 6, 2018 9:00 AM – 5:00 PM
Hofstra U. Biology Dept	Field Trip for Bio Class	NIKE School Marsh	Thurs, Oct 11, 2018 1:00 PM – 5:00 PM
Hagen-Kavanagh School of Dance	Dance Competition	LBMS Auditorium, Cafe, Gym, 3 rooms, Teachers Cafe, Wrestling Room	November 2 & 3, 2019 Friday 5:00 – 9:00 PM Sat. 6:00 AM – 6:00 PM
Big Brothers/Big Sisters	Mentoring Program	Lido Multi-Purpose Room B	Oct. 16, 2019 through June 11, 2019 Tuesdays 3:00 PM – 5:00 PM
LB Theatre Guild	Rehearsals/Performances	Lindell Auditorium	Jan 3 – April 8, 2019 Mon–Friday 7 – 10 PM Sat/Sun - performances
LB Little League	Baseball/softball	Lindell Athletic Field 1	Feb 23 – June 22, 2019 M-F 6 PM – 8 PM Sat & Sun 8 AM – 8 PM
		LB MS Athletic Field 10	Feb 23 – June 22, 2018 M-F 6 PM – 8 PM Sat & Sun 8 AM – 8 PM
		LB MS Athletic Field 9	Feb 23 – June 22, 2018 M-F 6 PM – 8 PM Sat & Sun 8 AM – 8 PM

Non-Instructional/Business Operations

SUBJECT: MEAL CHARGING AND PROHIBITION AGAINST MEAL SHAMING

It is the District's goal to provide students with access to nutritious no- or low-cost meals each school day and to ensure that a student whose parent/guardian has unpaid meal charges is not shamed or treated differently than a student whose parent/guardian does not have unpaid meal charges.

Unpaid meal charges place a large financial burden on the District. The purpose of this policy is to ensure compliance with federal requirements for the USDA Child Nutrition Program and to provide oversight and accountability for the collection of outstanding student meal balances to ensure that the student is not stigmatized, distressed, or embarrassed.

The intent of this policy is to establish procedures to address unpaid meal charges throughout the District in a way that does not stigmatize, distress, or embarrass students. The provisions of this policy pertain to regular priced reimbursable school breakfast, lunch and snack meals only. Charging of items outside of the reimbursable meals (a la carte items, adult meals, etc.) is expressly prohibited.

Access to Meals

- a) Free meal benefit eligible students will be allowed to receive a free breakfast and lunch meal of their choice each day. A la carte items or other similar items must be paid/prepaid.
- b) Reduced meal benefit eligible students will be allowed to receive a breakfast of their choice for and lunch of their choice for each day. The charge meals offered to students will be reimbursable meals available to all students, unless the student's parent or guardian has specifically provided written permission to the District to withhold a meal. A la carte items or other similar items must be paid/prepaid.
- c) Full pay students will pay for meals at the District's published paid meal rate each day. The charge meals offered to students will be reimbursable meals available to all students, unless the student's parent or guardian has specifically provided written permission to the District to withhold a meal. A la carte items or other similar items must be paid/prepaid.

Ongoing Staff Training

- a) Staff will be trained annually and throughout the year as needed on the procedures for managing meal charges using the State Education Department (SED) Webinar or the District's training program.
- b) Staff training will include ongoing eligibility certification for free or reduced price meals.

Parent Notification

Parents/Guardians are responsible for meal payment to the food service program. Discreet notices of low or deficit balances will be sent to parents/guardians at regular intervals during the school year. **Parents/guardians will be notified that a student's meal card or account balance is exhausted and has accrued unpaid meal charges within *[enter number] days of the charge and then every *[enter number] days/weeks thereafter.**

Non-Instructional/Business Operations

SUBJECT: MEAL CHARGING AND PROHIBITION AGAINST MEAL SHAMING

Parent Outreach

- a) Staff will communicate with parents/guardians with five or more unpaid meal charges to determine eligibility for free or reduced price meals.
- b) Staff will make two documented attempts to reach out to parents/guardians to complete a meal application in addition to the application and instructions provided in the school enrollment packet.
- c) Staff will contact the parent/guardian to offer assistance with completion of meal application to determine if there are other issues within the household causing the student to have insufficient funds, offering any other assistance that is appropriate.

Minimizing Student Distress

- a) Staff will not publicly identify or stigmatize any student in line for a meal or discuss any outstanding meal debt in the presence of any other students.
- b) Students with unpaid meal charges will not be required to wear a wristband or handstamp, or to do chores or other work to pay for meals.
- c) Staff will not throw away a meal after it has been served because of the student's inability to pay for the meal or because of previous unpaid meal charges.
- d) Staff will not take any action directed at a student to collect unpaid meal charges.
- e) Staff will deal directly with parents/guardians regarding unpaid meal charges.

Ongoing Eligibility Certification

- a) Staff will conduct direct certification through the New York Student Identification System (NYSSIS) or using SED Roster Upload at least monthly to maximize free eligibility.
- b) Staff will provide parents/guardians with free and reduced price application and instructions at the beginning of each school year in the school enrollment packet.
- c) If the District uses an electronic meal application, it will provide an explanation of the process in the school enrollment packet and instructions on how to request a paper application at no cost.
- d) The District will provide at least two additional free and reduced price applications throughout the school year to families identified as owing meal charges.
- e) The District will use its administrative prerogative to complete an application on a student's behalf judiciously, and only after using exhaustive efforts to obtain a completed application from the student's parent/guardian. The District will complete the application using only available information on family size and income that falls within approvable guidelines.
- f) The District will coordinate with the foster, homeless, migrant, and runaway coordinators at least monthly to certify eligible students.

Non-Instructional/Business Operations

SUBJECT: MEAL CHARGING AND PROHIBITION AGAINST MEAL SHAMING

Prepaid Accounts

Students/Parents/Guardians may pay for meals in advance via the automated pre-pay system or with a check payable to the Long Beach City School District. Further details are available on the District's webpage at www.lbeach.org. Funds should be maintained in accounts to minimize the possibility that a student may be without meal money on any given day. Any remaining funds for a particular student **[may/will]* be carried over to the next school year.

To obtain a refund for a withdrawn or graduating student, a written or e-mailed request for a refund of any money remaining in the student's account must be submitted. Students who are graduating at the end of the year will be given the option to transfer any remaining money to a sibling's account through a written request.

Unclaimed funds must be requested within one school year. Unclaimed funds will then become the property of the District Food Service Program.

Balances Owed

Collection of owed balances will follow the policies and procedures set by the superintendent which may include legal action.

First Reading of Revised Policy: October 11, 2018

SUBJECT: SEXUAL HARASSMENT

Introduction

Long Beach School District is committed to maintaining a workplace free from sexual harassment. Sexual harassment is a form of workplace discrimination. Long Beach School District has a zero-tolerance policy for any form of sexual harassment, and all employees are required to work in a manner that prevents sexual harassment in the workplace. This Policy is one component of Long Beach School District's commitment to a discrimination-free work environment.

Sexual harassment is against the law. All employees have a legal right to a workplace free from sexual harassment, and employees can enforce this right by filing a complaint internally with Long Beach School District, or with a government agency or in court under federal, state or local antidiscrimination laws.

Policy:

1. Long Beach School District Policy applies to all employees, applicants for employment, interns, whether paid or unpaid, volunteers, contractors and persons conducting business with Long Beach School District.
2. Sexual harassment will not be tolerated. Any employee or individual covered by this policy who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action, up to and including termination.
3. Retaliation Prohibition: No person covered by this Policy shall be subject to adverse employment action including being discharged, disciplined, discriminated against, or otherwise subject to adverse employment action because the employee reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. Long Beach School District has a zero-tolerance policy for such retaliation against anyone who, in good faith complains or provides information about suspected sexual harassment. Any employee of Long Beach School District who retaliates against anyone involved in a sexual harassment investigation will be subjected to disciplinary action, up to and including termination. Any employee, paid or unpaid intern, or non-employee working in the workplace who believes they have been subject to such retaliation should inform a supervisor or administrator. Any employee, paid or unpaid intern or non-employee who believes they have been a victim of such retaliation may also seek compensation in other available forums, as explained below in the section on Legal Protections.
4. Sexual harassment is offensive, is a violation of our policies, is unlawful, and subjects Long Beach School District to liability for harm to victims of sexual harassment. Harassers may also be individually subject to liability. Employees of every level who engage in sexual harassment, including managers and supervisors who engage in sexual harassment or who knowingly allow such behavior to continue, will be penalized for such misconduct.

¹ A non-employee is someone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in the workplace. Protected non-employees include persons commonly referred to as independent contractors, "gig" workers and temporary workers. Also included are persons providing equipment repair, cleaning services or any other services provided pursuant to a contract with the employer.

Human Resources

SUBJECT: SEXUAL HARASSMENT

1. Long Beach School District will conduct a prompt, thorough and confidential investigation that ensures due process for all parties, whenever management receives a complaint about sexual harassment, or otherwise knows of possible sexual harassment occurring. Effective corrective action will be taken whenever sexual harassment is found to have occurred. All employees, including managers and supervisors, are required to cooperate with any internal investigation of sexual harassment.
2. All employees are encouraged to report any harassment or behaviors that violate this policy. Long Beach School District will provide all employees a complaint form for employees to report harassment and file complaints.
3. Administrators and supervisors are **required** to report any complaint that they receive, or any harassment that they observe to [*person or office designated*].
4. This policy applies to all employees, paid or unpaid interns, and non-employees and all must follow and uphold this policy. This policy must be posted prominently in all work locations and be provided to employees upon hiring.

What Is “Sexual Harassment”?

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, gender identity and the status of being transgender.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual’s sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive work environment, even if the complaining individual is not the intended target of the sexual harassment;
- Such conduct is made either explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual’s employment.

A sexually harassing hostile work environment consists of words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual’s sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the recipient’s job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called “quid pro quo” harassment.

Any employee who feels harassed should complain so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

SUBJECT: SEXUAL HARASSMENT

Examples of sexual harassment

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- Physical assaults of a sexual nature, such as:
 - Touching, pinching, patting, grabbing, brushing against another employee's body or poking another employees' body;
 - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
 - Requests for sexual favors accompanied by implied or overt threats concerning the victim's job performance evaluation, a promotion or other job benefits or detriments;
 - Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks, jokes or comments about a person's sexuality or sexual experience, which create a hostile work environment.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
 - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity and the status of being transgender, such as:
 - Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
 - Sabotaging an individual's work;
 - Bullying, yelling, name-calling.

Who can be a target of sexual harassment?

Sexual harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. A perpetrator of sexual harassment can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.

SUBJECT: SEXUAL HARASSMENT

Where can sexual harassment occur?

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment, even if they occur away from the workplace premises or not during work hours.

What is “Retaliation” ?

Unlawful retaliation can be any action that would keep a worker from coming forward to make or support a sexual harassment claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation.

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in “protected activity.” Protected activity occurs when a person has:

- filed a complaint of sexual harassment, either internally or with any anti-discrimination agency;
- testified or assisted in a proceeding involving sexual harassment under the Human Rights Law or other anti-discrimination law;
- opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of harassment;
- complained that another employee has been sexually harassed; or
- encouraged a fellow employee to report harassment.

Reporting Sexual Harassment

Preventing sexual harassment is everyone’s responsibility. Long Beach School District cannot prevent or remedy sexual harassment unless it knows about it. Any employee, paid or unpaid intern or non- employee who has been subjected to behavior that may constitute sexual harassment is encouraged to report such behavior to a supervisor, administrator or [*person or office designated*]. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, administrator or [*person or office designated*].

Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint is attached to this Policy, and all employees are encouraged to use this complaint form. Employees who are reporting sexual harassment on behalf of other employees should use the complaint form and note that it is on another employee’s behalf.

Employees, paid or unpaid interns or non-employees who believe they have been a victim of sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

SUBJECT: SEXUAL HARASSMENT

Supervisory Responsibilities

All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that sexual harassment is occurring, **are required** to report such suspected sexual harassment to [*person or office designated*].

In addition to being subject to discipline if they engaged in sexually harassing conduct themselves, supervisors and managers will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue.

Supervisors and managers will also be subject to discipline for engaging in any retaliation.

Complaint And Investigation Of Sexual Harassment

All complaints or information about suspected sexual harassment will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner, and will be confidential to the extent possible.

An investigation of any complaint, information or knowledge of suspected sexual harassment will be prompt and thorough, and should be completed within 30 days. The investigation will be confidential to the extent possible. All persons involved, including complainants, witnesses and alleged perpetrators will be accorded due process to protect their rights to a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. Employees who participate in any investigation will not be retaliated against.

Investigations will be done in accordance with the following steps:

- Upon receipt of complaint, [*person or office designated*] will conduct an immediate review of the allegations, and take any interim actions, as appropriate. If complaint is oral, encourage the individual to complete the “Complaint Form” in writing. If he or she refuses, prepare a Complaint Form based on the oral reporting.
- If documents, emails or phone records are relevant to the allegations, take steps to obtain and preserve them.
- Request and review all relevant documents, including all electronic communications.
- Interview all parties involved, including any relevant witnesses;
- Create a written documentation of the investigation (such as a letter, memo or email), which contains the following:
 - A list of all documents reviewed, along with a detailed summary of relevant documents;
 - A list of names of those interviewed, along with a detailed summary of their statements;
 - A timeline of events;
 - A summary of prior relevant incidents, reported or unreported; and
 - The final resolution of the complaint, together with any corrective actions action(s).

Human Resources

SUBJECT: SEXUAL HARASSMENT

- Keep the written documentation and associated documents in the employer's records.
- Promptly notify the individual who complained and the individual(s) who responded of the final determination and implement any corrective actions identified in the written document.
- Inform the individual who complained of their right to file a complaint or charge externally as outlined below.

Legal Protections And External Remedies

Sexual harassment is not only prohibited by [*Employer Name*] but is also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at Long Beach School District, employees may also choose to pursue legal remedies with the following governmental entities **at any time**.

New York State Division of Human Rights (DHR)

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to 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 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 discrimination. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to Long Beach School District 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 discrimination has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If discrimination is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying 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, (718) 741-8400 [appropriate other contact info], 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.

SUBJECT: SEXUAL HARASSMENT

United States Equal Employment Opportunity Commission (EEOC)

The 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.

If an employee believes that he/she has been discriminated against at work, he/she 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 (1-800-669-6820 (TTY)), 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 physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

Adoption of this policy does not constitute a conclusive defense to charges of unlawful sexual harassment. Each claim of sexual harassment will be determined in accordance with existing legal standards, with due consideration of the particular facts and circumstances of the claim, including but not limited to the existence of an effective anti-harassment policy and procedure.

First Reading of Revised Policy: October 11, 2018



**LONG
BEACH
PUBLIC
SCHOOLS**

**CODE
OF
CONDUCT**

Updated
October 11, 2018

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Updated: October 11, 2018

I. Introduction

The Board of Education is committed to providing a safe and orderly school environment where students may receive 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 Long Beach Board of Education recognizes the need to clearly define expectations for acceptable conduct on school property, to identify the possible consequences of unacceptable conduct, and to ensure that discipline when necessary is administered promptly and fairly. Further, the Long Beach Board of Education recognizes the need to incorporate the NYS “Dignity for All Students Act” (“DASA”) and relevant provisions of NY Education Law. 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.

II. 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 to the educational process or substantially interferes with the teacher’s authority within the classroom. The definition of "disruptive student" is from §3214(2-a) (b).

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

"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 on a school bus, as defined in Vehicle and Traffic Law §142.

"School function" means any school-sponsored extra-curricular event or activity. (NY Education Law § 11.2)

“School Bus” means every motor vehicle (a) 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, (b) 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. (NY Vehicle and Traffic Law § 142)

“Violent student” means a student under the age of 21 who:

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

The definition of "violent student" is from §3214(2-a) (a); however, it has been modified slightly in two respects. This code includes “attempts to commit acts of violence, and a more inclusive definition of “weapon”. The definition of "weapon" in the code is much broader than the definition used in the federal Gun-Free Schools Act. The term is broadly defined to keep all types of objects that can cause serious injury or death out of schools, and thereby enhance school safety. Federal and state laws mandate those students who possess a weapon as defined in federal law (18 USC §921) be suspended from school for a minimum of one calendar year.

"Weapon" means a firearm as defined in 18 USC §921 for purposes of the Gun-Free schools Act. It also includes but is not limited to any other gun, BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, knife with a blade whose length is at least 2.5 inches, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckle knife, box cutter, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other

noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance that can cause physical injury or death when used to cause physical injury or death.

“Disability” means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment, provided, however, that in all provisions of this article dealing with employment, the term shall 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. (NY 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-B of article five of the social services law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact. (NY Education Law § 1125.3)

“Sexual Orientation” means actual or perceived heterosexuality, homosexuality, or bisexuality. (NY Education Law § 11.5)

“Gender” means actual or perceived sex, and shall include a person’s gender identity or expression. (NY Education Law § 11.6)

“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 well-being; 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. (NY Education Law § 11.7)

“Cyberbullying” shall mean harassment or bullying as defined in subdivision seven of this section, including paragraphs (a), (b), (c) and (d) of such subdivision, where such harassment or bullying occurs through any form of electronic communication. (NY Education Law §11.8)

“Restorative Justice” is an approach to discipline that focuses on repairing harm through inclusive processes that engage all stakeholders. This approach, which

could include disciplinary consequences, shifts the form of discipline from punishment to learning.

III. Student Rights and Responsibilities

A. Student Rights

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

1. Participate in all district activities on an equal basis regardless of their actual or perceived race, creed, color, weight, height, religion, national origin, ethnic group, political affiliation, sexual identity, gender, sexual orientation, age, marital status, military status, veterans' status, disability, predisposing genetic characteristics, or the use of a recognized guide dog, hearing dog or service dog.
2. Present their version of the relevant events to school personnel authorized to impose a disciplinary consequence in connection with the imposition of the consequence.
3. Request the presence of a pupil personnel staff member as an advocate when being questioned on a disciplinary issue.
4. Be provided with school rules and, when necessary, receive an explanation of those rules from school personnel.
5. Proceed in a safe, supportive and orderly school atmosphere without the fear of threat to their well-being.
6. Under the Family Educational Rights and Privacy Act (FERPA), parents and students who are over 18 years of age have the right to inspect and review the student's educational records and have the right to request the amendment of the student's education records believed to be inaccurate or misleading. They also have the right to consent to disclosure of personally identifiable information in a student's education record, except to the extent that FERPA authorizes disclosure without consent.

B. Student Responsibilities

All district students have the responsibility to:

1. Promote a safe, supportive and orderly school environment that is conducive to learning and to show respect to other persons and to property.

2. 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. Work to develop mechanisms to control their anger.
7. Ask questions when they do not understand.
8. Seek help in solving problems that might lead to discipline.
9. Dress appropriately for school and school functions within the guidelines of school dress code.
10. Accept responsibility for their actions.
11. 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.

IV. Essential Partners

A critical component of all codes of conduct is the shared beliefs of all stakeholders. Implementation without belief will be unsuccessful. Understanding, support, participation and belief of all members of the school community are needed for successful implementation of this code of conduct. All essential members are to maintain a climate of mutual respect and dignity towards each other. All essential partners are expected to:

A. *Parent(s)/Guardian(s)*

1. Recognize that the education of their children is a joint responsibility of the parents and the school community. They must communicate with their child's teacher and other school personnel, and where possible attend all school functions.
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 in keeping with state law. If a child is ill and cannot attend school, it is the parent's responsibility to arrange for alternate supervision. Accurate emergency contacts must be provided to the schools.
5. Ensure compliance with the Dignity for All Students Act (DASA) mandates.
6. Help their children understand appropriate rules are required to maintain a safe, supportive and orderly school environment.

7. Know school rules and help their children understand them so their children can help create a safe, supportive school environment.
8. Convey to their children a supportive and respectful attitude toward education and the district.
9. Build good relationships with teachers, other parents and their children's friends.
10. Accept responsibility and accountability on behalf of their children and encourage their children to be accountable and responsible for their actions.
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. Model civil and respectful behavior at all times.

B. Teachers

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, creed, color, weight, height, religion, national origin, ethnic group, political affiliation, sexual identity, gender, sexual orientation, age, marital status, military status, veterans' status, disability, predisposing genetic characteristics, or the use of a recognized guide dog, hearing dog or service dog 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, health and well-being.
4. Know school policies and rules, and enforce them in a fair and consistent manner.
5. Communicate to students and parents:
 - a. Course objectives and requirements
 - b. Marking/ grading procedures
 - c. Assignment deadlines
 - d. Expectations for students
 - e. Class room discipline plan.
6. Communicate regularly with students, parents and other teachers concerning growth and achievement.
7. Model civil and respectful behavior at all times.
8. Address 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.

9. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
10. Report incidents of discrimination and harassment that are witnessed or otherwise brought to their attention in a timely manner.

C. *Dignity Act Coordinator (DAC)*

1. Promote a safe, supportive, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, creed, color, weight, height, religion, national origin, ethnic group, political affiliation, sexual identity, gender, sexual orientation, age, marital status, military status, veterans' status, disability, predisposing genetic characteristics, or the use of a recognized guide dog, hearing dog or service dog;
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 anti-bullying, harassment and discrimination policy and regulations (DASA policy);
6. Address 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.
7. Address personal biases that may prevent equal treatment of all students and staff.

D. *School Counselor/School Psychologists/Social Workers*

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, creed, color, weight, height, religion, national origin, ethnic group, political affiliation, sexual identity, gender, sexual orientation, age, marital status, military status, veterans' status, disability, predisposing genetic characteristics, or the use of a recognized guide dog, hearing dog or service dog.
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. Provide information to assist students with career planning.
6. Encourage students to benefit from the curriculum and extracurricular programs.
7. Model civil and respectful behavior at all times
8. Address 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.
9. Address personal biases that may prevent equal treatment of all students.
10. Report incidents of discrimination and harassment that are witnessed or otherwise brought to their attention in a timely manner.

E. Principals and Building Level Administrators

1. Promote a safe, supportive, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, creed, color, weight, height, religion, national origin, ethnic group, political affiliation, sexual identity, gender, sexual orientation, age, marital status, military status, veterans' status, disability, predisposing genetic characteristics, or the use of a recognized guide dog, hearing dog or service dog.
2. Ensure that students and staff have the opportunity to communicate regularly with the principal and approach the principal for redress of grievances.
3. Evaluate on a regular basis all instructional programs to ensure infusion of civility education in the curriculum.
4. Support the development of and student participation in appropriate extracurricular activities.
5. Provide support in the development of the code of conduct, when called upon. Disseminate the code of conduct and anti-harassment policies.
6. Be responsible for enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.
7. Model civil and respectful behavior at all times.
8. Address 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.

9. Address personal biases that may prevent equal treatment of all students and staff.
10. Report incidents of discrimination and harassment that are witnessed or otherwise brought to their attention in a timely manner.

F. Deans

1. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
2. Promote a safe, supportive, orderly and stimulating school environment and support active teaching and learning for all students regardless of actual or perceived race, creed, color, weight, height, religion, national origin, ethnic group, political affiliation, sexual identity, gender, sexual orientation, age, marital status, military status, veterans' status, disability, predisposing genetic characteristics, or the use of a recognized guide dog, hearing dog or service dog.
3. 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 or sex which will strengthen students' self-concept and promote confidence to learn.
4. Know school policies and rules, and enforce them in a fair and consistent manner
5. 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.
6. Model civil and respectful behavior at all times
7. Address 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.
8. Address personal biases that may prevent equal treatment of all students and staff.
9. Report incidents of discrimination and harassment that are witnessed or otherwise brought to their attention in a timely manner.

G. Superintendent and District Level Administrators

1. Promote a safe, supportive, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, creed, color,

weight, height, religion, national origin, ethnic group, political affiliation, sexual identity, gender, sexual orientation, age, marital status, military status, veterans' status, disability, predisposing genetic characteristics, or the use of a recognized guide dog, hearing dog or service dog.

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. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
5. Work with district administrators in enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.
6. Model civil and respectful behavior at all times
7. Address 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.
8. Address personal biases that may prevent equal treatment of all students and staff.
9. Report incidents of discrimination and harassment that are witnessed or otherwise brought to the Superintendent's attention in a timely manner.

H. Board of Education

1. Promote a safe, supportive, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, creed, color, weight, height, religion, national origin, ethnic group, political affiliation, sexual identity, gender, sexual orientation, age, marital status, military status, veterans' status, disability, predisposing genetic characteristics, or the use of a recognized guide dog, hearing dog or service dog.
2. Address 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.
3. Address personal biases that may prevent equal treatment of all students and staff.
4. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a Board member's attention in a timely manner.

5. 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.
6. Lead by example by conducting Board meetings in a professional, respectful, courteous manner.
7. Model civil and respectful behavior at all times.

I. *Bus Drivers*

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, creed, color, weight, height, religion, national origin, ethnic group, political affiliation, sexual identity, gender, sexual orientation, age, marital status, military status, veterans' status, disability, predisposing genetic characteristics, or the use of a recognized guide dog, hearing dog or service dog.
2. Maintain the highest degree of driving safety.
3. Require proper behavior of students.
4. Load and unload students correctly.
5. Learn and practice defensive driving techniques.
6. Obey all applicable state and federal laws, rules, and regulations.
7. Follow district (and contractor) policies and procedures.
8. Model civil and respectful behavior at all times.
9. Address 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.
10. Address personal biases that may prevent equal treatment of all students.
11. Report incidents of discrimination and harassment that are witnessed or otherwise brought to their attention in a timely manner.

J. *Security Personnel*

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, creed, color, weight, height, religion, national origin, ethnic group, political affiliation, sexual identity, gender, sexual orientation, age, marital status, military status, veterans' status, disability, predisposing genetic characteristics, or the use of a recognized guide dog, hearing dog or service dog.

2. Promote a safe, supportive, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, creed, color, weight, height, religion, national origin, ethnic group, political affiliation, sexual identity, gender, sexual orientation, age, marital status, military status, veterans' status, disability, predisposing genetic characteristics, or the use of a recognized guide dog, hearing dog or service dog.
3. Know school policies and rules, and enforce them in a fair and consistent manner.
4. Model civil and respectful behavior at all times.
5. Address 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.
6. Address personal biases that may prevent equal treatment of all students and staff.
7. Report incidents of discrimination and harassment that are witnessed or otherwise brought to their attention in a timely manner.

K. Additional Collaborative partners

The intent of the "Code of Conduct" is to provide for a safe, supportive and orderly school environment. In order to accomplish this task, the entire school community must participate. All staff members and approved community members participating in school events, volunteers, must adhere to the philosophy and procedures defined in this code of conduct.

V. 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 appearance shall:

1. Be safe, appropriate and not disrupt or interfere with the educational process.
2. Recognize that extremely brief or revealing garments are not appropriate. Building Administrators have discretion to prohibit garments that they deem disruptive to the educational process.
3. Ensure that underwear is completely covered with outer clothing.
4. Appropriate footwear is required at all times.

5. Not include the wearing of headgear, mouth gear, sunglasses and/or chains in excess of 6" in any building except for a medical or religious purpose. No hats in the Middle School.
6. Not include items that are vulgar, obscene, discriminatory, or libelous or denigrate others based on a person's actual or perceived race, color, weight, height, national origin, ethnic group, religion, religious practice, disability, gender, sexual orientation or sex.
7. Not include gang related clothing or paraphernalia.
8. Not promote and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities.

Each building principal or his or her designee shall be responsible for informing all students and their parents of the student dress code at the beginning of the school year and any revisions to the dress code made during the school year.

Students who violate the student dress code shall be required to 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.

VI. Prohibited Student Conduct

The Board recognizes the need to make its expectations for student conduct on school property, on a field trip, 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 penalties for their conduct. All violations apply to student behavior in school, on school property, on school buses and at school-sponsored functions. Students may be subject to disciplinary action, up to and including suspension from school, when they:

A. *Engage in conduct that is disorderly or insubordinate. Examples of disorderly conduct include but are not limited to:*

1. Running in hallways.
2. Making unreasonable noise which interferes with the educational process.
3. Using language, gestures or actions that are profane, lewd, sexual, 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.
7. Misuse of computer and/or electronic communications and personal devices , including but not limited to any unauthorized use of cell phones, iPADS, cameras, PDAs, or other portable devices, computers, software, or internet/ intranet account, video production ; or any other violation of the district's acceptable use policy.
8. Failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students.
9. Lateness for, missing classes or leaving school without permission.
10. Skipping detention or in-school suspension.

B. 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.
2. Possession and use of electronic equipment that disrupts the learning process and interferes with building management.
3. Behavior that interrupts student learning or teacher instruction.
4. Dress code violations

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

1. Committing an act of violence (such as biting, hitting, kicking, punching, pushing, spitting and scratching) upon a student, teacher, administrator or other school employee or attempting or threatening 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.
7. Extortion or any attempt to obtain property or favor from another by threat or by force.
8. Placing a bomb, explosive, biological or chemical weapon or incendiary device on District property, whether or not active; or making a telephoned, written or electronic message that a bomb, explosive, biological or chemical weapon or incendiary device has been or will be placed on or near District property.
9. Possessing or igniting any fire, lighter, or other flammable instrument, except in the controlled environment of a classroom or laboratory as part of an instructional program or of a school-related activity under the

direct supervision of a teacher or other District personnel as authorized by school officials.

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

1. Arson or attempted arson. The setting or attempt to set an unauthorized fire on District property or property under the control of the District.
2. Subjecting other students, school personnel or any 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.
3. Lying to school personnel.
4. Possession of stolen property.
5. Attempting to gain unlawful access to locked and unauthorized areas, drawers, and containers.
6. Stealing or attempting to steal anything that is school property, the property of other students, school personnel or any other person lawfully on school property or attending a school function.
7. 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.
8. Discrimination, which includes using the person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, gender, sexual orientation or sex as a basis for treating another in a negative manner or to deny them rights, equitable treatment or access to facilities, activities or benefits which are available to others.
9. Harassment, as defined in the "Definitions" section of this Policy, but which also includes a sufficiently severe action or a 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.
10. Unwelcome sexual advances, request for sexual favors, or other written, nonverbal or physical conduct of a sexual nature may constitute sexual harassment. Complaints regarding sexual harassment may be made directly to Dr. Michele Natali, Dr. Gallagher or Michael I. DeVito, Title IX coordinators.
11. Intimidation and/or threatening, which includes engaging in actions or statements that put an individual in fear of bodily harm
12. Inciting and or instigating a dangerous situation and/or unacceptable behavior.
13. Failure to report a dangerous situation and/or unacceptable behavior.
14. Bullying, which includes the act of threatening, stalking, coercing, or intimidating, verbally, physically, in writing, by gesture or through

electronic communications, the well-being, health, safety, freedom or reputation of any person, that takes place on school property, at any school-sponsored function or on a school bus, or that takes place off school grounds, but that is designed to or has the effect of interfering with a student's ability to attend school and/or be educated in a safe, non-hostile environment. Bullying also includes systematic and intentional infliction of physical harm or psychological distress on an individual or group of individuals. Bullying can also encompass unwanted purposeful written, verbal, non-verbal, social or relational, or physical behavior (e.g. threatening, insulting or dehumanizing gestures by an adult or student) that has the potential to create long term damage, cause discomfort or humiliation or unreasonably interfere with the individual's school performance. Unwanted teasing, touching, threatening, intimidating, stalking, cyber-stalking, cyber-bullying, physical violence, theft, sexual, religious, or racial harassment, public humiliation, destruction of school or personal property, social exclusion including incitement and/or coercion and rumor or spreading of falsehoods are also forms of bullying.

15. Hazing, which includes an induction, initiation or membership process involving harassment which produces public humiliation, physical or emotional discomfort, bodily injury or public ridicule or creates a situation where public humiliation, physical or emotional discomfort, bodily injury or public ridicule is likely to occur.
16. Using any type of recording device (including but not limited to those devices which photograph, video and audio record, and/or videotape) in any manner that interferes with or is disruptive of the educational process or invades the privacy of students, employees, volunteers, or visitors.
17. Selling, using, distributing or possessing obscene material.
18. Using vulgar or abusive language, cursing or swearing, as well as slurs that refer to a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, gender, sexual orientation or sex.
19. Possession of cigarettes, e-pens, smoking and/or vaping products; smoking a cigarette, cigar, pipe or use of chewing or smokeless tobacco, vape cartridge, juul or vape oil.
20. Possession of lighters and/or matches.
21. Possessing, consuming, selling, distributing or exchanging alcoholic beverages or other illegal substances, or being under the influence of either. "Illegal substances" include, but are not limited to, inhalants, marijuana, synthetic cannabinoids, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any substances commonly referred to as "designer drugs." Representing to any person, for purposes of sale or distribution that any substance, irrespective of actual composition is an alcoholic beverage or an illegal substance shall

- be deemed to be actionable within the meaning of this section as an attempted possession, sale or distribution of a prohibited product.
22. Possession of drug paraphernalia, such as but not limited to, pipes, rolling paper, snorter, distribution bags, and grinders.
 23. Inappropriately possessing, selling, using or sharing prescription, over-the-counter drugs and vaping devices.
 24. Gambling such as inappropriate use of playing cards, dice, or items related to games of chance.
 25. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner.
 26. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
 27. Engage in inappropriate displays of affection. All forms of sexual behavior are prohibited.
 28. Inappropriate rough-housing, horseplay, and wrestling.
 29. Threatening, bullying, or teasing other students and/or staff by verbal, written or electronic means.
 30. Unauthorized solicitation of money.
 31. Engaging in disruptive behavior during emergency and/or emergency drills.

E. Engage in misconduct while on a school bus.

In addition to prohibited student conduct as noted in section VI, the following specifically addresses behavior on the school bus.

Students are only allowed to ride on a bus assigned to them by the school district, unless otherwise permitted by school administrators or designee. 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 or other conduct in violation of the code of conduct will not be tolerated. Examples of misconduct on the bus include but not limited to:

1. Roughhousing at the bus stop.
2. Bringing prohibited items onto a school bus. Prohibited items include, but are not limited to, skateboards, animals, flammable materials of any kind, medications that contain controlled substances and weapons of any kind.
3. Disregarding the instructions of the bus driver.
4. Eating, drinking or vaping on a school bus.
5. Throwing object(s) in and/or out of the bus.
6. Standing while the bus is moving.
7. Failing to keep head, hands and feet inside the bus at all times.
8. Harassing or bullying other students on the bus or at the bus stop.

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

1. Plagiarism.
2. Cheating.
3. Inappropriate copying of others work
4. Altering, damaging, taking or destroying records, school materials and textbooks.
5. Assisting another student in any of the above actions.
6. Theft of exams.

G. 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 or endangers the health, safety or morals of students or staff within the school. Examples of such misconduct include but are not limited to:

1. Cyberbullying (i.e., inflicting willful and repeated harm through the use of information technology, including, but not limited to, e-mail, instant messaging, blogs, chat rooms, pagers, cell phones, gaming systems and social media websites).
2. Threatening, hazing or harassing students or school personnel over the phone or through other electronic media.
3. Inflicting physical harm.
4. Any behavior that requires law enforcement.

VII. Reporting Violations

All students are expected to promptly report violations of the code of conduct to a teacher, school counselor, school psychologist, social worker, dean, coach, assistant, the building principal or other district personnel. Any student observing another student possessing a weapon, tobacco or vape products, alcohol or illegal substance on school property or at a school function shall report this information immediately to a teacher, the building principal, the principal's designee or the Superintendent. The District will make a good faith effort to maintain the anonymity of the reporting student.

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.

The building principal or his or 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 or her designee learns of the violation. The notification may be made by telephone, followed by a letter mailed by the close of the following school day. The notification must identify the student and explain the conduct that violated the code of conduct and constituted a crime.

Reporting Incidents of Discrimination, Harassment and Bullying

Students who have been bullied, harassed or discriminated against, parents whose children have been bullied, harassed or discriminated against, or other students or staff who observe bullying, harassing or discriminating behavior are encouraged and expected to make a verbal and/or written complaint to any school personnel in accordance with the training and guidelines provided, as well as any applicable district policies. (Refer to BOE Policy #3280 – Anti-Harassment in the School District, Policy #6121 -Equal Opportunity Policy #7550, Dignity for All Students Act Policy; and Policy #7551, Sexual Harassment).

Dignity Act Coordinator Contact Information

The name, designated school and contact information for each school building’s Dignity Act Coordinator is provided below:

Dignity Act Coordinator	Designated School	Contact Information
Dr. Ayesha McArthur	District - Administration	897-2255
Mr. Jeffrey Myers	Long Beach High School	897-2013
Mr. Paul Romanelli	Long Beach Middle School	897-2166
Ms. Kathleen Connolly	East Elementary School	897-2184
Ms. Brenda Young	Lido Elementary School	897-2140
Ms. Karen Sauter	Lindell Elementary School	897-2198
Ms. Amy Dirolf	West Elementary School	897-2215

This information shall also be posted on the district’s website and included in the plain language summaries of the code of conduct provided to parents and students and shall be further disseminated in accordance with applicable law and regulations.

VIII. Disciplinary Consequences, Procedures, Minimum Periods of Suspension and Referrals

1. Introduction

Discipline is most effective when it deals directly with the problem in a timely fashion and maintains the dignity of all involved. 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 and administered in a timely manner so as to be most effective in changing student behavior. In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will consider the following:

- A. The student's age.
- B. The nature of the offense and the circumstances, which led to the offense.
- C. The student's prior disciplinary record.
- D. The effectiveness of other forms of discipline.
- E. Information from parents, teachers and/ or others, as appropriate
- F. Other extenuating circumstances.

If appropriate, disciplinary action will be taken by the administration in accordance with this policy, as applicable. If the behavior rises to the level of criminal activity, law enforcement will be contacted.

Restorative Justice is an approach to discipline that focuses on repairing harm through inclusive processes that engage all stakeholders. This approach, which could include disciplinary consequences, shifts the form of discipline from punishment to learning. As a general rule, discipline will be progressive. This means that a student's first violation will usually merit a less severe response than subsequent violations. 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 subjected to a disciplinary change in placement for behavior that has a direct and substantial relationship to his/her ability or behavior that was the direct result of the District's failure to implement the students' IEP.

Students who are found to have violated the district's code of conduct may be subject to the following disciplinary actions, either alone or in combination:

- a. Verbal warning
- b. Written warning
- c. Written notification to parent
- d. Detention (i.e. lunch, recess, and after-school)
- e. Suspension from class
- f. Suspension from transportation.
- g. Suspension from athletic participation

- h. Suspension from social or extracurricular activities
- i. Suspension of other privileges
- j. In-school suspension
- k. Removal from classroom by teacher.
- l. Short-term (five days or less) suspension from school
- m. Referral to Superintendent's hearing
 - Long-term (more than five days) suspension from school
 - Permanent suspension from school

All disciplinary actions imposed must be consistent with the student's right to due process.

Additional Disciplinary and Remedial Consequences for Bullying, Harassment and Discrimination:

The Dignity Act calls for “remedial responses” to code of conduct violations. The Board supports the development of measured, balanced and age-appropriate responses to the bullying, harassment and discrimination of students by students and/or employees on school property, including school functions, with remedies and procedures focusing on intervention and education. Successful intervention may involve remediation.

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.

Remedial responses to bullying, harassment and discrimination include measures designed to correct the problem behavior, prevent another occurrence of the behavior and protect the target of the act. Appropriate remedial measures **may** include, but are not limited to:

- Restitution and restoration
- Peer support groups
- Corrective instruction or other relevant learning or service experience
- Supportive intervention
- Behavioral assessment or evaluation
- Behavioral management plans, with benchmarks that are closely monitored
- Student counseling
- Parent conferences
- Student treatment or in-school counseling
- Modification of schedules
- Adjustment in hallway traffic and other student routes of travel
- Targeted use of monitors.

The amount of due process a student is entitled to receive before a disciplinary action is imposed depends on the severity of the penalty or response to behavior

being applied. In all cases, regardless of the remedial response to behavior being applied, the school personnel authorized to impose the disciplinary action 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 action. Students who are to be given penalties other than a verbal warning, written warning or written notification to their parents are entitled to additional interventions before the penalty is imposed. Once an In-School or Out-of-School suspension has been articulated to the student and his/her parent/guardian by the principal or his/her designee, the student shall not be permitted to participate in any extracurricular events (sports, clubs, etc.) either as a participant or a spectator until the parent/guardian-student conference is held with an administrator on the first school day after the suspension ends. Both the notice and informal conference shall be in the dominant language of "at least one person in the parental relation to the student.

2. Types of Disciplinary Consequences and Procedures

a. Temporary classroom leaves

A student's behavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In most instances the classroom teacher can control a student's behavior and maintain or restore control over the classroom by using good classroom management techniques. These techniques may include practices that involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain his or her composure and self-control in an alternative setting. Such practices may include, but are not limited to:

1. Short-term "time out" in an elementary classroom or in an administrator's office;
2. Sending a student into the hallway briefly;
3. Sending a student to the principal's office for the remainder of the class time only;
4. Sending a student to a school counselor or other district staff member for counseling.
5. Sending student to Office of Dean/Teacher in Charge

Time-honored classroom management techniques such as these do not constitute disciplinary removals for purposes of this code.

b. 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. Parents are to be notified when a teacher assigns detention. Detention will be imposed as a penalty only after the student's parent has been

notified to confirm that there is no parental objection to the penalty and the student has appropriate transportation home following detention.

c. Classroom suspension

On occasion, a student's behavior may become disruptive. For purposes of this code of conduct, a disruptive student is a student who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom. A substantial disruption of the educational process or substantial interference with a teacher's authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher's instructions or repeatedly violates the teacher's classroom behavior rules. A classroom teacher may remove a disruptive student from class for up to two school days. The removal from class applies to the class of the removing teacher only.

If the disruptive student does not pose a danger or on-going 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 forms. 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 other district personnel designated by the principal must notify the student's parents, in writing, that the student has been removed from class and why. The notice must also inform the parent that he or she has the right, upon request, to meet informally with the principal or the principal's designee to discuss the reasons for the removal. Both the

notice and informal conference shall be in the dominant language or mode of communication used by the parents.

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

The principal may require the teacher who ordered the removal to attend the informal conference. If at the informal meeting the student denies the charges, the principal or the principal's designee must explain why the student was removed and give the student and the student's parents a chance to present the student's version of the relevant events. The informal meeting must be held within 48 hours of the student's removal. 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 or her designee may overturn a removal at any point between receiving the referral form issued by the teacher and the close of business on the day following the 48-hour period for the informal conference, if a conference is requested. No student removed from the classroom by the classroom teacher will be permitted to return to the classroom until the principal makes a final determination, or the period of removal expires, whichever is less. Any disruptive student removed from the classroom by the classroom teacher shall be offered continued educational programming and activities until he or she is permitted to return to the classroom.

The principal must keep a log of all removals of students from class.

Removal of a student with a disability, under certain circumstances, may constitute a change in the student's placement. Accordingly, no teacher may remove a student with a disability from his or her class until he or she has verified with the principal or the chairperson of the

Committee on Special Education that the removal will not violate the student's rights under state or federal law or regulation.

d. In-school suspension

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

e. Suspension from transportation

If a student does not conduct himself/ herself properly on a bus, the bus driver is expected to bring such misconduct to the building principal's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the building 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. Referrals for out of district students will be sent to the Director of Transportation. Should the suspension from transportation amount to a suspension from attendance, the district will make appropriate arrangements to provide for the student's education. A student subjected to a suspension from transportation is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the building principal or the principal's designee to discuss the conduct and the penalty involved.

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

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

g. Suspension from School

Suspension from school is a severe penalty, which may be imposed only upon students who are insubordinate, disorderly, violent or disruptive, or whose conduct otherwise endangers the safety, morals, health or welfare of others. The Board retains its authority to suspend students, but places primary responsibility for the suspension of students with the Superintendent and the building principals. Any staff member may recommend to the Superintendent or the principal that a student be suspended. All staff members must immediately report and refer a violent student to the principal or the Superintendent for a violation of the code of conduct. All recommendations and referrals shall be made in writing unless the 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.

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

The notice shall provide a description of the charges against the student and the incident for which suspension is proposed and shall inform the parents of the right to request an immediate informal conference with the principal. Both the notice and informal conference shall be in the dominant language or mode of communication used by the parents. At the conference, the parents shall be permitted to ask questions of complaining witnesses under such procedures as the principal may establish. The notice and opportunity for an informal conference shall take place before the student is suspended unless the student's presence in school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process. If the student's presence does pose such a danger or threat of disruption,

the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable.

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

When the building principal determines that a suspension for more than five days may be warranted, he or she shall give reasonable notice to the student and the student's parents of their right to a fair hearing. At the hearing the student shall have the right to be represented by counsel, the right to question witnesses against him or her and the right to present witnesses and other evidence on his or her behalf. The Superintendent shall personally hear and determine the proceeding or may, in his or her discretion, designate a hearing officer to conduct the hearing. The hearing officer shall be authorized to administer oaths and to issue subpoenas in conjunction with the proceeding before him or her. A record of the hearing shall be maintained, but no stenographic transcript shall be required. A tape recording shall be deemed a satisfactory record. The hearing officer shall make findings of fact and recommendations as to the appropriate measure of discipline to the Superintendent. The report of the hearing officer shall be advisory only, and the Superintendent may accept all or any part thereof.

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

h. 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 wellbeing of other students, school personnel or any other person lawfully on school property or attending a school function.

3. *Minimum Periods of Suspension*

a. Students who are repeatedly substantially disruptive of the educational process or repeatedly substantially interfere 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 up to five days. For purposes of this code of conduct "repeatedly is substantially disruptive" means engaging in conduct that results in the student being removed from the classroom by teacher(s) pursuant to Education Law §3214(3-a) and this code on four or more occasions during a semester, or three or more occasions during a trimester. If the proposed penalty is up to a five-day suspension, the student and the student's parent will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension.

If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The Superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

b. Students who bring a weapon to school

Any student, other than a student with a disability, found guilty of bringing a weapon onto school property will be subject to suspension from school for at least one calendar year. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law §3214.

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

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 appropriately given

c. 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 five days. If the proposed penalty is the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The Superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

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

4. Referrals

a. Counseling

The Guidance Office and/or other appropriate pupil personnel staff shall handle all referrals of students to counseling.

b. 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. Engaging in an on-going or continual course of conduct, which makes the student ungovernable or habitually disobedient, and beyond the lawful control of the school;
or
3. Knowingly and unlawfully possesses marijuana in violation of Penal Law § 221.05. A single violation of § 221.05 will be a sufficient basis for filing a PINS petition.

c. 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 sixteen and older, or any students who are fourteen or fifteen years old who qualify for juvenile offender status to the appropriate law enforcement authorities.

IX. 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.

X. Discipline of Students with Disabilities

The Board recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior. The Board also recognizes that students with disabilities enjoy certain procedural protections whenever school authorities intend to impose disciplinary consequences upon them. The Board is committed to ensuring that the procedures followed for suspending, removing or otherwise disciplining students with disabilities are consistent with the procedural safeguards required by applicable laws and regulations. This code of conduct affords students with disabilities subject to disciplinary action no greater or lesser rights than those expressly afforded by applicable federal and state law and regulations.

A. Authorized Suspensions or Removals of Students with Disabilities

1. For purposes of this section of the code of conduct, the following definitions apply.
 - A "suspension" means a suspension pursuant to Education Law § 3214.
 - A "removal" means a removal for disciplinary reasons from the student's current educational placement other than a suspension and change in placement to an interim alternative educational setting (IAES) ordered by an impartial hearing officer because the student poses a risk of harm to himself or herself or others.
 - An "IAES" means a temporary educational placement for a period of up to 45 **school** days, determined by the Committee on Special Education (CSE), other than the student's current placement at the time the behavior precipitating the IAES placement occurred, that should enable the student to continue to progress in the general curriculum although in another setting. The student will continue to receive those services and modifications, including those described on the current individualized education program (IEP), that will enable the student to meet the goals set out in such IEP, and include services and modifications to address the behavior which precipitated the IAES placement that are designed to prevent the behavior from recurring.

2. School personnel may order the suspension or removal of a student with a disability from his or her current educational placement as follows:
 - a. The Board, the district (BOCES) Superintendent of schools or a building principal 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 and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior.
 - b. The Superintendent may order the placement of a student with a disability into an appropriate IAES, another setting or suspension for a period not to exceed 10 consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (a) above for the same behavior, if the Superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.
 - c. The Superintendent may order additional suspensions of not more than 10 consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement.

- d. The Superintendent may order the placement of a student with a disability in an IAES, to be determined by the committee on special education (CSE), for the same amount of time that a student without a disability would be subject to discipline, but not more than 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 under the district's jurisdiction, or (2) the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises or at a school function under the district's jurisdiction, or (3) the student has inflicted serious bodily injury upon another person while at school, on school premises or at a school function under the district's jurisdiction.
- 1) "Weapon" means the same as "dangerous weapon" under 18 U. S. C. § 930(g)(w) 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...[for] a pocket knife with a blade of less than 2 1/2 inches in length."
 - 2) "Controlled substance" means a drug or other substance identified under schedule I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 USC § 812(c).
 - 3) "Illegal drug" means a controlled substance except for those legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under the authority of the Controlled Substances Act or under any other provision of federal law.) Subject to specified conditions required by both federal and state law and regulations, an impartial hearing officer may order the placement of a student with a disability in an IAES setting for up to 45 **school** days at a time, if maintaining the student in his or her current educational placement poses a risk of harm to the student or others.

B. Change of Placement Rule

1. A 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.
2. School personnel may not suspend or remove a student with disabilities if imposition of the suspension or removal would result in a disciplinary change in placement based on a pattern of suspension or removal. However, the district may impose a suspension or removal, which would otherwise result in a disciplinary change in placement, based on a pattern of suspensions or removals if (1) the manifestation determination team has determined that the behavior was not a manifestation of the student's disability, or (2) the student is placed in an IAES for behavior involving weapons, illegal drugs or controlled substances, or the infliction of serious bodily injury.

C. Special Rules Regarding the Suspension or Removal of Students with Disabilities

1. The district's Committee on Special Education shall:
 - a. Conduct functional behavioral assessments to determine why a student engages in a particular behavior, and develop or review behavioral intervention plans whenever the district is first suspending or removing a student with a disability for more than 10 school days in a school year or imposing a suspension or removal that constitutes a disciplinary change in placement, including a change in placement to an IAES for misconduct involving weapons, illegal drugs or controlled substances, or the infliction of serious bodily injury. If subsequently, a student with a disability who has a behavioral intervention plan and who has been suspended or removed from his or her current educational placement for more than 10 school days in a school year is subjected to a suspension or removal that does not constitute a disciplinary change in placement, the members of the CSE shall review the behavioral intervention plan and its implementation to determine if modifications are necessary. If one or more members of the CSE believe that modifications are needed, the school district shall convene a meeting of the CSE to modify such

- plan and its implementation, to the extent the committee determines necessary.
 - b. Conduct a manifestation determination review of the relationship between the student's disability and the behavior subject to disciplinary action whenever a decision is made to place a student in an IAES either for misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in his current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension that constitutes a disciplinary change in placement.
- 2. The parents of a student who is facing disciplinary action, but who has not been determined to be eligible for services under IDEA and Article 89 at the time of misconduct, shall have the right to invoke applicable procedural safeguards set forth in federal and state law and regulations if, in accordance with federal and state statutory and regulatory criteria, the school district is deemed to have had knowledge that their child was a student with a disability before the behavior precipitating disciplinary action occurred. If the district is deemed to have had such knowledge, the student will be considered a student presumed to have a disability for discipline purposes.
 - a. The Superintendent, building principal or other school official imposing a suspension or removal shall be responsible for determining whether the student is a student presumed to have a disability.
 - b. A student will not be considered a student presumed to have a disability for discipline purposes if, upon receipt of information supporting a claim that the district had knowledge the student was a student with a disability, the district either:
 - 1) Conducted an individual evaluation and determined that the student is not a student with a disability, or
 - 2) Determined that an evaluation was not necessary and provided notice to the parents of such determination, in the manner required by applicable law and regulations. 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 a request for an individual evaluation is made while such non-disabled student is subjected to a disciplinary

removal, an expedited evaluation shall be conducted and completed in the manner prescribed by applicable federal and state law and regulations. Until the expedited evaluation is completed, the non-disabled student who is not a student presumed to have a disability for discipline purposes shall remain in the educational placement determined by the district, which can include suspension.

3. The district shall provide parents with notice of disciplinary removal no later than the date on which a decision is made to change the placement of a student with a disability to an IAES for either misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in his/ her current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension or removal that constitutes a disciplinary change in placement. The procedural safeguards notice prescribed by the Commissioner shall accompany the notice of disciplinary removal.
4. The parents of a student with disabilities subject to a suspension of five consecutive school days or less shall be provided with the same opportunity for an informal conference available to parents of non-disabled students under the Education Law.
5. Superintendent hearings on disciplinary charges against students with disabilities subject to a suspension of more than five school days shall be bifurcated into a guilt phase and a penalty phase in accordance with the procedures set forth in the Commissioner's regulations incorporated into this code.
6. The removal of a student with disabilities other than a suspension or placement in an IAES shall be conducted in accordance with the due process procedures applicable to such removals of non-disabled students, except that school personnel may not impose such removal for more than 10 consecutive days or for a period that would result in a disciplinary change in placement, unless the manifestation determination team has determined that the behavior is not a manifestation of the student's disability.
7. During any period of suspension or removal, including placement in an IAES, students with disabilities shall be provided services as required by the Commissioner's Regulations incorporated into this code.

D. Expedited Due Process Hearings

1. An expedited due process hearing shall be conducted in the manner specified by the Commissioner's Regulations incorporated into this code, if:

- a. The district requests such a hearing 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 his or her current educational placement, or during the pendency of due process hearings where school personnel maintain that it is dangerous for the student to be in his or her current educational placement during such proceedings.
 - b. The parent requests such a hearing from a determination that the student's behavior was not a manifestation of the student's disability, or relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES.
 - 1) During the pendency of an expedited due process hearing or appeal regarding the placement of a student in an IAES for behavior involving weapons, illegal drugs or controlled substances, or on grounds of dangerousness, or regarding a determination that the behavior is not a manifestation of the student's disability for a student who has been placed in an IAES, the student shall remain in the IAES pending the decision of the impartial hearing officer or until the IAES placement, whichever occurs first, unless the parents and the district agree otherwise.
 - 2) If school personnel propose to change the student's placement after expiration of an IAES placement, during the pendency of any proceeding to challenge the proposed change in placement, the student shall remain in the placement prior to removal to the IAES, except where the student is again placed in an IAES.
2. The district will arrange for, and an impartial hearing officer will conduct, an expedited due process hearing in accordance with the procedures established in the 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.

E. Referral to law enforcement and judicial authorities

In accordance with the provisions of IDEA and its implementing regulations:

1. The district may report a crime committed by a child with a disability to appropriate authorities, and such action will not constitute a change of the student's placement.
2. The Superintendent shall ensure that copies of the special education and disciplinary records of a student with disabilities are transmitted for consideration to the appropriate authorities to whom a crime is reported.

For more detailed information on disciplining students with disabilities, see Part 201 of the Regulations of the Commissioner of Education.

XI. Corporal Punishment

Corporal punishment is any act of physical force upon a student for the purpose of punishing that student. Corporal punishment of any student by any district employee is strictly forbidden.

However, in situations where alternative procedures and methods that do not involve the use of physical force cannot reasonably be used, reasonable physical force may be used to:

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

In all cases, the employee is expected to use the minimum amount of force necessary.

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

XII. Student Searches and Interrogations

The Board of Education is committed to ensuring an atmosphere on school property and at school functions that is safe, supportive and orderly. To achieve this kind of environment, any school official authorized to impose a disciplinary consequence on a student may question a student about an alleged violation of law or the district code of conduct. School officials questioning students shall advise each student why he/she is being questioned. However, parent(s) and students should be aware that school officials are under no obligation to contact a student's parent(s) prior to questioning the student nor are the students entitled to be advised of their legal rights, i.e. "Miranda"-type warning, before being questioned by school officials as

such rights only apply to situations where an individual is being questioned while in the custody of police.

Students are protected by the Constitution from unreasonable searches and seizures. A school official authorized by the Board of Education, includes but is not limited to, the Superintendent, district and building administrators, the school nurse, and security officials (in the presence of an administrator) may conduct a search of students and/or his or her belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the district code of conduct.

An authorized school official may conduct a search of a student's belongings that is minimally intrusive, such as touching the outside of a book bag, without reasonable suspicion, so long as the school official has a legitimate reason for the very limited search.

An authorized school official may search a student or 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 ask the student whether 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.

A search that goes beyond a search of a student's outer clothing and belongings, may only take place when there is reasonable suspicion of danger or a reasonable suspicion that the student has hidden evidence beneath his/her outer clothing.

When practical, two administrators should be present for student searches. This is particularly important when the search goes beyond a student's outer clothing and belongings. If a student is being asked to remove an outer layer of clothing, the search should be conducted by a staff member of the same sex.

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. Documentation of Searches

The authorized school official conducting the search is encouraged to promptly record information about each search, which may include any of the following:

1. Name, age and grade of student searched.
2. Reasons for the search.
3. Purpose of search (that is, what item(s) were being sought).
4. Type and scope of search.
5. Person conducting search and his or her title and position.
6. Witnesses, to the search.
7. Time and location of search.
8. Results of search (that is, what items(s) were found).
9. Disposition of items found.
10. Time, manner and results of parental notification.

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

C. 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
3. Been invited by school officials.

Before police officials are permitted to question or search any student, the building principal or his or her designee shall first try to notify the student's parent to give the parent the opportunity to be present during the police questioning or search. If the student's parent cannot be contacted prior to the police questioning or search, the questioning or search shall not be conducted. 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.

D. Child Protective Services Investigations

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

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

XIII. Visitors to the Schools

The building 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:

- A. Anyone who is not a regular staff member or student of the school will be considered a visitor.
- B. All visitors to the school must report to the security officer (Pre-K report to the Main Office) upon arrival at the school. There they will be required to sign the visitor's register and show a photo ID. They 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 officer (Pre-K return to the Main Office) and sign out before leaving the building.
- C. Visitors attending school functions that are open to the public or public gatherings are not required to register.
- D. Parents who wish to observe a classroom while school is in session are required to arrange such visits in advance with the classroom teacher(s), so that class disruption is kept to a minimum.
- E. Teachers are expected not to take class time to discuss individual matters with visitors.
- F. 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.
- G. All visitors are expected to abide by the rules for public conduct on school property contained in this code of conduct.

XIV. Public Conduct on School Property

The district is committed to providing an orderly, safe, supportive, 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 abuse of the rights of others. All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner, are expected to be properly attired for the purpose they are on school property and must adhere to the guidelines of this Code of Conduct.

A. Prohibited Conduct

No person, either alone or with others, shall:

1. Intentionally injure any person or threaten to do so.
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, color, creed, weight, national origin, ethnic group, religion, religious practice, age, gender, sex, marital status, sexual orientation or disability, military status, predisposing genetic characteristics or domestic violence victim status.
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. Use tobacco products.
10. Possess, consume, sell, distribute or exchange alcoholic beverages, controlled substances, or be under the influence of either on school property or at a school function.
11. 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.
12. Loiter on or about school property.
13. Gamble on school property or at school functions.
14. Refuse to comply with any reasonable order of identifiable school district officials performing their duties.
15. Willfully incite others to commit any of the acts prohibited by this code.
16. Violate any federal or state statute, local ordinance or board policy while on school property or while at a school function.

B. Consequences

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

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 §3020a 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 3 and 4. They shall be subject to warning, reprimand, suspension or dismissal as the facts may warrant in accordance with any legal rights they may have.

C. Enforcement

The building principal or his or her designee shall be responsible for enforcing the conduct required by this code. When the building principal or his or her designee sees an individual engaged in prohibited conduct, which in his or her judgment does not pose any immediate threat of injury to persons or property, the principal or his or her designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The principal or his or her designee shall also warn the individual of the consequences for failing to stop. If the person refuses to stop engaging in the prohibited conduct, or if the person's conduct poses an immediate threat of injury to persons or property, the principal or his or her designee shall have the individual removed immediately from school property or the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the person. The district shall initiate 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.

XV. 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 a summary of the code to all students, in an age-appropriate version, written in plain language, at a school assembly to be held at the beginning of each school year.

2. Posting a complete copy of the code of conduct, including any annual updates or amendments thereto, on the district's website.
3. Providing a summary of the code of conduct written in plain language to all parents of district students before the beginning of each school year and making this summary available later upon request.
4. Providing all current teachers and other staff members with a complete 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 complete copy of the current code of conduct when they are first hired.
6. Making complete copies of the code available for review by students, parents, other school staff and other community members.

The Board will sponsor an in-service education program for all district staff members to ensure the effective implementation of school policy on school conduct and discipline, including but not limited to, guidelines on promoting a safe and supportive school climate while discouraging, among other things, discrimination or harassment against students by students and/or school employees; and including safe and supportive climate concepts in the curriculum and classroom management.. 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.

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 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 no later than 30 days after adoption.

Non-Discrimination Policy, Annual Notice

The Long Beach City School District hereby advises students, parents, employees, and the general public that it offers employment and educational opportunities, including vocational educational opportunities, without regard to race, creed, color, weight, height, religion, national origin, ethnic group, political affiliation, sexual identity, gender, sexual orientation, age, marital status, military status, veterans' status, disability, predisposing genetic characteristics, or the use of a recognized guide dog, hearing dog or service dog. Grievance procedures are available to interested persons by contacting either of the compliance officers listed below. Inquiries regarding this nondiscrimination policy may be directed to:

Michael I DeVito, Esq., Dr. Ayesha McArthur, or Dr. Michele Natali Title IX compliance officer (sex discrimination) Long Beach City School District 235 Lido Blvd Lido Beach, NY 11561 516-897-2112	or	Dr. Sabrina Brancaccio or Steven Lahey Section 504 compliance officer (handicap discrimination) Long Beach City School District 601 Lindell Blvd Long Beach, NY 11561 516-897-2200
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A copy of the secondary vocational education courses offered is available to district residents and may be obtained on our web site, www.lbeach.org or by calling 516-897-2019.

Política de no discriminación, Anuncio anual

El distrito escolar de la ciudad de Long Beach, por medio de la presente, informa a los estudiantes, padres de familia, empleados y al público en general que éste ofrece empleo y oportunidades educativas, incluyendo oportunidades vocacionales educativas sin distinción de sexo, color, origen o incapacidad. Los procedimientos para sus quejas están disponibles a las personas interesadas, contactando a cualquiera de las funcionarias del cumplimiento de la ley que están en la lista de abajo. Las preguntas con respecto a esta política de no discriminación deben ser dirigidas a:

Michael I DeVito, Esq., Dr. Ayesha McArthur, or Dr. Michele Natali Funcionaria del cumplimiento de la ley Título IX (Discriminación por sexo) Long Beach City School District 235 Lido Blvd Lido Beach, NY 11561 516-897-2112	or	Dr. Sabrina Brancaccio or Steven Lahey Funcionaria del cumplimiento de la ley Sección 504 (Discriminación por incapacidad) Long Beach City School District 601 Lindell Blvd Long Beach, NY 11561 516-897-2200
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Una copia de los cursos vocacionales ofrecidos para la educación secundaria está disponible a los residentes del distrito, ésta podrá ser obtenida en nuestra página web, www.lbeach.org, o llamando al 516-897-2019.

Non-Discrimination Policy, Public Notification

No student shall, on the basis of actual or perceived race, creed, color, weight, height, religion, national origin, ethnic group, political affiliation, sexual identity, gender, sexual orientation, age, marital status, military status, veterans' status, disability, predisposing genetic characteristics, or the use of a recognized guide dog, hearing dog or service dog, be excluded from participation in, be denied the benefits of, or otherwise be subject to unlawful discrimination under any career and technical education program or activity. Inquiries regarding this nondiscrimination policy may be directed to:

Michael I DeVito, Esq., Dr. Ayesha McArthur, or
or Dr. Michele Natali
Title IX compliance officer
(sex discrimination)
Long Beach City School District
235 Lido Blvd
Lido Beach, NY 11561
516-897-2112

Dr. Sabrina Brancaccio or
Steven Lahey
Section 504 compliance officer
(handicap discrimination)
Long Beach City School District
601 Lindell Blvd
Long Beach, NY 11561
516-897-2200

Política de no discriminación, Notificación Pública

Ningún estudiante, en base a su género, raza, color, origen, incapacidad o edad podrá ser excluido de participar en cualquier carrera y programa técnico educativo o actividad, o ser negado de los beneficios como partícipe de éstos, de lo contrario estará siendo sujeto a discriminación ilegal en base a lo estipulado anteriormente. Las preguntas con respecto a la política de no discriminación deben ser dirigidas a:

Michael I DeVito, Esq., Dr. Ayesha McArthur, or
or Dr. Michele Natali
Funcionaria del cumplimiento de la ley
Título IX
(Discriminación por sexo)
Long Beach City School District
235 Lido Blvd
Lido Beach, NY 11561
516-897-2112

Dr. Sabrina Brancaccio or
Steven Lahey
Funcionaria del cumplimiento de la ley
Sección 504
(Discriminación por incapacidad)
Long Beach City School District
601 Lindell Blvd
Long Beach, NY 11561
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