

CHAPTER 4

PUPIL PERSONNEL SERVICES

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Updated: July 2016

NON-RESIDENT STUDENTS

It shall be the policy of the Norwich City School District to accept non-resident students for attendance in the district's schools subject to the following guidelines:

1. All non-resident students accepted for attendance shall pay tuition. Tuition rates shall be established in a manner consistent with the "Seneca Falls Formula".
2. Employees having dependent children will be permitted to send them to the Norwich City School District to attend district-housed programs tuition free. It is understood that the employee is responsible for transportation to and from school.
3. An application for the placement of a non-resident student shall be completed annually, on forms maintained by the District for that purpose and filed with the Superintendent of Schools.
4. The District reserves the right to deny continued attendance to non-resident students with poor behavior and discipline records. In the event that the student is in need of special education services, the District will provide such services to non-resident students only if it has available space and/or staff to do so.
5. All non-resident student applications will be subject to approval by the Superintendent of Schools.
6. In the case of individuals who anticipate establishing their place of residence within the Norwich School District after the start of a school year, yet wish to enroll their children at the start of the year, non-resident tuition will be charged. However, upon acceptable notice to the Superintendent that residence has been established, all tuition payments received will be refunded.
7. There must be sufficient space in the appropriate building to accommodate the non-resident student with no increase in the size of faculty or staff to accommodate the non-resident student and no increase in costs to the District.
8. Children of parents moving from the Norwich School District during the school year shall be allowed to complete the semester without the payment of tuition. Seniors will be allowed to complete the entire school year without payment of tuition, if their families move from the Norwich School District during their senior year.
9. In certain situations, to be determined by the Superintendent of Schools, children under 16 years of age residing with relatives or boarding within the Norwich School District, whose parents maintain residence outside the District, shall be admitted without payment of tuition if their parents affirm in writing that the student's legal residence is within the district; that parental control of the child has been delegated to an adult with whom the child will reside; and that such change of residence and designation of parental control is not made in an effort to circumvent the payment of tuition. The adult accepting control of the child shall also so affirm in writing.

According to State law, persons 16 years of age and older can determine their place of residence, independent of parental control/support. Such students, who have established their legal and actual residence in the Norwich School District, will be permitted to enroll tuition-free even though their parents reside outside the Norwich School District.

Policy Adopted: December 21, 1986
 Policy Amended: June 16, 1986
 Policy Amended: September 21, 1987
 Policy Amended: July 6, 2016

NORWICH CITY SCHOOLS
NORWICH CITY SCHOOL DISTRICT

Board Policy

A400.2

A400.2

ADMISSION TO PRE-KINDERGARTEN AND KINDERGARTEN

Pre-Kindergarten: Any child whose 4th birthday falls on or before November 30 may enter pre-kindergarten with the opening of school in September of the same year.

The child must live in the District to attend the program. Children will be admitted to the program on a first come, first served basis.

Kindergarten: Any child whose 5th birthday falls on or before November 30 may enter Kindergarten with the opening of school in September of the same year.

In the event that parents wish to have a child considered for early kindergarten enrollment, such child will be evaluated in the District's Bridging Program during the summer immediately preceding potential school enrollment.

The final decision regarding such early enrollment will rest with the Superintendent of Schools.

Policy Adopted: February 27, 1978
Policy Amended February 22, 1993
Policy Amended: October 16, 2007

NORWICH CITY SCHOOLS

Board Policy

A400.3

A400.3

STUDENT IMMUNIZATION

As per public health and education laws, all children entering school shall be immunized against measles, polio, diphtheria, mumps and rubella, hepatitis B*, haemophilus influenzae, varicella. It shall be the responsibility of the person in parental relation to the child to provide certification of such immunization to the school district.

Exceptions to the above policy will be made:

1. If a physician will testify or certify that the required immunizations are detrimental to the health of the child under his or her present conditions,

OR

2. If the child belongs to a bona-fide, recognized religious organization whose teachings are contrary to the above policy.

An annual survey of student immunization will be completed by the Superintendent of Schools and appropriate cumulative health records will be maintained.

*Hep B – 7th graders entering school on or after 9/01/2000

Policy Adopted: February 21, 1972
Policy Amended: May 16, 1983
Policy Amended: March 17, 1997
Policy Amended: March 18, 2002

NORWICH CITY SCHOOLS

Board Policy

A400.4

A400.4

CENSUS

Pursuant to Education Law, every two years a school census will be taken which will include all minors between birth and 18 years of age and those with disabilities, from birth until the age of 21.

The procedures to locate, identify, and evaluate all nonpublic private school students with disabilities, including religious-school children residing in the school district, must be comparable to activities undertaken for students with disabilities in public schools. The Board of Education shall consult with appropriate representatives of private school students with disabilities, that may include representatives of organizations of nonpublic school groups, selected parents of students with disabilities enrolled in nonpublic schools, and selected representatives of the nonpublic schools in the school district, on how to carry out the activities described in this section.

The census must be prepared in duplicate and one copy filed with teacher or Principal and the other filed with the Superintendent on or before the fifteenth of October. All information regarding persons with disabilities under the age of 21 must be filed annually with the District Superintendent of the Delaware-Chenango-Madison-Otsego BOCES.

Ref: Education Law §§ 3212, 3240 et. Seq.
8 NYCRR §

Policy Adopted: February 21, 1972
Policy Amended: May 16, 1983
Policy Amended: March 17, 1997
Policy Amended: December 18, 2000

NORWICH CITY SCHOOLS

Board Policy

A401.1

A401.1

ATTENDANCE

All students are required to be regular and punctual in their attendance. Written excuses by parents or guardians will be required for absences and tardiness. Frequent or prolonged absence shall be investigated by members of the administrative staff, and absences without satisfactory reason may be grounds for disciplinary action.

Policy Adopted: February 21, 1972

Policy Amended: October 16, 2007

NORWICH CITY SCHOOL DISTRICT

Board Policy

A401.2

A401.2

COMPREHENSIVE STUDENT ATTENDANCE POLICY

Statement of Overall Objectives

The Norwich City School District has an attendance expectation that students will be in school and class at all times. Class attendance is a priority as it is essential to promote participation, learning responsibility and academic growth. Because the district recognizes that consistent school attendance, academic success and school completion have a positive correlation, the school district has developed this comprehensive student attendance policy to meet the following objectives:

- a) To accurately track the attendance, absence, tardiness and early departure of students to and from the school.
- b) To ensure sufficient pupil attendance of classes so that pupils may achieve State mandated education standards.
- c) To identify attendance patterns.
- d) To track student location for safety reasons and to account to parents regarding the location of children during school hours.
- e) To verify that individual students are complying with education laws relating to compulsory attendance.
- f) To accurately record daily attendance for State aid purposes.

Description of Strategies to Meet Objectives

The School District will:

- a) Maintain accurate record keeping via a Register of Attendance to record attendance, absence, tardiness or early departure of each student.
- b) Utilize data analysis systems for tracking individual student attendance and individual and group trends in student attendance problems.
- c) Develop early intervention strategies to improve school attendance for all students.
- d) Review on an annual basis the Comprehensive Student Attendance Policy and the student attendance data and recommend any changes.

Determination of Excused and Unexcused Absences, Tardiness and Early Departures

The School District has determined that absences, tardiness and early departures will be considered excused or unexcused according to the following standards.

- a) Excused: An absence, tardiness or early departure may be excused if due to personal illness, illness or death in the family, impassable roads due to inclement weather, religious observance, quarantine, required court appearances, attendance at health clinics, approved college visits, approved cooperative work programs, military obligations, one half day for driver's road test, attendance at school sponsored events, activities, or competitions or other such reasons as may be approved by the Board of Education.
- b) Unexcused: An absence, tardiness or early departure is considered unexcused if the reason for the lack of attendance does not fall into the above categories (e.g., family vacation, hunting, babysitting, hair cut, ear & body piercing, private music lessons, oversleeping).

For the purposes of this policy, the following definitions also apply:

1. Scheduled instruction: Every period that a pupil is scheduled to attend instructional or supervised study activities during the course of a school day during the school year.
2. Absent: K-8 – The pupil is not present for the entire period of the pupil's scheduled instruction. 9-12 – The pupil is absent 10 minutes or more of the period of the pupil's scheduled instruction.
3. Tardy: K-8 – The pupil arrives later than the starting time of the pupil's scheduled instruction. 9-12 – The pupil arrives later than the starting time of the pupil's scheduled instruction or the start of the school day.
4. Early departure: The pupil leaves prior to the end of the pupil's scheduled instruction.

Student Attendance Recordkeeping/Data Collection

The record of each student's presence, absence, tardiness and early departure shall be kept in a register of attendance in a manner consistent with Commissioner's Regulations. Therefore, attendance will be taken on a period-by-period basis at the secondary level. An absence, tardiness or early departure will be entered as "excused" or "unexcused" along with the District code for the reason. The Superintendent will establish procedures and a coding system for use throughout the district in accordance with the Commissioner's regulations.

A record shall be kept of each scheduled day of instruction during which the school is closed for all or part of the day because of extraordinary circumstances including adverse weather conditions, impairment of heating facilities, insufficiency of water supply, shortage of fuel, destruction of or damage to a school building, or such other cause as may be found satisfactory to

the Commissioner of Education. Attendance records shall also indicate the date when a student withdraws from enrollment or is dropped from enrollment in accordance with Education Law Section 3202 (1-a).

Student Attendance

Students are expected to attend all scheduled classes. Consistent with the importance of classroom participation, student absences, tardiness, and early departures may affect a student's grade and/or credit.

High School students must be in regular attendance 90% of their scheduled time in order to receive credit. Should a student be absent from school (unexcused) or from class in excess of nine (9) days he/she will lose credit for the semester or for the specific class.

Consistent with the importance of classroom participation, student absences, tardiness, and early departure may affect a student's grade and/or credit.

Students who are absent from class due to their participation in a school-sponsored activity are to arrange with their teachers to make up any work missed in a timely manner as determined by the student's teacher.

Upon returning to school following an absence, tardiness or early departure, it shall be the responsibility of the student to consult with his/her teacher(s) regarding arrangements to make up missed work, assignments and/or tests in accordance with the time schedule specified by the teacher. Education Law also requires a written excuse from a parent or legal guardian stating the date and reason for the absence upon return to school.

Notice of Students who are Absent, Tardy or Depart Early Without Proper Excuse

Where a student has not been marked as present for the first period of scheduled instruction and the school has not been previously notified of the absence, the district shall attempt to contact the student's parent(s) or person in parental relation to learn the nature of the student's absence and notify the parent that the student has not arrived at school.

If deemed necessary, parents/persons in parental relation will be notified by designated District personnel at periodic intervals to discuss the child's absences, tardiness or early departures and the importance of class attendance and appropriate interventions. The school principal and staff will address procedures to implement the notification process to the parent/person in parental relation.

Disciplinary Consequences

The student may be subject to disciplinary procedures for unexcused absences, tardiness, or early departure, including verbal and written warnings, detentions, alternative instruction, and loss of extra-curricular privileges, as described in the Code of Conduct. Students may also receive

disciplinary action in accordance with the Code of Conduct for failure to produce a parentally signed note upon their return to school.

Intervention Strategy Process

The Building Principal shall meet each marking period with other administrators and teachers as the Principal determines necessary to review student attendance records, address identified patterns of unexcused pupil absence, tardiness and early departure, and review current intervention methods. Where the Principal determines that existing intervention policies or practices are insufficient, the Principal shall notify the Superintendent prior to the annual review of the building's attendance records, of both insufficient practices and any proposed changes needing Board approval to implement.

Annual Review by the Board of Education

The Superintendent shall annually review with the Board building level student attendance records, and the Board shall make any revisions to the Policy and plan deemed necessary to improve student attendance.

Community Awareness

The Board of Education through the Superintendent shall promote necessary community awareness of the District's Comprehensive Student Attendance Policy by:

- a) Providing a plain language summary of the policy to parents or persons in parental relation to students at the beginning of each school year and promoting the understanding of such a policy to students and their parents/persons in parental relation;
- b) Providing each teacher, at the beginning of the school year or upon employment, with a copy of the policy; and
- c) Providing copies of the policy to any other member of the community upon request.

Board Policy Adopted: July 1, 2002
Policy Amended: October 16, 2007
Policy Amended: May 20, 2009

NORWICH CITY SCHOOLS

Board Policy

A402.1

A402.1

CODE OF CONDUCT

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

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

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

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

Adapted from:

New York State Council of School Superintendents
School Administrators Association of New York
New York State School Boards Association
Implementing Project SAVE Project
Dignity for All Students Act

Board of Education Adoption: August 20, 2001
Board of Education Recertification: June 15, 2004
Policy Amended: October 16, 2007

NORWICH CITY SCHOOLS

Administrative Guidelines

CODE OF CONDUCT**I. INTRODUCTION**

The Norwich City School District is committed to providing a safe and orderly school environment where students may receive and district personnel may deliver quality educational services without disruption or interference. Responsible behavior by students, teachers, other district personnel, parents and other visitors is essential to achieving this goal.

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

The District recognizes the need to clearly define these expectations for acceptable conduct on school property, to identify the possible consequences of unacceptable conduct, and to ensure that discipline when necessary is administered promptly and fairly. Unless otherwise indicated, this code applies to all students, school personnel, parents and other visitors when on school property or attending a school function. For a complete copy of the Code of Conduct see Board Policy A402.1.

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 of the educational process or substantially interferes with the teacher’s authority over the classroom or interferes with a bus driver’s ability to safely operate a school bus.

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

“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 persons involve direct student contact (Education Law §§11[4] and 1125[3]).

“*School Property*” means in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of a public elementary or secondary school, or in or on a school bus, (Education Law §11[1])

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

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

“*Harassment*” means the creation of a hostile environment by conduct, with 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; the harassing behavior may be based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation or gender (identity or expression) (Education Law §11[7]).

“*Sexual Orientation*” means actual or perceived heterosexuality, homosexuality or bisexuality (Education Law §11[5]).

“*Gender*” means actual or perceived sex and shall include a person’s gender identity or expression (Education Law §11[6]).

“*Hazing*” is a form of harassment which involves committing an act against a student or coercing a student into committing an act that creates a risk of or causes emotional, physical, psychological harm to a person, in order for the student to be initiated or affiliated with a student or other organization, or for any other purpose. Consent or acquiescence is no defense to hazing: i.e., the implied or expressed consent of a person or persons to hazing shall not be a defense to discipline under this policy.

“*Bullying*” is a form of harassment that consists of inappropriate and often persistent behavior including threats or intimidation of others, treating others cruelly, terrorizing, coercing, or habitual put-downs and or badgering of others. Bullying occurs when someone purposely says or does mean or hurtful things to another person.

“*Cyber-Bullying*” refers to any harassment/bullying, on or off school property, which occurs via the internet, cell phones or other electronic devices.

“*Sexting*” refers to an act of sending sexually explicit photos, images, text messages, or e-mails by using a cell phone or other electronic device.

“*School Function*” means any school sponsored extracurricular event or activity (Education 11(2)).

“*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 loaded or unloaded weapon.
4. Displays, while on school property or at a school function, what appears to be a loaded or unloaded weapon.
5. Threatens, while on school property or at a school function, to use a loaded or unloaded weapon.
6. Knowingly and intentionally damages or destroys the personal property of any school employee or any person lawfully on school property or at a school function.
7. Knowingly and intentionally damages or destroys school district property.

“*Weapon*” means a firearm as defined in 18 USC §921 for purposes of the Gun-Free Schools Act. It also means any other gun, BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, chains, 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.

III. DIGNITY ACT COORDINATORS

At least one employee in every school shall be designated as a Dignity Act Coordinator and instructed in the provisions of this subdivision and thoroughly trained in methods to respond to human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender and sex.

1. The designation of each Dignity Act Coordinator shall be approved by the Norwich Central School District Board of Education.
2. The name(s) and contact information for the Dignity Act Coordinator(s) shall be shared with all school personnel, students, and persons in parental relation, which shall include, but is not limited to, providing the name, designated school and contact information of each Dignity Act Coordinator by:
 - a. Listing such information in the code of conduct and updates posted on the Internet web site of the Norwich Central School District.
 - b. Including such information in the plain language summary of the code of conduct provided to all persons in parental relation to students before the beginning of each school year, pursuant to 8 NYCRR 100.2(I)(2)(iii)(b)(3);
 - c. Include such information in at least one district or school mailing per school year to parents and persons of parental relation and, if such information changes, in at least one subsequent district or school mailing as soon as practicable thereafter;
 - d. Posting such information in highly-visible areas of school buildings; and
 - e. Making such information available at the district and school-level administrative offices.
3. In the event a Dignity Act Coordinator vacates his or her position, another school employee shall be immediately designated for an interim appointment as Coordinator, pending approval of a successor Coordinator by the applicable governing body as set forth in subparagraph (i) of this paragraph within 30 days of the date the position was vacated. In the event a Coordinator is unable to perform the duties of his or her position for an extended period of time, another school employee shall be immediately designated for an interim appointment as Coordinator, pending return of the previous Coordinator to his or her duties as Coordinator.

IV. DIGNITY FOR ALL TRAINING

Commencing in the 2012-13 school year and continuing in each school year thereafter, the following Dignity for All school employee training program regulations are to be implement in effort to promote a positive school environment that is free from discrimination and harassment and to discourage and respond to incidents of discrimination and/or harassment on school property or at a school function.

1. Training is to be conducted for all instructional and non-instructional employees of the Norwich Central School District.

2. Training is to raise awareness and sensitivity to potential acts of discrimination or harassment directed at students by students or school employees on school property or at school functions; including by not limited to, discrimination or harassment based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender or sex.
3. Training is to raise awareness and sensitivity to potential acts of discrimination and harassment through cyberbullying/texting.
4. Training is to enable employees to prevent and respond to incidents of discrimination and harassment.
5. Training is to include guidelines relating to the development of nondiscriminatory instructional and counseling methods.
6. Training is to be conducted as needed and may be implemented and conducted in conjunction with existing professional development.

V. STUDENT RIGHTS AND RESPONSIBILITIES

A. Student Rights

The district is committed to safeguarding the rights given to all students under state and federal law and provide student with a safe school climate focused on positive behavior. In addition, to promote a safe, healthy, orderly and civil school environment, all district students have the right to:

1. Take part in all district activities on an equal basis regardless of race, color, weight, national origin, ethnic group, religion, religious practice, gender or sexual orientation or disability.
2. Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty in connection with the imposition of the penalty.
3. Access school rules and receive an explanation of those rules in an age appropriate manner on at least an annual basis from school personnel.

B. Student Responsibilities

All district students have the responsibility to:

1. Contribute to maintaining a safe and orderly school environment that is conducive to learning and to show respect to other persons and to property.

2. Be familiar with and abide by all district policies, rules and regulations dealing with student conduct.
3. Attend school every day unless they are legally excused and be in class, on time, and prepared to learn.
4. Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.
5. React to direction given by teachers, administrators and other school personnel in a respectful, positive manner.
6. 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.
10. Accept responsibility for their actions.
11. Report infractions of the Code of Conduct, including but not limited to instances of discrimination or harassment.
12. 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.

VI. ESSENTIAL PARTNERS

A. Parents

All parents are expected to:

1. Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community.
2. Send their children to school ready to participate and learn.
3. Ensure their children attend school regularly and on time.
4. Ensure absences are excused.
5. Insist their children be dressed and groomed in a manner consistent with the student dress code.
6. Help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
7. Know school rules and help their children understand them.
8. Convey to their children a supportive attitude toward education and the district.
9. Build good relationships with teachers, other parents and their children's friends.
10. Help their children deal effectively with peer pressure.
11. Report infractions of the Code of Conduct, including but not limited to instances of discrimination or harassment.

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.

B. Cafeteria Staff

1. 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' confidence and promote learning.
2. Create and maintain a kitchen/dining area that is clean and safe.
3. Provide a selection of food that will encourage the students to eat a healthy and nutritious meal.
4. Encourage students to conduct themselves in such a manner that will produce an atmosphere that is appropriate for dining.
5. Confront issues of discrimination and harassment committed against students by employees or students 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 in the school or classroom setting.
7. Report infractions of the Code of Conduct, including but not limited to instances of discrimination or harassment.

C. Transportation/Custodial Staff

1. 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' confidence and promote learning.
2. Confront issues of discrimination and harassment committed against students by employees or students 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 in the school or classroom setting.
4. Report infractions of the Code of Conduct, including but not limited to instances of discrimination or harassment.

D. Support Staff

1. 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' confidence and promote learning.
2. Assist in maintaining a climate that is conducive to teaching and learning.
3. Confront issues of discrimination and harassment committed against students by employees or students 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.
4. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
5. Report infractions of the Code of Conduct, including but not limited to instances of discrimination or harassment.

E. Teachers

All district teachers are expected to:

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, which will strengthen students' confidence and promote learning.
2. Be prepared to teach.
3. Demonstrate interest in teaching and concern for student achievement.
4. Know school policies and rules, and enforce them in a fair and consistent manner.
5. Communicate to students and parents:
 - a. Course objectives and requirements
 - b. Marking/grading procedures
 - c. Assignment deadlines
 - d. Expectations for students
 - e. Classroom discipline plan.
6. Communicate regularly with students, parents and other teachers concerning growth and achievement.
7. Confront issues of discrimination and harassment committed against students by employees or students or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
8. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.

9. Report infractions of the Code of Conduct, including but not limited to instances of discrimination or harassment.

F. School Counselors/Social Workers/Psychologists

1. 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' confidence and promote learning.
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. Confront issues of discrimination and harassment committed against students by employee or students or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
8. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
9. Report infractions of the Code of Conduct, including but not limited to instances of discrimination or harassment.

G. Building Level Administrators

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

7. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
8. Confront issues of discrimination and harassment committed against students by employees or students 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. Work with other administrators in enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.

H. District Level Administrators

1. 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, confidence and promote learning.
2. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
3. Review with district administrators the policies of the Board of Education and state and federal laws relating to school operations and management.
4. Inform the board about educational trends relating to student discipline.
5. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
6. Work with district administrators in enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.
7. Confront issues of discrimination and harassment committed against students by employees or students or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
8. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
9. Work with other administrators in enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.

I. Board of Education

1. 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.

2. Adopt and review at least annually the district's code of conduct to evaluate the code's effectiveness and the fairness and consistency of its implementation.
3. Lead by example by conducting board meetings in a professional, respectful, courteous manner.

VII. STUDENT DRESS CODE

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

1. Be safe, appropriate and not disrupt or interfere with the educational process.
2. Recognize that extremely brief garments such as tube tops, net tops, halter tops, spaghetti straps, plunging necklines (front and/or back) and see-through garments cannot be worn on school property or at school functions.
3. Not include items that are vulgar, obscene, and libelous or denigrate others on account of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender and sex.
4. Ensure that underwear, including muscle shirts, is completely covered with outer clothing.
5. Include footwear at all times. Footwear that is a safety hazard will not be allowed.
6. Not include the wearing of hats, scarves, and bandanas in the classroom except for a medical or religious purpose.
7. Not include items that are vulgar, obscene, libelous or denigrate others on account of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender and sex.
8. Not promote and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities.

The Superintendent or his/her designee shall send a letter 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. 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.

VIII. PROHIBITED STUDENT CONDUCT

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

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

The Board recognizes the need to make its expectations for student conduct while on school property or engaged in a school function specific and clear. The rules of conduct listed below are intended to do that and focus on safety and respect for the rights and property of others. Students who will not accept responsibility for their own behavior and who violate these school rules will be required to accept the penalties for their conduct.

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

- A. Engage in conduct that is disorderly. Examples of disorderly conduct include:
 - 1. Running in hallways.
 - 2. Making unreasonable noise.
 - 3. Using language or gestures that are profane, lewd, vulgar or abusive.
 - 4. Obstructing vehicular or pedestrian traffic.
 - 5. Engaging in any willful act which disrupts the normal operation of the school community.
 - 6. Trespassing. Students are not permitted in any school building, other than the one they regularly attend, without permission from the administrator in charge of the building.
 - 7. Harassment, bullying, or intimidating students or school personnel (see also Anti-Bullying/Harassment, Hazing and Sexual Harassment policies).
 - 8. Computer/electronic communications misuse, including any unauthorized use of computers, software, or internet/intranet account; accessing inappropriate websites; or any other violation of the district's acceptable use policy
 - 9. Possession/use of cell phones, beepers, etc.

- B. Engage in conduct that is insubordinate. Examples of insubordinate conduct include:
 - 1. Failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students or otherwise demonstrating disrespect.
 - 2. Lateness for, missing or leaving school without permission.
 - 3. Skipping detention.
 - 4. Failing to report to ISS.

- C. Engage in conduct that is disruptive. Examples of disruptive conduct include:
1. Failing to comply with the reasonable directions of teachers, school administrators or other school personnel in charge of students.
- D. Engage in conduct that is violent. Examples of violent conduct include:
1. Committing an act of violence (such as hitting, kicking, punching, and scratching) upon a teacher, administrator or other school employee or attempting to do so.
 2. Committing an act of violence (such as hitting, kicking, punching, and scratching) upon another student or any other person lawfully on school property or attempting to do so.
 3. Possessing a loaded or unloaded 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.
 4. Displaying what appears to be a loaded or unloaded weapon.
 5. Threatening to use any loaded or unloaded weapon.
 6. Intentionally damaging or destroying the personal property of a student, teacher, administrator, other district employee or any person lawfully on school property.
 7. Intentionally damaging or destroying school district property.
- E. Engage in any conduct that endangers the safety, morals, health or welfare of others. Examples of such conduct include:
1. Lying to school personnel.
 2. Stealing the property of other students, school personnel or any other person lawfully on school property or attending a school function.
 3. 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.
 4. Discrimination, which includes the use of race, color, creed, national origin, religion, gender, sexual orientation or disability as a basis for treating another in a negative manner.
 5. Harassment, which 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.
 6. Harassment or illegal discrimination, which includes the use of race, color, weight, creed, national origin, ethnic group, religion, religious practice, sex, gender, sexual orientation or disability as a basis for treating another in a negative manner (Reference policies on Sexual Harassment, Anti-Bullying, Hazing)
 7. Bullying
 8. Cyberbullying
 9. Sexting
 10. Intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm.

11. Hazing, which includes any intentional or reckless act directed against another for the purpose of initiation into, affiliating with or maintaining membership in any school sponsored activity, organization, club or team.
 12. Selling, using or possessing obscene material.
 13. Using vulgar or abusive language, cursing or swearing.
 14. Possessing a cigarette, cigar, pipe or using chewing or smokeless tobacco.
 15. Possessing, consuming, selling, distributing or exchanging alcoholic beverages illegal substances, or being under the influence of either. "Illegal substances" include, but are not limited to, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroid look-alike drugs, and any substances commonly referred to as "designer drugs."
 16. Possession, use, distribution, transfer or sale of tobacco or tobacco products, alcohol, drugs or other controlled substances, drug paraphernalia or synthetic cannabinoid products including but not limited to incense herbal mixture potpourri (see #8096, "Substance Abuse" policy).
 17. Possessing, using or sharing prescription and over-the-counter drugs.
 18. Gambling.
 19. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner.
 20. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
- F. Engage in misconduct while on a school bus. It is crucial for students to behave appropriately while riding on district buses to ensure their safety and that of other passengers and to avoid distracting the bus driver. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. Excessive noise, pushing, shoving and fighting will not be tolerated.
- G. Engage in any form of academic misconduct. Examples of academic misconduct include:
1. Plagiarism.
 2. Cheating.
 3. Copying.
 4. Altering records.
 5. Assisting another student in any of the above actions.

IX. OFF CAMPUS AND NON-SCHOOL DAY MISCONDUCT

Students may be disciplined for violations of school district policies and the Code of Conduct when there is a connection to or impact, effect on school students, personnel, activities, functions or property. Examples of misconduct include but are not limited to: cyberbullying, sexting, threatening or harassing students or school personnel through the use of electronic devices.

X. REPORTING VIOLATIONS

All students are expected to promptly report violations of the code of conduct to a teacher, guidance counselor, the building principal or his or her designee. Any student observing a student possessing a loaded or unloaded weapon, 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.

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

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

All students are expected to promptly report instances of bullying (verbal, physical, cyberbullying), harassment, discrimination or hazing on school property or at a school function immediately to proper school personnel.

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 on same day as the telephone call is made. The notification must identify the student and explain the conduct that violated the code of conduct and constituted a crime.

XI. DISCIPLINARY PENALTIES, PROCEDURES AND REFERRALS

Discipline is most effective when it deals directly with the problem at the time and place it occurs, and in a way that students view as fair and impartial. School personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in self-discipline. Disciplinary action, when necessary, will be firm, fair and consistent so as to be the most effective in changing student behavior. In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will consider the following:

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

As a general rule, discipline will be progressive. This means that a student's first violation will usually merit a lighter penalty than subsequent violations. If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education and discipline, if warranted, shall be administered consistent with the separate requirements of this code of conduct for disciplining students with a disability or presumed to have a disability. A student identified as having a disability shall not be disciplined for behavior related to his/her disability.

If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education and discipline, if warranted, shall be administered consistent with the separate requirements of this code of conduct for disciplining students with a disability or presumed to have a disability. A student identified as having a disability shall not be disciplined for behavior caused by or had a direct and substantial relationship to the disability or if the conduct was a direct result of the district's failure to implement the IEP.

A. Penalties

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

1. Oral warning – any member of the district staff
2. Written warning – bus drivers, support staff, hall and lunch monitors, coaches, guidance counselors, teachers, principal, superintendent
3. Written notification to parent – bus driver, support staff, hall and lunch monitors, coaches, guidance counselors, teachers, principal, superintendent
4. Detention – teachers, principal, superintendent
5. Suspension from transportation – director of transportation, principal, superintendent
6. Suspension from athletic participation – Athletic Director, coaches, principal, superintendent
7. Suspension from social or extra-curricular activities – activity advisor, principal, superintendent
8. Suspension of other privileges – principal, superintendent
9. In-school suspension – principal, superintendent
10. Removal from classroom by teacher – teachers, principal

11. Short-term (five days or less) suspension from school – principal, superintendent, Board of Education
12. Long-term (more than five days) suspension from school - principal, superintendent, Board of Education
13. Permanent suspension from school – superintendent, Board of Education.

B. Disciplinary and Remedial Consequences

The District emphasizes the creation and maintenance of a positive learning environment for all students. Measured, balanced, and age-appropriate responses to the discrimination and harassment of students by students and/or employees on school property, including school functions, with remedies and procedures focusing on intervention and education is needed to maintain the desired learning climate. Remedial responses which may be utilized include:

1. Peer support groups; corrective instruction or other relevant learning or service experience;
2. Supportive intervention;
3. Behavioral assessment or evaluation;
4. Behavioral management plans, with benchmarks that are closely monitored;
5. Student counseling and parent conferences.

Beyond these individual-focused remedial responses, school-wide or environmental remediation can be important tool to prevent discrimination and harassment. Environmental remediation strategies may include:

1. Supervisory systems which empower school staff with prevention and intervention tools to address incidents of bullying and harassment;
2. School and community surveys or other strategies for determining the conditions contributing to the relevant behavior;
3. Adoption of research-based, systemic harassment prevention programs;
4. Modification of schedules;
5. Adjustment in hallway traffic and other student routes of travel;
6. Targeted use of monitors;
7. Staff professional development;
8. Parent conferences;
9. Involvement of parent-teacher organizations; and
10. Peer support groups.

C. Procedures

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

1. Detention - Teachers, principals and the superintendent may use after school detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate. Detention will be imposed as a 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.
2. Suspension from Transportation - If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the building principal's attention. Students who 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. Should the suspension from transportation amount to a suspension from attendance, the district will make appropriate arrangements to provide for the student's education. A student subjected to a suspension from transportation is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the building principal or the principal's designee to discuss the conduct and the penalty involved.
3. Suspension from Athletic Participation, Extra-Curricular Activities and Other Privileges - A student subjected to a suspension from athletic participation, extra-curricular activities or other privileges is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the district official imposing the suspension to discuss the conduct and the penalty involved.
4. In-School Suspension - The board recognizes the school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the board authorizes building principals and the superintendent to place students who would otherwise be suspended from school as the result of a code of conduct violation in "in-school

A student subjected to an in-school suspension is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the district official imposing the in-school suspension to discuss the conduct and the penalty involved.

5. Teacher Disciplinary Removal Of Disruptive Students - A student's behavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn.

In most instances the classroom teacher can control a student's behavior and maintain or restore control over the classroom by using effective instructional techniques and classroom management strategies. Such practices may include, but are not limited to: (1) short-term "time out" in the classroom or another classroom; (2) referring a student to a guidance counselor or other district staff member for counseling. Time-honored classroom management techniques such as these do not constitute disciplinary removals for purposes of this code.

On occasion, a student's behavior may become disruptive. For purposes of this code of conduct, a disruptive student is a student who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom. 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 one day. 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 will immediately provide the means for instruction including lesson plans and instructional materials.

The teacher must complete a district established disciplinary removal form and meet with the principal or his or her designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the removal form. If the principal or designee is not available by the end of the same school day, the teacher must leave the form with the secretary and meet with the principal or designee prior to the beginning of classes on the next school day. Within 24-hours after the student's removal, the principal or another district administrator designated by the principal must notify the student's 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 and the teacher or the principal's designee to discuss the reasons for the removal.

The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the student's removal at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents. If at the informal meeting the student denies the charges, the teacher or the principal 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. Each teacher must keep a complete log (on a district provided form) for all cases of removal of students from his or her class. The principal must keep a log of all removals of students from class. Removal of a student with a disability, under certain circumstances, may constitute a change in the student's placement. Accordingly, no teacher may remove a student with a disability from his or her class until he or she has verified with the principal or the chairperson of the Committee on Special Education that the removal will not violate the student's rights under state or federal law or regulation.

6. Suspension from School - Suspension from school is a severe penalty, which may be imposed only upon students who are insubordinate, disorderly, violent or disruptive, or whose conduct otherwise endangers the safety, morals, health or welfare of others. The board retains its authority to suspend students, but places primary responsibility for the

suspension of students with the superintendent and the building principals. 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.

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

- a. Short-Term (5 days or less) Suspension from School - When the superintendent or principal (referred to as the “suspending authority”) proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law §3214(3), the suspending authority must immediately notify the student orally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student’s parents in writing that the student may be suspended from school. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension at the last known address for the parents.

Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting the parents. The notice shall provide a description of the charges against the student and the incident for which suspension is proposed and shall inform the parents of the right to request an immediate informal conference with the principal. Both the notice and informal conference shall be in the dominant language or mode of communication used by the parents. At the conference, the parents shall be permitted to ask questions of complaining witnesses under such procedures as the principal may established.

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.

- b. Long-term (more than 5 days) Suspension from School - When the superintendent or building principal determines that a suspension for more than five days may be warranted, he or she shall give reasonable notice to the student and the student's parents of their right to a fair hearing. At the hearing the student shall have the right to be represented by counsel, the right to question witnesses against him or her and the right to present witnesses and other evidence on his or her behalf.

The superintendent shall personally hear and determine the proceeding or may, in his or her discretion, designate a hearing officer to conduct the hearing. The hearing officer shall be authorized to administer oaths and to issue subpoenas in conjunction with the proceeding before him or her. A record of the hearing shall be maintained by the Superintendent, but no stenographic transcript shall be required. A tape recording shall be deemed a satisfactory record. The hearing officer shall make findings of fact and recommendations as to the appropriate measure of discipline to the superintendent. The report of the hearing officer shall be advisory only, and the superintendent may accept all or any part thereof.

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

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

D. Minimum Periods of Suspension

1. Students Who Bring a Loaded or Unloaded Weapon to School - Any student, other than a student with a disability, found guilty of bringing a loaded or unloaded 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:
 - a. The student's age.
 - b. The student's grade in school.
 - c. The student's prior disciplinary record.
 - d. The superintendent's belief that other forms of discipline may be more effective.
 - e. Input from parents, teachers and/or others.
 - f. Other extenuating circumstances.

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

2. Students Who Commit Violent Acts Other Than Bringing a Loaded or Unloaded 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 in the HS and MS or 1-5 days in Elementary Schools. If the proposed penalty is the minimum one to five-day suspension, the student and the student's parents will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five day suspension, the student and the student's parents will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the superintendent may consider the same factors considered in modifying a one-year suspension for possessing a loaded or unloaded weapon.
3. Students Who Are Repeatedly Substantially Disruptive Of The Educational Process Or Repeatedly Substantially Interferes With The Teacher's Authority Over The Classroom - Any student, other than a student with a disability, who repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom will be suspended from school for at least five days for HS and MS and 1-5 days for Elementary Schools. 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 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.

E. Referrals

1. Counseling

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

2. PINS Petitions

The district may file a PINS (person in need of supervision) petition in Family Court on any student under the age of 18 who demonstrates that he or she requires supervision and treatment by:

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

3. Juvenile Delinquents and Juvenile Offenders

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

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

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

XII. 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.

XIII. DISCIPLINE OF STUDENTS WITH DISABILITIES

The board recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior. The board also recognizes that students with disabilities enjoy certain procedural protections whenever school authorities intend to impose discipline upon them. The board is committed to ensuring that the procedures followed for suspending, removing or otherwise disciplining students with disabilities are consistent with the procedural safeguards required by applicable laws and regulations. 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 days, other than the student’s current placement at the time the behavior precipitating the IAES placement occurred, that enables the student to continue to progress in the general curriculum, although in another setting, to continue to receive those services and modifications, including those described on the student’s 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 IAES, another setting or suspension for up to 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 days, if the student carries or possesses a weapon to school or to a school function, or the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function.
 - 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.
 - 2) “Controlled substance” means a drug or other substance identified in certain provisions of the federal Controlled Substances Act specified in both federal and state law and regulations applicable to this policy.
 - 3) “Illegal drugs” 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 any other authority under the Controlled Substances Act or any other federal law.
 - 4) 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 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 accumulate to more than 10 school days in a school year and because of such factors as the length of each suspension or removal, the total amount of time the student is 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 the CSE has determined that the behavior was not a manifestation of the student's disability, or the student is placed in an IAES for behavior involving weapons, illegal drugs or controlled substances.

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. 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.

- 1) 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.

- 2) 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.
- 3) 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.
- 4) 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 CSE has determined that the behavior is not a manifestation of the student's disability.
- 5) 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 expiration of 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. An expedited due process hearing shall be completed within 15 business days of receipt of the request for a hearing. Although the impartial hearing officer may grant specific extensions of such time period, he or she must mail a written decision to the district and the parents within five business days after the last hearing date, and in no event later than 45 calendar days after receipt of the request for a hearing, without exceptions or extensions.

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.

XIV. 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:

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

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

XV. STUDENT SEARCHES AND INTERROGATIONS

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

In addition, the board authorizes the superintendent and building principals, to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the district code of conduct. An authorized school official may conduct a search of a student’s belongings that is minimally intrusive, such as touching the outside of a book bag, without reasonable suspicion, so long as the school official has a legitimate reason for the very limited search.

An authorized school official may search a student or the student’s belongings based upon information received from a reliable informant. Individuals, other than the district employees, will be considered reliable informants if they have previously supplied information that was accurate and verified, or they make an admission against their own interest, or they provide the same information that is received independently from other sources, or they appear to be credible and the information they are communicating relates to an immediate threat to safety. District employees will be considered reliable informants unless they are known to have previously supplied information that they knew was not accurate.

Before searching a student or the student’s belongings, the authorized school official should attempt to get the student to admit that he or she possesses physical evidence that they violated the law or the district code, or get the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought. Whenever practicable, searches will be conducted in the privacy of administrative offices and students will be present when their possessions are being searched.

A. Student Lockers, Desks and other School Storage Places

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

B. Strip Searches

A strip search is a search that requires a student to remove any or all of his or her clothing, other than an outer coat or jacket. If an authorized school official believes it is necessary to conduct a strip search of a student, the school official may do so only if the search is authorized in advance by the superintendent or the school attorney. The only exception to this rule requiring advanced authorization is when the school official believes there is an emergency situation that could threaten the safety of the student or others. Strip searches may only be conducted by an authorized school official of the same sex as the student being searched and in the presence of another district professional employee who is also of the same sex as the student. In every case, the school official conducting a strip search must have probable cause – not simply reasonable cause to believe the student is concealing evidence of a violation of law or the district code. In addition, before conducting a strip search, the school official must consider the nature of the alleged violation, the student’s age, the student’s record and the need for such a search.

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

C. Documentation of Searches

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

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

The 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 item(s) 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.

D. 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, by the police official, 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.

E. 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 not 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.

XVI. VISITORS TO THE SCHOOLS

The board encourages parents and other district citizens to visit the district's schools and classrooms to observe the work of students, teachers and other staff. Since schools are a place of work and learning, however, certain limits must be set for such visits. 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:

1. Anyone who is not a regular staff member or student of the school will be considered a visitor.
2. All visitors to the school must report to the office of the principal upon arrival at the school. There they will be required to sign the visitor's register and will be issued a visitor's identification badge, which must be worn at all times while in the school or on school grounds. The visitor must return the identification badge to the principal's office before leaving the building.
3. Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings, are not required to register.
4. Parents or citizens who wish to observe a classroom while school is in session are required to arrange such visits in advance with the classroom teacher(s), so that class disruption is kept to a minimum.
5. Teachers are expected not to take class time to discuss individual matters with visitors.
6. Any unauthorized person on school property will be reported to the principal or his or her designee. Unauthorized persons will be asked to leave. The police may be called if the situation warrants.

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

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XVII. PUBLIC CONDUCT ON SCHOOL PROPERTY

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

The restrictions on public conduct on school property and at school functions contained in this code are not intended to limit freedom of speech or peaceful assembly. The district recognizes that free inquiry and free expression are indispensable to the objectives of the district. The purpose of this code is to maintain public order and prevent abuse of the rights of others. All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner. In addition, all persons on school property or attending a school function are expected to be properly attired for the purpose they are on school property.

A. Prohibited Conduct

No person, either alone or with others, shall:

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.
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 race, color, creed, national origin, religion, age, gender, sexual orientation or disability.
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. Smoking or use of any tobacco products on school property.
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 loaded or unloaded 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.
17. Intimidate, harass or discriminate against any person on the basis of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.

B. Penalties

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

1. Visitors. Their authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection.
2. Students. They shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.
3. Tenured faculty members. They shall be subject to immediate ejection and to disciplinary action as the facts may warrant in accordance with Education Law §3020-a or any other legal rights that they may have.
4. Staff members in the classified service of the civil service entitled to the protection of Civil Service Law §75. They shall be subject to immediate ejection and to disciplinary action as the facts may warrant in accordance with Civil Service Law §75 or any other legal rights that they may have.
5. Staff members other than those described in subdivisions 4 and 5. They shall be subject to warning, reprimand, suspension or dismissal as the facts may warrant in accordance with any legal rights they may have.

C. Procedures

In case of violation of this section:

1. The Superintendent, building principal or designee shall inform any licensee or invitee, who shall violate any provision of these rules, that his license or invitation is withdrawn and shall direct him to leave the district grounds. In the event of his failure or refusal to do so, the superintendent or designee shall cause his ejection from such property.

2. In the case of any other violator who is neither a student nor faculty nor other staff member, the superintendent or designee shall inform the violator that he is not authorized to remain on the property of the district, and direct him to leave such premises. In the event of his failure or refusal to do so, the superintendent or designee shall cause his ejection from such property. Nothing in this subdivision shall be construed to authorize the presence of any such person at any time prior to such violation, or to affect his liability to prosecution for trespassing or loitering as prescribed in the Penal Law.
3. In the case of a student, charges for violation of any of these rules shall be presented and shall be heard and determined in the manner provided in Section 3214(3) of the Education Law.
4. In the case of a faculty member having tenure, charges for misconduct and violation of these rules shall be made, heard and determined in accordance with Section 3020-a of the Education Law.
5. In the case of a faculty member not having tenure, the superintendent will attend to the violation as agreed upon within the terms of the collective bargaining agreement.
6. In the case of any staff member who holds a position in the classified Civil Service as described in Section 75 of the Civil Service Law or is covered by Section 75 of the Civil Service Law, charges of misconduct for violation of any of these rules shall be made, heard and determined as prescribed in that section.
7. In the case of any staff member who does not hold a position in the classified Civil Service and is not covered by the provisions of Section 75 of the Civil Service Law, the superintendent attend to the violation as agreed upon within the terms of the collective bargaining agreement

D. 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 "Penalties" section above. In addition, the district reserves its right to pursue a civil or criminal legal action against any person violating the code.

E. Application of Rules

These rules shall apply to all school property and school functions of the district and shall govern the conduct of students, teachers, staff members, as well as visitors and other licensees and invitees.

XVIII. 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 at a general assembly held at the beginning of each school year.
2. Making copies of the code available to all parents at the beginning of the school year.
3. Mailing a summary of the code of conduct written in plain language to all parents of district students before the beginning of the school year and making this summary available later upon request.
4. Providing all current teachers and other staff members with a copy of the code and a copy of any amendments to the code as soon as practicable after adoption.
5. Providing all new employees with a copy of the current code of conduct when they are first hired.
6. Making copies of the code available for review by students, parents and other community members.

The Board will sponsor an in-service education program for all district staff members to ensure the effective implementation of the code of conduct. The superintendent may solicit the recommendations of the district staff, particularly teachers and administrators, regarding in service programs pertaining to the management and discipline of students. The Board of education will review this code of conduct every year and update it as necessary. In conducting the review, the board will consider how effective the code's provisions have been and whether the code has been applied fairly and consistently.

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

Before adopting any revisions to the code, the board will hold at least one public hearing at which school personnel, parents, students and any other interested party may participate.

The code of conduct and any amendments to it will be filed with the Commissioner no later than 30 days after adoption.

Adapted from: New York State Council of School Superintendents, School Admin Assoc of NY
New York State School Boards Association, Implementing Project SAVE Project

Guidelines Adopted: August 20, 2001
Guidelines Amended: October 16, 2007
Guidelines Amended: March 2013

NORWICH CITY SCHOOL DISTRICT INCIDENT REPORTING FORM

Directions: The Norwich City School District is committed to providing a safe environment to all members of our community. Despite our best intentions, incidents between students do occur at times. If you wish to report a disturbing incident between two or more students, complete this form and return it to the Principal at the student's school. Contact the school for additional information or assistance at any time. This form can be completed anonymously by omitting signature and name. Every reported act of bullying will be investigated. Parents of aggressors and targets will be contacted in cases of confirmed bullying. This form is to be confidentially maintained in accordance with the Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g. Do not file in the cumulative record.

Date of report:			
Name of student target:	Age:	Grade:	School :
Name(s) of alleged aggressor(s) (If known):	Age:	Grade:	School :

Name(s) of witness(es) (If known):

Where did the incident(s) happen (choose all that apply)?

- On school property
 At a school-sponsored activity or event off school property
 Online/via technology
 On a school bus
 Other: _____

What best describes what happened (choose all that apply):

- Teasing
 Threat
 Stalking
 Theft/Property Damage
 Social exclusion
 Intimidation
 Physical violence
 Public humiliation
 Retaliation
 Sexual Harassment
 Other: _____

What did the alleged aggressor(s) say or do? (Include dates. Attach a separate sheet if necessary)

Did a physical injury result from this incident?

- No
 Yes, but it did not require medical attention
 Yes, and it required medical attention

Is there any additional information you would like to provide? (Attach a separate sheet if necessary)

Name Of Person Reporting Incident (Optional): _____

Telephone (optional) _____ E-mail (optional): _____

Place an X in the appropriate box:
 Student
 Parent/guardian
 Other: _____

Signature: _____ Date: _____

Action Taken:

Date: _____

Administrator Signature: _____

This form is to be confidentially maintained in accordance with the Family Educational Rights and Privacy Act.
Do not file on the cumulative record.

**Norwich City School District
Bullying Investigation Form**

Name of student target:	Age/Homeroom teacher:	Investigation start date:
Name(s) of alleged aggressor(s) (if known):	Age/Homeroom teacher:	Investigation start date:

Investigation:

Review & attach Incident Reporting Form

Review student's discipline and school records (include: IEP, 504s)

Consult as needed with additional staff (counselor, nurse, special program's teacher, etc.) Include names here:

Determine which additional staff, if any, needs to be present during student interviews and/or decision process.
Include names here:

Conduct student interviews

Read back to each student a summary of his/her account to ensure accuracy of your notes

If physical injuries occurred, ask nurse to examine target

The following checked items are attached to this report:

- Incident Reporting Form
- Print-outs of blog posts, social networking pages, e-mails, etc.
- Copies of other evidence
- Copies of investigator's notes (transcripts of interviews, etc.)
- Nurse report(s)
- Police report(s)
- Written statements from interviewees, reporters, etc.

Determination:

Check all that apply:

- Repeated use by one or more students of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a target that: (must include at least one of the following)
 - causes physical or emotional harm to the target or damage to the target's property
 - places the target in reasonable fear of harm to himself/herself or damage to his/her property
 - creates a hostile environment at school for the target
 - infringes on the rights of the target at school
 - materially and substantially disrupts the education process or the orderly operation of a school
 - retaliation from reporting of previous incident

Provide brief description of the nature of the bullying (if any):

Provide a final determination:

- Incidents did not meet the standard of bullying
- Bullying has occurred and will be dealt with in-house
- Criminal bullying has occurred and police should be notified of possible criminal charges

Response plan (if any)

Disciplinary actions:

This form is to be confidentially maintained in accordance with the Family Educational Rights and Privacy Act.
Do not file on the cumulative record.

Norwich City School District
Bullying Investigation Form (continued)

Remediation Actions:

- Behavioral Remediation Agreement (attached)
- Individual Behavior Plan (attached – repeat offenders only)

Student Safety Actions:

Notification and Documentation

- Parent(s)/Guardian(s) of the target
- Parent(s)/Guardian(s) of aggressor
- School information system (e-School, Home Access)
- Counselor of target
- Counselor of aggressor
- Director of Special Programs (for repeat offenders)
- Police (if criminal charges are pursued)
- Other schools, coaches, and staff members as appropriate for implementing the disciplinary, remediation, and student safety actions. Please describe:

Administrator/Investigator Signature: _____ Date: _____

NORWICH CITY SCHOOLS
Board Policy

A402.2/A502.3

A402.2/A502.3

BUS CONDUCT

While the law requires the school district to furnish transportation, it does not relieve parents of students from the responsibility of supervision until such time as the child boards the bus in the morning and after the child leaves the bus at the end of the school day.

Once a child boards the bus, and only at that time, does he or she become the responsibility of the school district. Such responsibility shall end when the child is delivered to the regular bus stop at the close of the school day.

In view of the fact that a bus is an extension of the classroom, the Board shall require children to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. The Board of Education forbids all forms of harassment, hazing, and bullying on any district property, school buses, or school-sponsored event – both on and off school grounds that either substantially disrupts the learning environment or negatively affects the rights of others.

In cases where a child does not conduct himself or herself properly on the bus, such instances are to be brought to the attention of the Building Principal by the head bus driver and/or bus driver. The Building Principal will inform the parents immediately of the misconduct and request their cooperation in correcting the child's behavior.

Children who become a serious disciplinary problem on the school bus may have their riding privileges suspended. In such cases, the parents of the children involved become responsible for seeing that their children get to and from school safely.

Policy Adopted: October 16, 1972
Policy Amended: November 13, 2012

NORWICH CITY SCHOOLS

Board Policy

A402.3
A502.6
A602.3

A402.3
A502.6
A602.3

SEXUAL HARASSMENT

The Board of Education of the Norwich City Schools believes that all students and employees are entitled to study and work in an environment free from all forms of discrimination, including sexual harassment. Therefore, consistent with all state and federal laws, the Board of Education prohibits any form of sexual harassment by students or employees. Violation of this policy will result in disciplinary action, as outlined in the Administrative Guidelines of this policy.

The Board of Education also believes that effective efforts to combat sexual harassment must focus not only on enactment of this policy, but on creating an institutional climate that supports respectful relationships and is free from gender inequity. To provide students and employees with the knowledge and skills necessary for them to assume their responsibility in the prevention of sexual harassment and gender inequity, awareness programs will be required for all district staff and secondary students. Issues related to gender equity and respect for others will be integrated into the curricula at both the elementary and secondary level.

Students and employees will be encouraged to report all incidents of sexual harassment. The initiation of a complaint shall not adversely affect the status of a student or employee. Retaliation is also prohibited against any individual who testifies on behalf of a complainant, or any individual who assists or participates in an investigation, proceedings, or hearing conducted under this policy.

A copy of this policy and accompanying procedures will be distributed to all students and employees in the Norwich City School District. Contents of the policy will be reviewed with all employees and students during annual awareness sessions.

Questions regarding the application of this policy are to be directed to the Director of Instruction & Staff Development or the Superintendent of Schools.

Ref. Title VII- 1964 Civil Rights Act
Title IX - 1972 Educational Amendments

Policy Adopted: January 24, 1994
Policy Amended: November 18, 1996
Policy Amended: February 11, 2002
Policy Amended: October 16, 2007

NORWICH CITY SCHOOLS
Administrative Guidelines

B402.3
B502.6
B602.3

B402.3
B502.6
B602.3

SEXUAL HARASSMENT

These administrative guidelines provide information and establish specific direction for the implementation of the sexual harassment policy.

Effective efforts to combat sexual harassment must focus not only on enactment of policy, but on creating an institutional climate that supports respectful relationships and is free from gender inequity. Students and employees will be provided with knowledge and skills necessary for them to assume their responsibility in the prevention of sexual harassment. Character Education initiatives and annual Right To Know presentations are examples of district efforts in these regards.

Definition

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- submission to the conduct is either explicitly or implicitly a term or condition of an individual's grade or employment,
- submission to or rejection of such conduct by an individual is used as a basis for grade/employment decisions affecting that individual; and/or
- such conduct has the purpose or effect of unreasonably interfering with an individual's work or school performance or creating an intimidating, hostile, or offensive school/working environment.

Examples of sexual harassment include, but are not limited to the following behaviors:

1. Any activity that demonstrates boundary invasion and is directed toward establishing or results in an inappropriate sexual relationship such as dating, sending intimate communications; and/or engaging in sexualized dialogue whether in person, by phone, via the Internet, or in writing.
2. Sexually oriented communication, including sexually oriented "kidding", spreading sexual rumors, telling dirty jokes, and sexual graffiti
3. Subtle pressure or requests for sexual activity, accompanied by an implied or overt promise of preferential treatment with regard to an individual's employment or student status
4. Creating a hostile learning or work environment, including the use of innuendoes or overt or implied threats
5. Unwelcome touching (ie. patting, pinching, repeated brushing against another person's body, etc.)

SEXUAL HARASSMENT COMPLAINT PROCEDURES

The following procedures are established to provide for the reporting and resolution of sexual harassment complaints.

It is strongly recommended that the complainant attempt to rectify the situation in question before following the procedures below.

Informal Complaint Procedure

Students who believe they have been subjected to sexual harassment may request an informal meeting with the Building Principal. Students will be informed that they may request the presence of their parents and/or another staff member. The Principal may contact the Director of Instruction & Staff Development for advisement or possible involvement. A meeting will be scheduled within five (5) school days of receipt of the request.

Employees who believe they have been subjected to sexual harassment may request an informal meeting with their immediate supervisor. Once an informal complaint has been received, the Supervisor may contact the Director of Instruction & Staff Development for advisement or possible involvement. If the alleged harasser is the immediate supervisor, the employee may request an informal meeting with the Director of Instruction & Staff Development. Employees will be informed that they may request the presence of another staff member. A meeting will be scheduled within five (5) work days of receipt of the request.

The purpose of the informal meeting will be to discuss the allegations and if needed, the remedial steps available to resolve the issue without filing a formal, written complaint. It is the responsibility of the Supervisor/Principal to confirm that the alleged harasser is aware of the concern.

If the alleged harasser is not a student or employee of the Norwich City School District, the complainant will be advised of the following options: 1. Complainant may petition Superintendent to notify the alleged harasser's school district or employer of the incident and request resolution. 2. Complainant may pursue issue independent of school involvement.

Investigation of an Informal Complaint:

Within five (5) school days of the informal student complaint meeting, the Building Principal will discuss the complaint with the alleged harasser. The alleged harasser will be notified of his/her right to request the presence of a parent, staff member, or other individual.

Within five (5) work days of the informal employee complaint meeting, the immediate supervisor will discuss the complaint with the alleged harasser. The alleged harasser will be notified of his/her right to request the presence of another staff member or other individual.

The Principal/Supervisor may contact the Director of Instruction & Staff Development for advisement and possible involvement.

Denial of Allegations: If the alleged harasser denies the allegations, the Principal/Supervisor will inform the complainant in writing. Should the complainant be dissatisfied with the resolution, the formal complaint procedure will be explained.

Admission of Allegations: If the alleged harasser admits the allegations, the Principal/Supervisor will obtain a written assurance that the sexual harassment will stop immediately. Depending on the severity of the charges, further disciplinary action may be imposed pursuant to district guidelines.

The Principal/Supervisor will prepare a written report of the incident and inform the complainant and alleged harasser of the resolution. This report will be filed with the Director of Instruction & Staff Development.

Formal Complaint Procedure

Students who believe they have been subjected to sexual harassment are to report the incident to the Building Principal, a counselor or the appropriate building Student Services Facilitator, or the Director of Instruction & Staff Development.

If a formal complaint involves a student, the student's parents will be notified by the Principal. Exceptions to this rule will be made if a student is 18 years of age or older, or is legally emancipated.

Employees who believe they have been subjected to sexual harassment are to report the incident to the Building Principal, or their immediate supervisor or the Director of Instruction & Staff Development.

The individual receiving the complaint will assist the complainant in the completion and submission of the complaint form. Complaint forms are available in the Main Office of each building and in the Superintendent's office. The completed complaint form will be immediately forwarded to the Director of Instruction & Staff Development. Upon receipt of a written complaint, the Director of Instruction & Staff Development will initiate a prompt, thorough, and impartial investigation of the allegations.

Investigation of a Formal Complaint:

It is the responsibility of the Director of Instruction & Staff Development to ensure that every instance of alleged sexual harassment is investigated promptly, fairly, and effectively.

Within twenty (20) calendar days after receipt of a written complaint, the Director of Instruction & Staff Development will in writing communicate the findings and the recommended action to be taken to the Superintendent of Schools. Within ten (10) days the Superintendent will notify the complainant and alleged harasser of the findings and the decisions regarding the complaint. The correspondence will be filed with the Director of Instruction & Staff Development.

Appeal Process

If the complainant or accused wishes to appeal the decision, she/he may complete an appeal form and forward to the Superintendent of Schools within thirty (30) calendar days of receipt of decision. Upon receipt of an appeal form, the Superintendent of Schools will review the matter and if needed conduct an independent investigation of the complaint. The Superintendent will respond to the complainant, noting the results of his/her review within thirty (30) days.

An appeal may also be filed with: The New York State Commissioner of Education, The Federal Office for Civil Rights, and/or The New York State Division of Human Rights. Additional information and addresses may be obtained from the Director of Instruction & Staff Development.

If at any point in the sexual harassment proceedings the complainant or accused party initiates action at the State or Federal level, local action will cease.

Investigation in the Absence of a Complaint

In the absence of an official complaint, the District reserves the right to investigate any suspected occurrence of sexual harassment brought to its attention.

Remedial Action

If an investigation reveals that sexual harassment has occurred, appropriate disciplinary measures will be imposed in a manner consistent with any applicable law, district policies and regulations, and collective bargaining agreements.

Any student determined to be guilty of sexual harassment will be directed by the Building Principal to cease the harassing behavior. A substantiated charge against a student in the school district may subject that student to disciplinary action that may include suspension or expulsion, in accordance with applicable regulations.

Any employee determined to be guilty of sexual harassment will be directed by his/her immediate supervisor to cease the harassing behavior. A substantiated charge against an employee in the district shall subject that employee to disciplinary action.

Following a finding of sexual harassment, the Director of Instruction & Staff Development will monitor the situation to ensure that the harassment has not resumed and that no retaliatory action has occurred. Victims of sexual harassment will also be provided the opportunity for services such as counseling, if requested.

Documentation

The right to confidentiality, for both the complainant and the alleged harasser, will be respected consistent with the school district's legal obligations and the necessity to investigate allegations of misconduct and to take corrective action when this conduct has occurred. However, all records of formal and informal complaints and investigatory procedures will be filed in the office of the Director of Instruction & Staff Development.

If a complaint against a student is determined to be valid, the final determination, as well, records of disciplinary action taken, will be filed in the student's disciplinary file. If a complaint against an employee is determined to be valid, the final determination, as well, records of disciplinary action taken, will be filed in the employee's personnel file.

Guidelines Adopted: January 24, 1994
Guidelines Amended: November 18, 1996
Guidelines Amended: February 11, 2002
Guidelines Amended: October 16, 2007
Guidelines Amended: May 20, 2009

NORWICH CITY SCHOOLS

SEXUAL HARASSMENT FORMAL COMPLAINT FORM

Name of complainant: _____

Address/Phone: _____

Position: _____

Name of alleged sexual harasser: _____

Date(s) of incident: _____

Approximate time of incident: _____

Place of incident: _____

Description of alleged harassment: _____

Name of witness(es) (if any): _____

Has the incident been reported before? _____

If yes, date/ to whom? _____

What was the resolution? _____

Was resolution acceptable? _____ If not, Why? _____

(Parent notification for students under 18 years of age)

NORWICH CITY SCHOOLS

SEXUAL HARASSMENT APPEAL FORM

Name of individual filing appeal: _____

Position: _____

Date of appeal: _____

Date of original complaint: _____

Have there been any prior appeals? _____

If yes, when? To whom? _____

Description of decision being appealed: _____

Reasons for the Appeal: _____

NORWICH CITY SCHOOLS
Board Policy

A402.4

A402.4

ANTI-HARASSMENT/BULLYING

New York State has found that a safe and civil school environment is necessary for students to learn and achieve at high academic levels. Harassing and bullying behavior can seriously disrupt the ability of school employees to maintain a safe and civil environment, and the ability of students to learn and succeed. Harassment and bullying are against state and school policy.

It is therefore the policy of the Norwich City School District that school employees, volunteers and students in the Norwich City School District shall not engage in harassing or bullying behavior.

School employees, volunteers and students in school, on school property, or at any school function or school sponsored activity shall not:

1. Engage in harassing and bullying behavior.
2. Engage in reprisal, retaliation or false accusation against a victim, witness, or an individual who has reliable information about such an act of harassment or bullying.

For purposes of this policy "harassment" and "bullying" shall be construed to mean any electronic, written, verbal, or physical act or conduct toward a student which is based on any actual or perceived trait or characteristic of the student and which creates an objectively hostile school environment that meets one or more of the following conditions:

1. Places the student in reasonable fear of harm to the student's person or property.
2. Has a substantially detrimental effect on the student's physical or mental health.
3. Has the effect of substantially interfering with a student's academic performance.
4. Has the effect of substantially interfering with the student's ability to participate in or benefit from the services, activities or privileges provided by a school.

For purposes of this policy "trait or characteristic of the student" includes but is not limited to age, color, creed, national origin, race, religion, marital status, sex, sexual orientation, gender identity, physical attributes, physical or mental ability or disability, ancestry, political party preference, political belief, socioeconomic status, or familial status.

School employees, volunteers, parents or guardians, and students are all expected to assist with the enforcement of this policy, including but not limited to, assisting with educational and preventative measures, reporting, and investigations of harassment or bullying.

Violation of this policy shall subject a student and/or teacher or volunteer to appropriate discipline pursuant to the Norwich City School District policies and administrative regulations and authorizes the District to take any other measures that the District believes to be reasonable and appropriate under the circumstances. The Superintendent shall promulgate and implement administrative procedures relative to prevention measures, reporting and investigation, and publication of harassment and bullying.

Expanded Definitions of Bullying

Harassment

For purposes of this policy, the term “harassment” is defined as 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. The harassing behavior may be based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (identity or expression).

Bullying

For purposes of this policy, the term "bullying" (which is subsumed under the term “harassment”) is defined, in general, as a variety of hostile activities which harms or induces fear through the threat of further aggression and/or creates terror. “Bullying” is a form of harassment that consists of inappropriate and often persistent behavior including threats or intimidation of others, treating others cruelly, terrorizing, coercing, or habitual put-downs and/or badgering of others. Bullying can take at least three forms:

- *Physical* (including, but not limited to, hitting, kicking, spitting, pushing, taking personal belongings);
- *Verbal* (including, but not limited to, taunting, malicious teasing, name calling, making threats); and
- *Psychological* (including, but not limited to, spreading rumors; manipulating social relationships; or engaging in social exclusion, extortion, or intimidation).

Bullying is characterized by:

- *Power Imbalance* – occurs when a bully uses his/her physical or social power over a target
- *Intent to Harm* – the bully seeks to inflict physical or emotional harm and/or takes pleasure in this activity
- *Threat of Further Aggression* – the bully and the target believe the bullying will continue
- *Terror* – when the bullying increases it becomes “systematic violence or harassment used to intimidate and maintain dominance.”

-Barbara Coloroso, *The Bully, The Bullied & The Bystander*

Cyberbullying

As with other forms of bullying, cyberbullying is an attempt to display power and control over someone perceived as weaker. Cyberbullying involving District students may occur both on campus and off school grounds and may involve student use of the District Internet system or student use of electronic devices while at school, such as cell phones, digital cameras, and personal computers to engage in bullying. Cyberbullying includes, but is not limited to, the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another student or staff member by way of any technological tool, such as sending or posting inappropriate or derogatory e-mail messages, instant messages, text messages, digital pictures or images, or Web site postings (including blogs).

Bullying/Harassment Prevention and Intervention

The Board of Education affirms its commitment to maintaining both educational and work settings which support respect, dignity and equality. Further, the Board of Education also recognizes its responsibility to provide an environment that is free of harassment, hazing, and/or bullying. The Board of Education recognizes that these acts are counter to the mission of the district and the goals of the Board of Education. By disrupting the learning environment, these behaviors affect all concerned with the educational mission: those bullied, those doing the bullying, and bystanders. As a result, the Board of Education forbids all forms of harassment, hazing, and bullying on any district property, school buses, or school-sponsored event – both on and off school grounds that either substantially disrupts the learning environment or negatively affects the rights of others.

The school learning environment provides an opportunity for both students and staff to gain an appreciation in a key district value: the importance of respect and working positively with others. The District recognizes that by requiring the implementation of an anti-bullying program, through both direct student instruction and professional development for staff, both students and staff will learn key elements about bullying prevention: the warning signs of bullying and everyone's responsibility to take an active role in preventing bullying before overt acts of bullying happen. Personnel at all levels are responsible for taking corrective action to prevent bullying behavior of which they have been made aware at School District sites or activities and/or reporting such behavior to their immediate supervisor. The District recognizes the importance of eliminating unacceptable student conduct and works proactively to prevent these behaviors. School personnel who become aware of harassment shall act promptly to address the harassment, with the goal of preventing it from recurring. Where appropriate, school personnel will address the effects on the student who was harassed. Remedial measures will generally include counseling of persons(s) who have been harmed by harassment and person(s) who have been responsible for the harassment of others and implementing monitoring programs to follow up on addressed issues of harassment.

Prevention and intervention techniques within the District to prevent against bullying behavior and to support and protect victims shall include building-level and classroom-level strategies and activities as determined by administration. Individual intervention will be provided by appropriate staff members to bullies/participants, victims and their parents to help ensure that the bullying stops. Although the focus of this policy is prevention, it is recognized that acts of bullying and harassment may still transpire. In such instances, disciplinary action may occur in accordance with the District's Code of Conduct. Consequences shall depend upon the specific circumstances surrounding the incident, the developmental level of the student, their disciplinary history, and must be consistent with the District's Code of Conduct.

Rules against bullying shall be publicized District-wide and shall be disseminated as appropriate to staff, students and parents.

Training Guidelines

Staff training shall be provided to raise awareness of the problem of bullying within the schools and to facilitate staff identification of and response to such bullying behavior among students. Training will be provided to employees in conjunction with the District's existing professional development in order to:

- raise awareness and understanding of the school district's Code of Conduct;
- raise awareness and sensitivity to potential acts of discrimination or harassment directed at students that are committed by students or school employees on school property or at school functions; including, but not limited to, discrimination or harassment based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender or sex;
- enable employees to prevent and respond to incidents of discrimination and harassment.

Dignity Act Coordinator

At least one employee in every school shall be designated as a Dignity Act Coordinator and instructed in the provisions of the proposed rule and thoroughly trained in methods to respond to human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender and sex.

The designation of each Dignity Act Coordinator shall be approved by the board of education annually. The name(s) and contact information for the Dignity Act Coordinator(s) shall be shared with all school personnel, students, and persons in parental relation. This shall be done by:

- including in District Code of Conduct
- posting on District website
- included in at least one district or school mailing per school year
- posted in highly-visible areas of school buildings
- made available at the district and school level administrative offices

In the event a Dignity Act Coordinator vacates his or her position, another school employee shall be immediately designated for an interim appointment as Coordinator, pending approval of a successor Coordinator by the Board of Education within 30 days of the date the position was vacated. In the event a Dignity Act Coordinator is unable to perform the duties of his or her position for an extended period of time, another school employee shall be immediately designated for an interim appointment as the Dignity Act Coordinator, pending return of the previous Dignity Act Coordinator to his or her duties as Dignity Act Coordinator.

Policy Adopted: July 6, 2010

Policy Amended:

November 13, 2012

NORWICH CITY SCHOOLS
Administrative Guidelines

B402.4/B502.8/B602.4

B402.4/B502.8/B602.4

I. PROCEDURES FOR RESOLUTION OF BULLYING/HARASSMENT COMPLAINTS

A. Level One - Building Principal or Staff Member

A complainant shall, within fifteen (15) working days after the occurrence of the event which is the subject of the complaint, make an appointment with and discuss the matter with the building principal or if appropriate, another building principal. Every effort will be made to resolve the complaint informally at this level. The building principal or immediate supervisor shall give an oral response to the complainant within five (5) working days after the initial discussion. A complainant may report an incident or occurrence to any staff member and that staff member shall contact the principal immediately.

B. Level Two - Deputy Superintendent

In the event the complainant is not satisfied with the decision made at Level One, the complainant may formalize the complaint in writing. The complaint must be submitted to the Deputy Superintendent within five (5) working days after the oral response at Level One. The complainant may request that a meeting concerning the complaint be held with the Deputy Superintendent. A parent, guardian or other counsel may accompany a minor student. The Deputy Superintendent, as the designee of the Superintendent, will investigate the complaint and attempt to resolve it. The Deputy Superintendent will consider the totality of the circumstances presented in determining whether conduct objectively constitutes harassment or bullying. Within ten (10) working days after receipt of the complaint, a written report from the Deputy Superintendent regarding findings and action taken will be sent to the complainant, other involved parties, as well as the superintendent.

C. Level Three - Superintendent

In the event the complainant is not satisfied with the decision made at Level Two, the complainant may submit a written appeal to the superintendent within five (5) working days after receipt of the written report. The complainant may request a meeting with the superintendent. The superintendent may request a meeting with the complainant to discuss the appeal. Within five (5) working days after receipt of the complainant's written appeal, the superintendent will send a decision in writing to the complainant and other involved parties.

D. Level Four - Board of Education

In the event the complainant is not satisfied with the decision made at Level Three, the complainant may submit a written appeal to the Board of Education within ten (10) working days after receipt of the Level Three decision. The complainant may request a meeting with the Board of Education. Within twenty (20) days after receipt of the written appeal, the Board of Education shall determine what action should be taken to resolve the complaint. The decision of the Board of Education shall be final and a written copy of the decision will be delivered to the complainant within five (5) working days after the decision is made. The Board of Education may, in its sole discretion, implement a Board Hearing Panel for purposes of addressing and resolving a complaint at this Level.

II. IMMUNITY.

A school employee, volunteer, or student, or a student's parent or guardian, who promptly, reasonably, and in good faith reports an incident of harassment or bullying in compliance with the procedures adopted by the District, to the appropriate school official designated by the school district, shall be immune from civil or criminal liability relating to such report and to participation in any administrative or judicial proceeding resulting from or relating to the report.

III. COLLECTION REQUIREMENT.

The Deputy Superintendent shall maintain a system to collect harassment and bullying incident data.

IV. NOTIFICATION.

The Superintendent will provide the Deputy Superintendent copies of the Bullying and Harassment policy to school employees, volunteers, students, and parents or guardians through school communications through-out the school year, as appropriate (i.e. newsletters, school website, or public media).

Administrative Guidelines Adopted: July 6, 2010

Administrative Guidelines Amended: June 13, 2011

BULLYING/HARASSMENT COMPLAINT FORM

Date Filed _____

Name of Complainant _____

Address _____

Phone Number _____

Building/Assignment (if an employee) _____

Indicate the appropriate response to the following with a check mark(s):

- The complainant is a(an):

<input type="checkbox"/> student	<input type="checkbox"/> parent
<input type="checkbox"/> employee	<input type="checkbox"/> volunteer

- The complainant believes bullying and/or harassment has occurred based on the following trait or characteristic: _____

Date(s) of Alleged Violation(s) _____

Person alleged to have committed the bullying or harassment _____

Summarize the incident(s) or occurrence(s) as accurately as possible. Attach additional sheets if necessary.

Location of Incident _____

Names of Witnesses _____

Attach any evidence of harassment or bullying (i.e. letters, photos, etc.)

Have you notified anyone else about this: YES NO

If so, who? _____

Signature of Complainant _____ Date _____

Date Received by the Building Principal _____

Date of Level Two Investigation of Compliance Violation Report _____

Signature of Deputy Superintendent _____

Note: Completion of this form will initiate an investigation of the alleged incident of bullying or harassment outlined on this form. Completion of this form or its impending investigation shall not be construed to preclude a victim (or his or her parents if the victim is a minor) from seeking administrative or legal remedies under any applicable provision of law.

NORWICH CITY SCHOOLS

Board Policy

A402.5/A500.11/A602.5

A402.5/A500.11/A602.5

STAFF-STUDENT RELATIONS (FRATERNIZATION)

The Board of Education requires that all School District employees maintain a professional, ethical relationship with District students that is conducive to an effective, safe learning environment; and that staff members act as role models for students at all times, whether on or off school property and both during and outside of school hours. Staff must establish appropriate personal boundaries with students and not engage in any behavior that could reasonably lead to even the appearance of impropriety.

Staff members are prohibited, under any circumstances, to date or engage in any improper fraternization or undue familiarity with students, regardless of the student's age and/or regardless of whether the student may have "consented" to such conduct. Further, employees shall not entertain students or socialize with students in such a manner as to create the perception that a dating relationship exists. Similarly, any action or comment by a staff member which invites romantic or sexual involvement with a student is considered highly unethical, in violation of District policy, and may result in the notification of law enforcement officials and the filing of criminal charges and/or disciplinary action by the District up to and including termination of employment.

Inappropriate employee behavior includes, but is not limited to, flirting; making suggestive comments; dating; requests for sexual activity; physical displays of affection; giving inappropriate personal gifts; frequent personal communication with a student (via phone, e-mail, letters, notes, etc.) unrelated to course work or official school matters; providing alcohol or drugs to students; inappropriate touching; and engaging in sexual contact and/or sexual relations. Even if the student participated "willingly" in the activity (regardless of the student's age), inappropriate fraternization of staff with students is against District policy and may be in violation of professional standards of conduct and New York State Law. However, inappropriate employee conduct does not need to rise to the level of criminal activity for such conduct to be in violation of District rules and subject to appropriate disciplinary sanctions.

Any student who believes that he/she has been subjected to inappropriate staff behavior as enumerated in this policy, as well as students, school employees or third parties who have knowledge of or witness any possible occurrence of inappropriate staff-student relations, shall report the incident to any staff member or either the employee's supervisor, the student's principal or the District's designated complaint officer. In all events such reports shall be forwarded to the designated complaint officer for further investigation. Anonymous complaints of inappropriate fraternization of staff members with students shall also be investigated by the District. Investigations of allegations of inappropriate staff-student relations shall follow the procedures utilized for complaints of harassment within the School District. Allegations of inappropriate staff-student behavior shall be promptly investigated and will be treated as confidential and private to the extent possible within legal constraints.

Any employee having knowledge of or reasonable suspicion that another employee may have engaged in inappropriate conduct with a student that may constitute child abuse (specifically, child abuse in an educational setting) must *also* follow the District's reporting procedures for such allegations; and such information will be reported by the designated administrator as required by state law to law enforcement officials, the State Education Department and/or Child Protective Services as may be applicable. If a student initiates inappropriate behavior toward a staff member, that employee shall document the incident and report it to his/her building principal or supervisor. The District shall promptly investigate all complaints of inappropriate staff-student relations, and take prompt corrective action to stop such conduct if it occurs.

Prohibition of Retaliation: The Board of Education prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participate in the investigation of allegations of inappropriate staff-student relations. Follow-up inquiries and/or appropriate monitoring shall be made to ensure that the alleged conduct has not resumed and that all those involved in the investigation have not suffered retaliation. Any act of retaliation is subject to appropriate disciplinary action by the District.

District Responsibility/Training: The principal of each school and/or program supervisor shall be responsible for informing students, staff and volunteers of the requirements of this policy, including the duty to report and the procedures established for investigation and resolution of complaints. Further, staff training shall be provided to facilitate staff identification of possible behavior that may constitute inappropriate staff-student relationships. Students shall be provided such training in an age appropriate manner. The District's policy (or a summary thereof) shall be disseminated as appropriate to staff, students and parents. Further, this topic shall be addressed in the District Code of Conduct.

Disciplinary Sanctions: Any staff member who engages in inappropriate conduct with a student, prohibited by the terms of this policy, shall be subject to appropriate disciplinary measures up to and including termination of employment in accordance with legal guidelines, District policy and regulation, and the applicable collective bargaining agreement. A violation of this policy may also subject the employee to criminal and/or civil sanctions as well as disciplinary action by the State Education Department.

Board Approved: 8/15/11

NORWICH CITY SCHOOLS

Board Policy

A403.1

A403.1

CORPORAL PUNISHMENT

Corporal punishment is forbidden within the Norwich City School District.

While corporal punishment is forbidden, the Board of Education recognizes that reasonable physical force is permissible to:

- protect any individual from physical injury
- protect property of the School District or others
- restrain or remove a student whose behavior interferes with the activities of the District.

Policy Adopted: February 21, 1972

Policy Amended: May 16, 1983

Policy Amended: March 17, 1997

NORWICH CITY SCHOOLS

Board Policy

A403.2

A403.2

PUPIL SUSPENSION

The Board of Education hereby empowers the several Building Principals of the district to suspend students from school for a period of up to five days for insubordination, disorderly conduct, conduct endangering the safety, morals, health or welfare of others or other reasons as outlined in Section 3214 of the Education Law and Board Policy A/B402.1. In the case of suspension, the student and the person in parental relation to him/her shall, on request, be given an opportunity for an informal conference with the Principal at which the student and person in parental relation shall be authorized to ask questions of complaining witnesses.

Students may be suspended from school for a period of one to five days, for insubordination, disorderly conduct, and endangerment as defined below:

Insubordination

Insubordination is any act that the Building principal deems to be a failure to obey authority. It includes, but is not limited to, the following:

1. Failure to obey reasonable instructions from a school official
2. Disregard for established school or district policies, rules or regulations, such as those governing:
 - a) snowballing
 - b) harmful devices
 - c) attendance
 - d) school bus transportation

Disorderly Conduct

Disorderly conduct is any act that the Building principal deems unruly and that interferes with the orderly management of the school. It includes, but is not limited to, the following:

1. disrupting classroom and school activities
2. acts of rebellion against the school
3. possession or use of alcohol or drugs (unless prescribed by a physician) on school property, in school vehicles, or at school sponsored events off school grounds
4. smoking on school property, in school vehicles, or at school sponsored events off school grounds
5. fighting with or harassing other students, teachers or administrators
6. defacing or vandalizing school property
7. disruptive behavior on buses
8. unlawful congregating or loitering
9. stealing

Endangerment

Endangerment is conduct that endangers the safety, morals, health or welfare of others or the existence of a physical or mental condition of a person that endangers the health, safety or morals of him/herself or of others:

It includes, but is not limited to, the following:

1. being under the influence of alcohol or drugs (unless prescribed by a physician)
2. possession of pornographic material
3. wearing of indecent clothing
4. possession of harmful devices

Policy Adopted: September 21, 1970

Policy Amended: May 16, 1983

Policy Amended March 17, 1997

Policy Amended October 16, 2007

NORWICH CITY SCHOOLS

Administrative Guidelines

B403.2

B403.2

PUPIL SUSPENSION

Procedures to be used for pupil suspension shall be as follows:

1. The parents shall be notified by telephone in regard to the reasons and terms of suspension.
2. If needed, an appointment shall be set up for a parental conference.
3. A follow-up letter shall be sent to the parents or guardian outlining the items leading up to the suspension and the terms of suspension with a copy to the Superintendent. A copy shall be filed in the pupil's folder.
4. Teachers shall be notified via the daily attendance bulletin.
5. Repeated suspensions shall be referred to the Superintendent or family court.

Terms of Suspension.

1. Time allotment from one to five days.
2. Students may be suspended either in school or out of school.
3. A student may not participate in any school activities while suspended.
4. Suspension of all in-school privileges.

Guidelines Adopted: September 21, 1970

Guidelines Amended: May 16, 1983

Guidelines Amended: October 16, 2007

NORWICH CITY SCHOOLS

Board Policy

A403 .3

A403 .3

SUSPENSION OF HANDICAPPED STUDENTS

1. When students with handicapping conditions are placed (or "mainstreamed") into regular education settings in the Norwich City Schools, it is generally assumed that they are capable of conforming with the basic behavioral expectations of the school. Consequently, it is understood that the rules and regulations that apply to all students hold for those with handicapping conditions as well.
2. It is also understood that not all students with handicapping conditions will respond similarly to the standard methods and approaches to student management that are used with the general student population. Therefore, it is the District's policy to uphold the same level of expectations as to resultant behavior and to do so by using the established methods whenever possible. When a student's handicapping condition renders the established methods inappropriate, however, alternate approaches that are better suited to the unique characteristics of the learner will be employed.

The Committee on Special Education will identify those students in need of alternate approaches to management and will indicate this on the Individualized Education Program (IEP). A separate plan for the management of the student's behavior will also be outlined by a building administrator and the special education staff.

3. Whenever unacceptable behavior on the part of a student is the direct result of his or her handicapping condition, positive approaches will be taken to correct that behavior, but the student will not suffer punishment or be denied access to regular or special education programming as a result of the behavior unless his or her continued activity presents a clear and present danger to the safety of the student or others. Persistent unacceptable behavior that is attributable to a student's handicapping condition, may, on the other hand, result in a recommendation by the Committee on Special Education for change in placement to a school that is better equipped to address the special needs of the student.
4. Disciplinary action which interrupts or interferes with the education of any pupil with a handicapping condition will be reported to the special education staff member who is primarily responsible for that student's program and services and to the chairperson of the Committee on Special Education.
5. A student with a handicapping condition who poses a threat to the safety of himself (herself) or others or who is insubordinate to the authority of the school may be suspended for up to five days with the pupil and parent having the right to an informal conference for up to ten days following a fair hearing. No disciplinary exclusion of a handicapped child may last for more than ten days. Should removal from school for more than this period of time be required, the Committee on Special Education will be called upon to recommend a change in placement to a school setting where the student's behavior can be effectively managed.

6. As with all recommendations of the Committee on Special Education, the parent(s) and the student have the right to challenge the Committee's recommendation and the School Board's decision through the hearing and appeal mechanisms prescribed by law. If the pendency placement that exists during a hearing or appeal is deemed by the school to pose a threat to the safety of the student or others, then the school will seek a court order temporarily enjoining a dangerous disabled student from attending school.

Policy Adopted: April 15, 1985

Policy Amended: December 19, 1988

NORWICH CITY SCHOOLS

Board Policy

A404.1

A404. 1

ALCOHOL, DRUGS, AND OTHER SUBSTANCES (Students)

The Board of Education recognizes that the misuse of drugs and/or alcohol is a serious problem with legal, physical, emotional and social implications for the entire community. Therefore, the consumption, sharing and/or selling, use and/or possession of alcoholic beverages, illegal drugs, counterfeit and designer drugs, or paraphernalia for the use of such drugs is prohibited on school property and at school sponsored activities. The inappropriate use of prescription and over-the-counter drugs shall also be disallowed. Persons shall be banned from entering school grounds or school sponsored events when exhibiting behavioral, personal or physical characteristics indicative of having used or consumed alcohol or other substances.

Through the collaborative efforts of staff, students, parents/ legal guardians and the community as a whole, a certifiable comprehensive program shall be implemented to address alcohol and other substances. Components include:

- a) A multidisciplinary drug prevention curriculum for kindergarten through grade 12 that is incorporated into the total educational process;
- b) Assessment and referral to school or community-based counseling program those students considered at-risk for use/abuse;
- c) Standards of conduct with clear and consistent disciplinary measures for both students and staff within the framework of the District disciplinary policy (A402.1) and applicable New York State Law;
- d) Ongoing training of District staff about the components of an effective program;
- e) Implementation, dissemination and monitoring of District policy and regulation on alcohol and other substances.

Public Law 101-226

District Code of Conduct A402.1

Policy Adopted: December 20, 1971
Policy Amended: May 16, 1983
Policy Amended: August 13, 1990
Policy Amended: October 16, 2007

NORWICH CITY SCHOOLS

Administrative Guidelines

B404. 1

B404. 1

ALCOHOL, DRUGS, AND OTHER SUBSTANCES (Students)

I. EMERGENCY PROCEDURES

1. When a student is physically and/or psychologically incapacitated as a result of substance abuse or there is reasonable suspicion, the following procedure will be followed:
 - 1.1 The staff person will immediately contact the building administrator (or administrative designee) regarding the suspected substance abuse.
 - 1.2 The building administrator (or administrative designee) will accompany the student to the Health Office.
 - 1.3 The school nurse and administrator will observe the student, give consideration to the information provided by the staff person, and make a recommendation as to the action to be taken.
 - 1.31 If immediate medical treatment is deemed necessary, the nurse will make the appropriate calls.
 - 1.32 If emergency medical attention is not required, the building administrator will notify the parent and request that the parent come to school to pick up the student.
 - 1.33 If suspicion is not confirmed, the student will resume regular activities
 - 1.4 The building facilitator will be immediately notified of the incident by the school nurse and/or building administrator.
 - 1.41 Depending on the student's condition, the student will meet with the facilitator immediately or upon their return to school to arrange for evaluation/education/counseling with a drug and alcohol counselor.
 - 1.42 The facilitator will provide feedback to the referring staff person on a need to know basis. (Refer to Federal Confidentiality Regulations).
 - 1.43 A staff person having concerns-about observable student behavior but no clear cut suspicions, should complete a Student Support Services Referral Form to summarize their observations.

II. ADMINISTRATIVE PROCEDURES

1. Suspicion of substance usage (Non-emergency)

- 1.1 The building administrator (or administrative designee) will be notified immediately.
- 1.2 The building administrator (or administrative designee) will conference with the student to observe behavior.
 - 1.21 If suspicion is not confirmed, the student will resume regular activities.
 - 1.22 With reasonable suspicion of substance use, parents will be notified of such suspicion with the student present. Parents will be given specific reasons for suspicion of substance use.

2. Illegal substance use, sale or possession on school property or at school sponsored activities.

- 2.1 The building administrator (or administrative designee) will be notified immediately.
- 2.2 The student will be suspended from regular classroom attendance and all school activities until the incident is discussed with the parent(s) and police.
 - 2.21 Upon arrival of both parties, the school will discharge its' legal responsibilities to both the parent(s) and the police.
 - 2.22 The school will assume responsibility for disciplinary measures, assessment and referral to a drug and alcohol counselor.
 - 2.23 Violations of the policy will result in five days of out-of-school suspension, referral to the police and a superintendent's hearing.

3. Search and Seizure

- 3.1 On the basis of reasonable suspicion, an individual's locker may be searched by the building administrator (or administrative designee).
 - 3.11 During the search of a locker, student need not be present.
 - 3.12 Only the police have the right to search a vehicle.
- 3.2 Any and all illegal substances and/or paraphernalia, found either on school property or in the possession of a student, will be confiscated by the building administrator (or administrative designee) and turned over to the police.

4. Student Records

- 4.1 All records and correspondence pertaining to substance abuse of a student will be maintained in a separate administrative file. No information shall be entered on a student's permanent record (Refer to Federal Confidentiality Regulations)

III. PREVENTION

The Norwich City School District recognizes that to combat student drug use most effectively, the entire community must be involved; parents, school staff, law enforcement authorities, religious groups, social service agencies, and the media. They must all transmit a single consistent message that drug use is wrong and dangerous, and it will not be tolerated. To facilitate a cooperative working relationship community-wide, the Norwich City Schools has established a coordinating council to develop a school and community resource profile to garner support from unions, educational, business, political, service provider, and other community agency constituents.

1. PARENT RESPONSIBILITY

- 1.1 Teach standards of right and wrong, and demonstrate these standards through personal example.
- 1.2 Help children resist peer pressure to use alcohol and other drugs by supervising their activities, knowing who their friends are and talking with them about their interests and problems.
- 1.3 Be knowledgeable about drugs and signs of drug use. When symptoms are observed, respond promptly
- 1.4 Reach out to schools for support and assistance by communicating concerns and participating in programs offered to address concerns.

2. SCHOOL RESPONSIBILITY

- 2.1 Establish clear and specific rules regarding substance abuse that include strong corrective actions.
- 2.2 Enforce established policies against substance abuse fairly and consistently. Ensure adequate security measures to eliminate drugs from school premises and school functions.
- 2.3 Determine the extent and character of alcohol and other drug use and monitor that use regularly.

- 2.4 Participate in training to familiarize school personnel with the changing nature of drug usage.
- 2.5 Implement a multidisciplinary drug prevention curriculum for kindergarten through grade 12, teaching that drug use is wrong and harmful, and supporting and strengthening resistance to drugs.
- 2.6 Reach out to the community for support and assistance in making the schools anti-drug policy and program work. Collaborative arrangements in which school personnel, parents, school board members, law enforcement officers, treatment organizations, and private groups can work together to provide necessary resources.

3. STUDENT RESPONSIBILITY

- 3.1 Learn about the effects of drug use, the reasons why drugs are harmful, and ways to resist pressures to try drugs.
- 3.2 Use an understanding of the danger posed by drugs to help other students avoid them. Encourage other students to resist drugs, attempt to persuade those using drugs to seek help, and report those selling, using or possessing illegal substances to parents and school personnel.

4. COMMUNITY RESPONSIBILITY

- 4.1 Work cooperatively with school to fight drugs by providing expertise and financial resources of community groups and agencies.
- 4.2 Involve local law enforcement agencies in all aspects of drug prevention, assessment, enforcement, and education. The police and courts should have well-established relationships with the school.

Guidelines Approved: August 13, 1990
Guidelines Amended: September 10, 2001

NORWICH CITY SCHOOLS

Board Policy

A404.2

A404.2

CHILD ABUSE AND MALTREATMENT

New York State Law requires school officials to report cases of suspected child abuse and maltreatment. The Norwich City School District recognizes the importance of this issue, as well as the role of school personnel in the protection of abused or maltreated children. Therefore, the District will fully comply with all appropriate laws and regulations and promptly report all cases of suspected abuse and maltreatment consistent with the attached guidelines.

Policy Adopted: December 15, 1975

Policy Amended: May 16, 1983

Policy Amended: October 25, 1993

Ref : Child Protective Services Act of 1973
Social Services Law 411 seq.
Family Court Act 1012
Family Educational Rights and Privacy Act,
Education Law 3209-a

NORWICH CITY SCHOOLS

Administrative Guidelines

B404.2

B404.2

CHILD ABUSE AND MALTREATMENT REGULATION

These guidelines are designed to facilitate compliance with the New York State Law and Norwich City School District policy in the area of child abuse and maltreatment.

I. **DEFINITIONS**

The following definitions are taken from the Child Protective Services Act and the Family Court Act. These definitions provide the framework for assessing whether a child is abused or neglected.

- A. Abused Child, according to Social Services Law and the Family Court Act, is a child less than 18 years of age whose parent or other person legally responsible for his or her care:
- a) inflicts or allows to be inflicted upon such child physical injury by other than accidental means which causes or creates a substantial risk of death, or serious or protracted disfigurement, or protracted impairment of physical or emotional health or protracted loss or impairment of the function of any bodily organ; or
 - b) creates or allows to be created a substantial risk of physical injury to such a child by other than accidental means which would be likely to cause death or serious or protracted disfigurement, or protracted impairment of physical or emotional health, or protracted loss or impairment of the function of any bodily organ; or
 - c) commits, or allows to be committed, a sex offense against such child, as defined in the penal law, provided however, that the corroboration requirements contained therein shall not apply to proceedings under this article.
- B. Neglected or maltreated child, according to the Family Court Act, is a child less than 18 years of age:
- a) whose physical, mental, or emotional condition has been impaired or is in danger of becoming impaired as a result of the failure of his parents or other person legally responsible for his care to exercise a minimum degree of care:
 - 1. in supplying the child with adequate food, clothing, shelter, or education in accordance with provisions of Part One, Article 65 of the Education Law, or medical, dental, optometrical or surgical care though financially able to do so or offered financial or other reasonable means to do so; or
 - 2. in providing the child with proper supervision or guardianship, by unreasonably inflicting or allowing to be inflicted harm, or a substantial risk thereof, including the infliction of excessive corporal punishment; or by using a drug or drugs; or by using alcoholic beverages to the extent that he/she loses self-control of his/her actions; or by any other acts of a similarly serious nature requiring the aid of the court; or

- b) who has been abandoned by his/her parent(s) or other person legally responsible for his/her care.

C. Person legally responsible includes the child's custodian, guardian, or any other person responsible for the child's care at the relevant time. Custodian may include any person continually or at regular intervals found in the same household as the child when the conduct of such person causes or contributes to the abuse or neglect of the child.

D. Impairment of emotional health and impairment of mental or emotional condition includes a state of substantially diminished psychological or intellectual functioning in relation to but not limited to, such factors as failure to thrive, control of aggression or self-destructive impulses, ability to think and reason, or acting out of misbehavior, including incorrigibility, ungovernability, or habitual truancy; provided, however that such impairment must be clearly attributable to the unwillingness or inability of the parent, guardian, or custodian to exercise a minimum degree of care toward the child.

E. Subject of the report means any child reported to the central register of child abuse or maltreatment and his/her parent, guardian, other person legally responsible also named in the report as an operator of or employee or volunteer in a home or facility operated or supervised by an authorized agency, the division for youth, or an office of the department of mental hygiene or in a family day care home or a day care center or a day services program.

II. REPORTING PROCEDURES

1. Pursuant to applicable law, any Norwich City Schools official or employee who has reasonable cause to know or suspect that a child has been subjected to abuse or maltreatment will immediately report this information as outlined below:

- a) All school district employees are required to report all cases of suspected child abuse or maltreatment to the Building Principal, Counselor, Facilitator or School Nurse.
- b) School employees and officials will not contact the child's family or any other person to determine the cause of suspected abuse or maltreatment. It is not the responsibility of the school official or employee to prove that the child has not been abused or maltreated.

2. The Building Principal or designee will:

- a) ... inform the Superintendent of the suspected abuse and maltreatment.

- b) ... immediately telephone the New York State Child Abuse Maltreatment Center 1-800-342-3720.

- c) ... contact the Child Protective Services of the Chenango County Department of Social Services 337-1550.
- d) ... file a written report (form DSS-221-A) with the local child protective services agency within forty-eight hours of the telephone report.
- e) ... (may) take photographs or cause photographs to be taken of the areas of visible trauma on the child. If medically indicated, an examination would be performed by the school physician. A camera and film will be available at each school.

3. The district will cooperate to the extent possible with authorized child protective services workers in the investigation of alleged child abuse and maltreatment.

4. The school physician shall notify the appropriate police authorities or the local child protective services to take custody of any child the physician is treating, whether or not additional medical treatment is required, if he/she believes the child is in danger.

III. STAFF TRAINING

1. An ongoing staff training program will be developed by Student Services staff and implemented in conjunction with the Office of the Director of Instruction & Staff Development. Attendance at training sessions will be required of all district staff.

2. The child abuse training program will address established policies, implementation of procedures, indicators of abuse and maltreatment, current statistics and available resources. Copies of policies and administrative guidelines will be disseminated to all staff.

IV. CHILD PROTECTIVE SERVICES: INTERVIEWS ON SCHOOL PROPERTY

The Norwich City School District will assist the Department of Social Services Child Protective Unit to fulfill their responsibilities. Social Services staff may interview in school any student who is the subject of a report of suspected abuse or maltreatment, regardless of the source of the report. However, a school official will be present during all such interviews. The school official will examine and verify the credentials of the Child Protective Services personnel before allowing such person to review the child's records.

V. CHILD PROTECTIVE SERVICES: ACCESS OF STUDENT RECORDS

Although the federal Family Educational Rights & Privacy Act of 1974 generally requires parental consent prior to the disclosure of information contained in school records, federal regulations permit exceptions "in health or safety emergency," such as abuse and neglect situations. Therefore, at the discretion of the Building Principal and Superintendent, student records will be shared with Social Services officials if a "health or safety emergency" is determined to exist. In cases where the child abuse/maltreatment report is determined to be unfounded, all records in school files will be expunged immediately.

VI. LEGAL IMPLICATIONS FOR SCHOOL PERSONNEL

1. Immunity from liability -

The Social Services Law provides immunity from liability for school personnel making reports in good faith. The good faith of any person required to report cases of child abuse or maltreatment is presumed.

2. Penalties for failure to report -

In accordance with Social Services Law, the failure of mandated reporters to report cases of suspected child abuse/maltreatment may result in criminal or civil liability, including liability for damages proximately caused by such failure.

Guidelines Adopted: December 15, 1975
Guidelines Amended: May 16, 1983
Guidelines Amended: October 25, 1993
Guidelines Amended: March 18, 2002
Guidelines Amended: October 16, 2007

NORWICH CITY SCHOOLS

Board Policy

A404. 3

A404.3

STUDENTS WITH HIV-RELATED ILLNESS

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

The Board acknowledges the rights of those students diagnosed as having AIDS or HIV infection to continue their education as well as the rights of all students in the school district to learn and participate in school activities without being subjected to significant risks to their health. The Board also takes notice that under current law and regulations the disclosure of confidential AIDS and/or HIV-related information must be strictly limited.

Accordingly, it is the policy of the Board of Education that no student shall be denied the opportunity to attend school, continue his/her education or take part in school-related activities solely on the basis of being diagnosed as having AIDS or HIV infection.

In accordance with current State Law and regulations, it is also the policy of the Board of Education to prevent any student from being subjected to adverse or discriminatory treatment or stigma because he or she has been diagnosed as having AIDS or being HIV-infected.

The Superintendent of Schools is hereby directed to develop administrative regulations in regard to the education of students diagnosed as having AIDS or being HIV-infected.

The Superintendent also shall establish and implement, and all school personnel shall comply with, guidelines and routine sanitary hygiene procedures for dealing with all spills of blood and other body fluids in or on school premises and grounds. The Superintendent should consult public health officials, as appropriate, for the most current methods and information pertaining to such procedures.

In addition, the Superintendent shall develop and immediately implement inservice education and training for all school personnel concerning AIDS and HIV infection and the routine sanitary hygiene procedures to be followed in the case of all spills of blood and other body fluids.

Referenced: Public Health Law, Article 27-F
Education Law S4401: 4401-a
8 NYCRR Part 200
10 NYSRR Part 63

Policy Approved: February 29, 1988
Policy Amended: September 18, 1989

NORWICH CITY SCHOOLS

Administrative Guidelines

B404.3

B404.3

STUDENTS WITH HIV-RELATED ILLNESS REGULATION

Confidentiality

A. Definitions

"HIV-related illness" means any clinical illness that may result from or be associated with HIV infection, including AIDS.

"Protected individual" shall mean a person who is the subject of an HIV-related test or who has been diagnosed as having HIV-related illness.

"Capacity to consent" means an individual's ability, determined without regard to such individual's age, to understand and appreciate the nature and consequences of a proposed health care service, treatment or procedure, and to make an informed decision concerning such service, treatment or procedure.

B. Confidentiality and Release of Information

School officials and employees shall keep HIV-related information confidential, however obtained. The information shall not be disclosed to any person, unless the protected individual (or a person with capacity to consent) has completed and signed the Health Department Authorization for Release Form ("Authorization Form"), a Court Order granted under Public Health Law 27895 has been issued, or the person to whom the information has been furnished is authorized to receive such information under Public Health Law (PHL) 2782 without a release form. Persons authorized to receive HIV information with a release include physicians providing care, agencies monitoring such care, personnel staff requires a release or Court Order.

If disclosure occurs pursuant to a signed release or order, the information shall only be released to those listed on such form or order, for the time period specified and only for the purpose stated on the form or order. Such form shall be signed by the protected individual or when the protected individual lacks capacity to consent, a person authorized pursuant by law to consent to health care for the individual. Questions in regard to such capacity shall be referred to the school attorney.

C. Testing

No HIV-related testing of any student shall take place without first receiving the written informed consent of the person to be tested on a form approved by the State Health Department. Such consent shall only be given by an individual with capacity to consent as defined above.

D. Penalties

Persons who disclose confidential HIV information to unauthorized parties or who fail to obtain informed consent for the HIV test may be subject to a \$5,000 penalty and a criminal misdemeanor charge as provided in State Law.

Administrative Guidelines B404.3 (continued)

2.

E. Procedures

1. The procedure set forth here shall be followed in an instance where the school district received confidential HIV-related information concerning a student from the student and/or person in parental relation to the student without benefit of an Authorization Form or court order.
 - a. The Superintendent or building administrator to whom the information has been given shall request a meeting with the person in parental relation and/or the student for the purpose of discussing the student's condition, concerns and, should the situation arise, educational alternatives. Such alternatives may include homebound instruction during periods of short-term illness as well as provision of educationally related support services. At this point, school or public health personnel may be consulted provided that the appropriate Authorization Form is obtained. The person in parental relation and/or the student should be apprised of this and asked to sign such release form for personnel who consultation is needed for delivery of appropriate educational services.
 - b. If a school officer or employee who has not been made privy to confidential HIV-related information pursuant to an Authorization Form or Court Order reasonably believes that a student may present a clear and imminent danger to an individual whose life or health may unknowingly be at significant risk as a result of contact with the person, he/she should express these concerns to the Superintendent of Schools who may attempt to obtain an Authorization form from the individual or someone else with the capacity to consent. Should this request be refused, the Superintendent may recommend to the School Board that the district seek an order for disclosure of confidential HIV-related information, pursuant to Public Health Law 2785.
2. The procedures set forth here shall be followed in any instance where the School District receives confidential HIV-related information concerning a student through the Authorization form or through a Court Order.
 - a. The Superintendent, or building administrator to whom the HIV-related information has been released, may request a meeting with the parent, or person in parental relationship, and the student for the purpose of discussing educational alternatives. Such alternatives may include homebound instruction during periods of short-term illness as well as provision of educationally-related support services. The Superintendent or building administrator may enlist the expertise of the child's physician, or any school or public health personnel, provided that the appropriate release forms have been obtained. If a parent concurs in writing to the provision of educational alternatives, no referral to the Committee on Special Education (CSE) will be made.

- b.(1) If a school officer or employee who has not been made privy to confidential HIV-related information pursuant to an Authorization Form or Court Order reasonably believes that a student may present a clear and imminent danger to an individual whose life or health may unknowingly be at significant risk as a result of contact with the person, he/she should express these concerns to the Superintendent of Schools. If the Superintendent has been given the authority, through the Authorization form, to inform such person (s) who may be at significant risk, he/she should proceed to do so. If the Superintendent does not have this authority, he/she should attempt to obtain an Authorization Form from the individual or someone else with the capacity to consent. Should this request be refused, the Superintendent may recommend to the school board that the district seek an order for disclosure of confidential HIV-related information, pursuant to Public Health Law 2785.
- b. (2) If a professional staff member of a school district who has been made privy to confidential HIV-related information pursuant to an Authorization Form or court Order reasonably believes that a student may present a clear and imminent danger to an individual whose life or health may unknowingly be at significant risk as a result of contact with the person, he/she should make a referral of the student to the CSE, if appropriate. Staff are also expected to encourage students to seek advice from their physician and AIDS counseling centers and to behave responsibly by contacting those persons with whom they have engaged in behavior of significant risk.
3. If a professional staff member of a school district suspects that a student may have a handicapping condition, whether or not the staff member has been made privy to confidential HIV-related information, the staff member shall refer such pupil in writing to the CSE, or to the building administrator of the school which the student attends, in accordance with Part 200.4 of the Commissioner's Regulations.
4. If a student has been referred to the CSE and the CSE reasonably believes either (a) that the student may present a clear and imminent danger to an individual whose life or health may unknowingly be at significant risk as a result of contact with the student, or (b) that the student has or is suspected of having a handicapping condition and that the condition may be due, in whole or in part, to HIV-related illness, the CSE shall inform the Superintendent, who shall attempt to obtain an Authorization Form from the student or someone else with the capacity to consent. Should this request be refused, the Superintendent may recommend to the School board that the district seek an order for disclosure of confidential HIV-related information, pursuant to Public Health Law 2785.

When seeking the confidential information through either said Form or court Order, the Superintendent shall attempt to have the person or Court agree to disclose such information to the CSE, and may attempt to have the person or Court agree to disclose such information to the classroom teacher(s) and any other personnel the Superintendent and the school attorney believe are appropriate.

5. If no such consent or Court Order is obtained, the district shall take no further action in this matter and shall instruct the appropriate officers or employees not to disclose information in regard to the case.
6. If confidential HIV-related information is obtained, it shall be disclosed only to those individuals listed on the form or pursuant to the Court Order and only for the purposes specified, for the specified time periods.
7. At such time as the CSE receives confidential HIV-related information, it shall, on a case-by-case basis, review all of the medical information pertinent to the individual situation and make a determination as to whether the current mode of instruction and classroom setting for the student meets his or her current and ongoing needs or if it is appropriate.

In making its determination, the CSE shall consider the following factors: (1) the physical condition of the student and any behavior which might increase the risk of transmission of the virus; and (2) the expected type of interaction with others in the school setting.

The CSE may also consult with the appropriate public health officials pursuant to Article 27-F of the Public Health Law.

In all other respects, the CSE shall carry out its' responsibilities and make recommendations based upon written evaluation setting forth the reasons for the recommendations, to the student, parent or guardian of the student and Board of Education as it would with any other student who has or is suspected of having a handicapping condition.

Because of the provisions in article 27-F of the Public Health Law permitting physicians to disclose confidential HIV-related information under certain circumstances, the school physician will be required to attend all meetings of the CSE in regard to students suspected or diagnosed as having HIV-related illness.

The CSE shall also have the authority to invite the appropriate professionals familiar with HIV-related illness to any meeting concerning the educational program for any such student, providing however, that such professional is named on a completed and signed Authorization Form or a Court Order granted under Public Health Law 2785.

8. If the student had previously been evaluated and been recommended for placement by the CSE, and thereafter the student is deemed dangerous to himself or others, a short-term suspension (of five days or less) may be imposed, where parents choose to exercise their due process rights under the appeal procedures set forth in State and Federal Law, a student must remain in the original placement until appeal procedures are completed, or parental consent or Court Order for alternative placement is obtained.

If the student had not been evaluated and recommended for placement by the CSE, section 6 (above) shall apply.

9. Pursuant to Public Health Law article 27-F, a physician may, upon the consent of a parent or guardian, disclose confidential HIV-related information to a State, County or local health officer for the purpose of reviewing the medical history of a child to determine the fitness of the child to attend school.

Additional Matters

In the event of the presence of any contagious or communicable disease (such as chicken pox or measles, etc.) in the school population, which may constitute a risk to an infected individual, the Superintendent or school nurse with authorization to obtain the confidential HIV-related information shall inform the student, the student's parents or legal guardian about such risk. Any temporary decision or recommendation in such circumstances should be made by the individual's personal physician and the student's parents, in consultation with the Superintendent, school physician and nurse.

Guidelines Approved: February 29, 1988
Guidelines Amended: September 18, 1989

NORWICH CITY SCHOOLS

Board Policy

A404.4/A502.7/A613

A404.4/A502.7/A613

CONDITIONAL OR EMERGENCY APPOINTMENTS CHILD SAFETY

If an employee is serving under a conditional appointment or emergency conditional appointment pending employment clearance from the State Education Department, the Superintendent, or designee, shall advise the employee's immediate supervisor and/or building principal of such appointment status, and request that he/she provide enhanced supervision as deemed appropriate to address safety of children who have contact with the employee. The immediate supervisor or building principal shall, upon the commencement of the staff member's employment, meet with the staff member to review safety considerations and expectations for any contact such staff member will have with students. The Superintendent or designee shall promptly notify the immediate supervisor or building principal of any changes in the employee's appointment status, including receipt of clearance for employment.

Legal Reference:

Education Law Sections 1604(39)(D), 1709(39)(D), 1804(9)(D), 1950(11)(D), 2503(18)(D), 2554(25)(D) added by A.8898-A (2001)

Policy Adopted: September 10, 2001

NORWICH CITY SCHOOLS
Board Policy

HEALTH AND WELLNESS

A404.5

A404.5

Whereas, children need access to healthful foods and opportunities to be physically active in order to grow, learn and thrive;

Whereas, good health fosters student attendance and education;

Thus, the Norwich City School District is committed to providing school environments that promote and protect children's health, well-being and ability to learn by supporting healthy eating and physical activity.

Therefore, it is the policy of the Norwich City School District that:

I. Goals

- The district will engage students, parents, teachers, support staff, food service professionals, health professionals and other interested community members in developing, implementing, monitoring and reviewing district-wide nutrition and physical activity policies.
- All students in grades PK-12 will have opportunities, support and encouragement to be physically active on a regular basis.
- The district will work toward selling only foods and beverages that will meet the nutrition recommendations of the *U.S. Dietary Guidelines for Americans*.
- Qualified child nutrition professionals will provide students with access to a variety of affordable, nutritious and appealing foods that meet the health and nutrition needs of students. We will provide clean, safe and pleasant settings along with adequate time for students to eat.
- The district will provide current, and research based nutrition education and physical education to foster lifelong habits of healthy eating and physical activity, and will establish linkages between health education and school meal programs. We will avail ourselves to related community services.
- The district will plan and implement activities and policies that support personal efforts by staff members to maintain a healthy lifestyle.
- The district will maintain a wellness committee to develop, implement, monitor, review and, as necessary, revise school nutrition and physical activity policies. Each school will establish and maintain a health and wellness subcommittee.

II. Nutritional Quality of Foods and Beverages Sold and Served on Campus – LEA Nutrition Guidelines

The District shall provide food to students in accordance with State and Federal nutritional guidelines and include:

- A food service program that employs well-prepared staff that serve appealing choices of nutritious food.
- A clean, safe, enjoyable meal environment for students.

The School District guidelines for reimbursable school meals shall not be less restrictive than regulations and guidance issued by the Secretary of Agriculture.

III. School Meals

Meals served through the National School Lunch, Breakfast and Snack Programs will:

1. Meet the minimum, nutritional requirements (RDA) established by state and federal regulations.
2. Offer a variety of fruits and vegetables, with increased offerings of fresh fruit and fresh vegetables for Breakfast, Lunch and Snack Program. A minimum of two fruits with the addition of juice will be offered with Breakfast and Lunch each day.
3. Breads, Pasta, Rice and other grains will contain a minimum of 51% whole grain in all meals and snacks served throughout the day.
4. Snacks sold in school will meet the Healthy Hungry Free Kids Act Requirement.
5. Milk offered will be low fat or fat free milk. An appropriate milk alternative will be offered for substitution for students with allergies.
6. Beverages sold in schools will meet the following standards:
 - a. Plain Water (with or without carbonation)
 - b. Unflavored Low Fat Milk
 - c. Unflavored or Flavored Fat Free Milk and milk alternatives permitted by the NSLP/SBP
 - d. 100% Fruit or Vegetable Juice
 - e. 100% Fruit or Vegetable Juice diluted with water (with or without carbonation) and not added sweeteners
7. Elementary Schools may sell up to an 8 oz. portion of beverage.
8. Middle School may sell up to a 12 oz. portion of milk and juice.
9. High School may sell up to a 20 oz. portion of no calorie and lower calorie beverage options as follows:
 - a. Calorie Free Water is not limited to portion size.
 - b. Other flavored and/or carbonated beverages that are labeled to contain < 5 calories per 8 fluid oz. or < 10 calories per 20 fluid oz.
 - c. No more than 12 oz. portions of beverages < 40 calories per 8 fluid oz. or < 60 calories per 12 fluid oz.

IV. Fundraising Activities

1. The sale of healthy or non-food items will be encouraged.
2. The standards do not apply during non-school hours, on weekends and at off campus fundraising events.
3. The sale of food items that meet the nutrition requirements at fundraisers are not limited in any way under the standards.

V. Rewards and Celebrations

1. Schools will limit the use of foods or beverages as rewards for academic performance or good behavior. We will not withhold food or beverages as a punishment.
2. Schools will limit the amount of food at Classroom Celebrations.
3. Students/Parents bringing in foods bought in a store that are meant to be shared must be brought in the original packaging containing nutritional information.
4. No "home" prepared items are allowed to be brought into school for the purpose of sharing with other students.
5. All foods in the school building meant to be shared must adhere to all food safety and security guidelines as outlined, especially with the concern of allergies.
6. Healthy snack and non-food suggestions are available.

VI. Nutrition and Physical Activity Promotion and Food Marketing

A. Nutrition Education and Promotion. The Norwich City School District aims to teach, encourage and support healthy eating by students. Schools should provide nutrition education and engage in nutrition promotion that:

- Is age appropriate and part of a sequential, comprehensive, standards-based program designed to provide students with the knowledge and skills necessary to promote and protect their health;
- Is part of not only health education classes, but also classroom instruction in subjects such as math, science, language arts, social sciences and elective subjects;
- Includes enjoyable, developmentally-appropriate, culturally-relevant, participatory activities, such as contests, promotions, taste testing, farm visits and school gardens;
- Promotes fruits, vegetables, whole-grain products, low fat and fat-free dairy products, healthy food preparation methods and health enhancing nutrition practices;
- Emphasizes caloric balance between food intake and energy expenditure (physical activity/exercise);
- Links with school meal programs, other school foods and nutrition related community services;
- Teaches media literacy with an emphasis on food marketing; and
- Includes comprehensive training for district staff

B. Integrating Physical Activity into the Classroom Setting

For students to receive the nationally recommended amount of physical daily activity (i.e., at least 60 minutes per day) and for students to experience regular physical activity as a personal behavior, students need opportunities for physical activities beyond physical education class. Toward that end:

- Classroom health education will complement physical education by reinforcing the knowledge and self-management skills needed to maintain a physically active lifestyle and reduce time spent on sedentary activities, such as watching television;
- When appropriate, classroom teachers will provide short physical activity breaks between lessons or classes.

VII. Physical Activity Opportunities and Physical Education

A. Physical Education (P.E.) K-12 - All students in grades K-12, including students with physical disabilities, special health-care needs, and in alternate educational settings, will receive physical education or its equivalent of 150 minutes/week for elementary students and 225 minutes/week for middle and high school students.

B. Daily Recess - All elementary school students will have the opportunity for a daily, supervised recess, preferably outdoors, during which schools should encourage moderate to vigorous physical activity.

C. Physical Activity Opportunities Before and After School - All elementary, middle and high schools will offer physical activity programs as available. All high schools, and middle schools as appropriate, will offer interscholastic sports programs. Schools will offer a range of activities that meet the needs, interests and abilities of all students including boys, girls, students with disabilities, and students with special health-care needs.

VIII. Monitoring and Policy Review

The Superintendent or designee will ensure compliance and establish district wide nutrition and physical activity wellness policies. In each school, the principal or designee will ensure compliance with these policies in his/her school and will report to the school district superintendent or designee at least on an annual basis.

This policy shall be reviewed in conjunction with parents, students, teachers, support staff and representatives of the school food authority, school administration and members of the public.

Policy Adopted: October 17, 2006
Policy Updated: October 22, 2015
Policy Amended: July 6, 2016

NORWICH CITY SCHOOLS

Board Policy

A404.6

A404.6

ANAPHYLAXIS POLICY

The Board of Education of the Norwich City School District has established an Anaphylactic Policy setting forth guidelines and procedures to be followed for both the prevention of anaphylaxis and during a medical emergency resulting from anaphylaxis.

Policy Adopted: June 2012

NORWICH CITY SCHOOLS

Administrative Guidelines

B404.6

B404.6

ANAPHYLAXIS

CARE OF AUTO INJECTORS

Auto Injectors (Epi-Pen, Twin-Ject) need to be available at all times. They will be centrally located, never locked away, and preferably kept with the student at risk for anaphylaxis. Primary school aged children (Pre-K-Grade 5) will not carry their own injectors. They will be stored in the child's classroom. Secondary school aged and older children (Grades 6-12) carry their own injectors on them (for example, in their school bag).

The adrenaline auto injector needs to be protected in a rigid container and the container should be suitably labeled so no time is lost in finding the injector in an emergency. The school may hold an injector in reserve, if provided by the parent/guardian, in case the student loses his/her bag.

The case holding the auto injector needs to be clearly labeled with the student name and the words "Emergency Kit".

RESPONSIBILITIES

Responsibility of the Student:

- Take as much responsibility as possible for avoiding allergens.
- Take responsibility for reading food labels, not trading or sharing food with anyone, and eating only foods approved for consumption (as developmentally appropriate).
- Wash hands before and after eating.
- Learn to recognize symptoms of an anaphylactic reaction and alert an adult immediately if accidental exposure occurs or symptoms appear (as developmentally appropriate).
- Keep an auto-injector handy at all times and know how to use it (As developmentally appropriate).

Responsibility of the Parent/Guardian:

- Provide accurate complete health history on anaphylactic student.
- Respond promptly to school requests for necessary emergency medications/completed prescriber forms/delivery of medications in appropriately labeled pharmacy containers for treatment of anaphylaxis.

B404.6 (continued)

B404.6

- Eliminate known allergens from packed lunches/snacks/any food products distributed to students (i.e. nuts, wheat, eggs, etc).
- Participate in Emergency Care Plan-parent/guardian must sign the plan giving permission for dissemination of student's health information to wider school community.

Responsibility of School Administration:

- Include the Anaphylactic Policy in the school district's EMERGENCY RESPONSE PLAN.
- Provide for training of all school personnel in anaphylaxis emergency management-including administration of auto injectors/asthma inhalers/and emergency allergy medicines.
- Provide guidance on district-wide issues such as transportation, field trips, etc.

Responsibilities of School Nurse:

- Obtain accurate health history of anaphylaxis from parent/guardian.
- Obtain medication orders signed by the medical provider and parent/guardian.
- Obtain emergency medication(s) from parent/guardian in appropriately labeled pharmacy container.
- Write an EMERGENCY RESPONSE PLAN (see appendix) for use by school staff.
- Provide Transportation Director with a list of students known to have life threatening allergy.
- Review EMERGENCY RESPONSE PLAN with parent/guardian and medical provider-obtain necessary signatures.
- Alert all school staff to the special needs of the anaphylactic student as directed in the EMERGENCY RESPONSE PLAN.
- Train school staff to administer the emergency plan and epinephrine/asthma inhaler if needed.
- Work with school staff to ensure student safety in all areas of the school.
- Participate in planning school policy.
- Direct in-service and auto-injector training.
- Collaborate with parent/guardian, teachers, and healthcare providers to address continuing student needs.

Responsibilities of Teachers/Support Staff:

- Participate in review of the EMERGENCY RESPONSE PLAN for student(s) known to be anaphylactic.
- Participate in training to ensure the ability to handle every day and emergency care:
 - Allergens which cause life threatening allergies;
 - Steps to take to prevent exposure to known allergens;
 - How to recognize symptoms of an allergic reaction;
 - How to respond to an emergency; and
 - How to administer an epinephrine auto injector and asthma inhaler.
- Ensure that school personnel are informed of the anaphylactic student per the EMERGENCY RESPONSE PLAN.
- Facilitate communication with all classroom parents on an as needed basis.

Responsibilities of Food-Service Personnel:

- Meet with parent/guardian if requested to discuss food allergen and provide copies of menu.
- Review student EMERGENCY RESPONSE PLAN with school nurse.
- Identify known anaphylactic student and known allergen (i.e. peanut, egg, latex.)
- Maintain current manufacturer's information on food contents/ contact information.
- Develop protocols for cleaning and sanitation to ensure the highest standard of student safety.
- Participate in training to ensure the ability to handle everyday and emergency care:
 - Allergens which cause life threatening allergies;
 - Steps to prevent exposure to allergens;
 - How to recognize symptoms of an allergic reaction;
 - How to respond to an emergency; and
 - How to administer an epinephrine auto-injector/asthma inhaler.
- Wash hands frequently.
- Allow for appropriate substitutions or modifications for meals served to students with food allergies.
- Plan ahead for safe meals for field trips.

Responsibilities of Coaches/Athletic Director/After School Employees & Volunteers:

- Keeps a copy of the EMERGENCY RESPONSE PLAN for students with known life threatening allergies.
- Participate in training to ensure the ability to handle emergency care; including administration of epinephrine auto-injector/asthma inhaler.
- Ensure that emergency communication is available in school sponsored and after-school activities.

Responsibilities of Transportation Personnel:

- Bus drivers should be provided with a copy of the EMERGENCY RESPONSE PLAN of each student they transport with a life threatening allergy.
- Participate in training to:
 - Learn symptoms of an anaphylactic reaction;
 - Follow EMERGENCY RESPONSE PLAN of known anaphylactic students
 - Administer epinephrine auto injector/asthma inhaler if necessary.
- Ensure that auto injector for primary school students (Grades Pre-K-5) is stored in a safe and accessible place on the bus and that secondary school students (Grades 6-12) carrying his/her auto injector identifies the location.

TRAINING OF SCHOOL EMPLOYEES

In order to assist educators in discharging their legal responsibilities and to reduce the school's potential legal liability, it is recommended that all educators and any other appropriate school personnel be trained to administer the required medication in response to an anaphylactic reaction. A record of training will be kept on file in the school health offices.

In accordance with the above recommendation the District will provide on an annual basis:

- In-service training for all school personnel who may be in a position of responsibility for children with anaphylaxis;
- Anaphylaxis prevention;
- Information on recognition and management of anaphylaxis;
- School anaphylaxis policy;
- The use of epinephrine auto injectors and asthma inhalers in emergency.

EMERGENCY RESPONSE PLAN

In cooperation with the student's parent/guardian and the school nurse-each student identified as anaphylactic shall have a written EMERGENCY RESPONSE PLAN (See Appendix); whether at school, on the school bus, or on a field trip, including:

- A rapid response procedure to:
 - Identify anaphylaxis
 - Administer epinephrine/asthma inhaler-note time administered.
 - Call 911-state, "We have a student in anaphylactic shock"
 - Contact administration
 - Contact hospital
 - Contact the student's parent/guardian

FIELD TRIPS

In the event of a field trip, all known anaphylactic student's EMERGENCY RESPONSE PLAN(s) and emergency medications are to accompany the student.

A designated individual who is responsible for the student, (parent/guardian, or an employee designated by the school district) who is familiar with the student's health needs, will be directly available to the student.

In addition:

- All adults (both staff and parents) should be aware of the identity of anaphylactic student(s) and allergens, symptoms, and treatment.
- Ensure access to a telephone, cell phone, or radio communication in the event of emergency.
- Require the parent of the anaphylactic student to provide epinephrine auto injectors to be administered en route to the nearest hospital in the event that symptoms persist or reoccur.
- If the risk factors are too great to control, the anaphylactic student may be unable to participate in the field trip. Parents/guardians will be involved in this decision, but the Building Principal shall make the final determination.

COMMUNICATION PLAN

- It is the responsibility of parents/guardians with anaphylactic children to identify their children to the school and provide information regarding the triggers, symptoms, a treatment protocol signed by the child's health care provider, and permission to share the information with school personnel.
- A written EMERGENCY RESPONSE PLAN will be on file for each anaphylactic student.
- All school staff will be made aware of all students with anaphylaxis and their EMERGENCY RESPONSE PLAN.
- The Board approved *Anaphylaxis Policy* will be available to all staff members.
- The school nurse(s) will be responsible for obtaining the signed EMERGENCY RESPONSE PLAN/emergency medication(s) from the parent/guardian.
- The school nurse(s) will be responsible for disseminating information to school staff regarding students at risk for anaphylaxis.
- The school nurse(s) will be responsible for initial and ongoing communication with the anaphylactic student's parent/guardian, and primary health care provider.

APPENDICES

- Bee Sting Allergy EMERGENCY RESPONSE PLAN..... A-1
- Food Allergy EMERGENCY RESPONSE PLAN..... A-2

**Appendix A-1
BEE STING ALLERGY EMERGENCY RESPONSE PLAN**

Student: _____ Grade: _____

School Contact: _____ DOB: _____

Asthmatic: Yes No (increased risk for severe reaction) Severity of reaction(s): _____

Mother: _____ MHome #: _____

MWork #: _____ MCell : _____

Father: _____ FHome #: _____

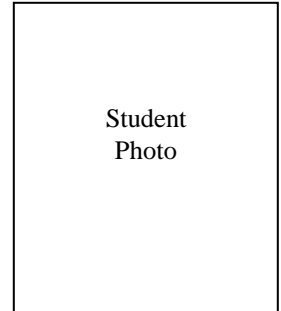
FWork #: _____ FCell _____

Emergency Contact: _____ Relationship: _____

HomePhone #: _____ Work #: _____ Cell : _____

SYMPTOMS OF AN ALLERGIC REACTION MAY INCLUDE ANY/ALL OF THESE:

- **MOUTH** Itching & swelling of lips, tongue or mouth
- **THROAT** Itching, tightness in throat, hoarseness, cough
- **SKIN** Hives, itchy rash, swelling of face and extremities
- **STOMACH** Nausea, abdominal cramps, vomiting, diarrhea
- **LUNG** Shortness of breath, repetitive cough, wheezing
- **HEART** "Thready pulse", "passing out"
-



**The severity of symptoms can change quickly –
It is important that treatment is give immediately.**

STAFF MEMBERS INSTRUCTED: Classroom Teacher(s) Special Area Teacher(s)
 Administration Support Staff Transportation Staff

TREATMENT: Remove stinger if visible; apply ice to area. Rinse contact area with water.

Treatment should be initiated with symptoms without waiting for symptoms

Epinephrine ordered: Yes No Special instructions: _____

Antihistamine ordered: Yes No Brand and Dose: _____

Other (e.g., inhaler-bronchodilator if asthmatic): _____

IF ANY SYMPTOMS BEYOND REDNESS OR SWELLING AT THE SITE OF THE STING ARE PRESENT AND EPINEPHRINE IS ORDERED, GIVE EPINEPHRINE IMMEDIATELY AND CALL 911.

Call school nurse. Call parent/guardian if off school grounds.

Preferred Hospital if transported: _____

Epinephrine provides a 20 minute response window. After epinephrine, a student may feel dizzy or have an increased heart rate. This is a normal response. Students receiving epinephrine should be transported to the hospital by ambulance. A staff member should accompany the student to the emergency room if the parent, guardian or emergency contact is not present and adequate supervision for other students is present.

Transportation Plan: Medication available on bus Medication NOT available on bus Does not ride bus

Special Instructions: _____

Healthcare Provider: _____ Phone: _____

Written by: _____ Date: _____

Copy provided to Parent Copy sent to Healthcare Provider

Parent/Guardian Signature to share this plan with Provider and School Staff: _____

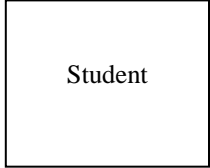
Appendix A-2

FOOD ALLERGY EMERGENCY RESPONSE PLAN

Student: _____ Grade: _____
School Contact: _____ DOB: _____
Asthmatic: [] Yes [] No (increased risk for severe reaction) Severity of reaction(s): _____
Mother: _____ MHome #: _____
MWork #: _____ MCell: _____
Father: _____ FHome #: _____
FWork #: _____ FCell #: _____
Emergency Contact: _____ Relationship: _____
HomePhone #: _____ Work #: _____ Cell #: _____

SYMPTOMS OF AN ALLERGIC REACTION MAY INCLUDE ANY/ALL OF THESE:

- MOUTH Itching & swelling of lips, tongue or mouth, mouth "feels hot"
THROAT Itching, tightness in throat, hoarseness, cough
SKIN Hives, itchy rash, swelling of face and extremities
STOMACH Nausea, abdominal cramps, vomiting, diarrhea
LUNG Shortness of breath, repetitive cough, wheezing
HEART "Thready pulse", "passing out"



The severity of symptoms can change quickly – It is important that treatment is given immediately.

STAFF MEMBERS INSTRUCTED: [] Classroom Teacher(s) [] Special Area Teacher(s)
[] Administration [] Support Staff [] Transportation Staff

TREATMENT: Rinse contact area with water if appropriate
Treatment should be initiated [] with symptoms [] without waiting for symptoms
Epinephrine ordered: [] Yes [] No Special instructions: _____
Antihistamine ordered: [] Yes [] No Brand and Dose: _____
Other (e.g., inhaler-bronchodilator if asthmatic): _____
IF INGESTION OR SUSPECTED INGESTION OF ALLERGEN OCCURS, SYMPTOMS ARE PRESENT AND EPINEPHRINE IS ORDERED, GIVE EPINEPHRINE IMMEDIATELY AND CALL 911.
Call school nurse. Call parent/guardian if off school grounds.
Preferred Hospital if transported: _____
Epinephrine provides a 20 minute response window. After epinephrine, a student may feel dizzy or have an increased heart rate. This is a normal response. Students receiving epinephrine should be transported to the hospital by ambulance. A staff member should accompany the student to the emergency room if the parent, guardian or emergency contact is not present and adequate supervision for other students is present.

Transportation Plan: [] Medication available on bus [] Medication NOT available on bus [] Does not ride bus
Special Instructions: _____

Healthcare Provider: _____ Phone: _____
Written by: _____ Date: _____
[] Copy provided to Parent [] Copy sent to Healthcare Provider
Parent/Guardian Signature to share this plan with Provider and School Staff: _____

CONCUSSION MANAGEMENT

The Board of Education recognizes that concussions and head injuries are the most commonly reported injuries in children and adolescents who participate in sports and recreational activities. The physical and mental well-being of our students is a primary concern. Therefore, the Norwich City School District adopts the following Policy to support the proper evaluation and management of concussion injuries.

A concussion is a mild traumatic brain injury (MTBI). A concussion occurs when normal brain functioning is disrupted by a blow or jolt to the head or body that causes the head and brain to move rapidly back and forth. Recovery from concussion and its symptoms will vary. Avoiding re-injury and over-exertion until fully recovered are the cornerstones of proper concussion management. Concussions can impact a student's academics as well as their athletic pursuits.

Concussion Management Team (CMT)

In accordance with the Concussion Management and Awareness Act, the School District is authorized, at its discretion, to establish a Concussion Management Team (CMT) which may be composed of the certified athletic director, a school nurse, the school physician, a coach of an interscholastic team, a certified athletic trainer or such other appropriate personnel as designated by the School District. The Concussion Management Team shall oversee and implement the School District's concussion policy and regulations, including the requirement that all school coaches, physical education teachers, nurses and certified athletic trainers who work with and/or provide instruction to pupils engaged in school-sponsored athletic activities complete training relating to mild traumatic brain injuries. Furthermore, every concussion management team may establish and implement a program that provides information on mild traumatic brain injuries to parents and persons in parental relation throughout each school year.

Staff Training/Course of Instruction

Each school coach, physical education teacher, school nurse and certified athletic trainer who works with and/or provides instruction to students in school-sponsored athletic activities (including physical education class and recess) shall complete a course of instruction every two years relating to recognizing the symptoms of concussions or MTBIs and monitoring and seeking proper medical treatment for students who suffer from a concussion or MTBI. Components of the training will include:

- a) the definition of MTBI
- b) signs and symptoms of MTBI
- c) how MTBIs may occur
- d) practices regarding prevention
- e) guidelines for the return to school and school activities for a student who has suffered an MTBI, even if the injury occurred outside of school

The course can be completed by means of instruction approved by SED that includes, but is not limited to, courses provided online and by teleconference.

Information to Parents

The District shall include the following information on concussion in any permission or consent form or similar document that may be required from a parent/person in parental relation for a student's participation in interscholastic sports. Information will include:

- a) definition of MTBI
- b) signs and symptoms of MTBI
- c) how MTBIs may occur
- d) practices regarding prevention
- e) guidelines for the return to school and school activities for a student who has suffered an MTBI, even if the injury occurred outside of school

The District will provide a link on its website, if one exists, to the above list of information on the State Education Department's and Department of Health's websites.

Identification of Concussion and Removal from Athletic Activities

The District shall require the immediate removal from all athletic activities of any student who has sustained, or is believed to have sustained, a mild traumatic brain injury (MTBI) or concussion. Any student demonstrating signs, symptoms or behaviors consistent with a concussion while participating in a class, extracurricular activity or interscholastic athletic activity shall be removed from the class, game or activity and must be evaluated as soon as possible by an appropriate health care professional. Such removal must occur based on display of symptoms regardless of whether such injury occurred inside or outside of school. If there is any doubt as to whether the student has sustained a concussion, it shall be presumed that the student has been injured until proven otherwise. The District shall notify the student's parents or guardians and recommend appropriate evaluation and monitoring.

The School District may choose to allow credentialed District staff to use validated Neurocognitive Computerized Testing as a concussion assessment tool to obtain baseline and post-concussion performance data. These tools are not a replacement for a medical evaluation to diagnose and treat a concussion.

Return to School Activities and Athletics

The student shall not return to physical activity (including athletics, physical education class and recess) until he/she has been symptom-free for not less than twenty-four hours, and has been evaluated and received written authorization from a licensed physician. In accordance with Commissioner's Regulations, the School District's Medical Director will give final clearance on a return to activity for extra-class athletics. All such authorizations shall be kept on file in the student's permanent health record. The standards for return to athletic activity will also apply to

injuries that occur outside of school. School staff should be aware that students may exhibit concussion symptoms caused by injuries from outside activities and that these visible symptoms also indicated a removal from play.

The District shall follow any directives issued by the Student's treating physician with regard to limitations and restrictions on school and athletic activities for the student. The District's Medical Director may also formulate a standard protocol for treatment of students with concussions during the school day.

In accordance with NYSED guidelines, this Policy shall be reviewed periodically and updated as necessary in accordance with New York State Education Department guidelines. The Superintendent, in consultation with the District's Medical Director and other appropriate staff, may develop regulations and protocols for strategies to prevent concussions, the identification of concussions, and procedures for removal a form and return to activities or academics.

Policy Adopted: July 6, 2016

NORWICH CITY SCHOOLS

Board Policy

A405

A405

PROMOTION AND RETENTION

Grades K-8

In general, children shall be placed at the grade level to which they are best adjusted academically, socially and emotionally. The educational program shall provide for the continuous progress of children from grade to grade

The preponderance of available research clearly indicates that there are no positive effects associated with retaining children at grade level based on academic performance but significant negative effects.

In light thereof, a child will be retained at grade level only on those occasions where:

- there is agreement among the parent, involved classroom teacher, Building Principal and Superintendent that the child would benefit substantially, and
- there is available to the child a substantially different program of instruction.

High School

With respect to grades 9 through 12, students shall have completed the following numbers of credits for placement at the given grade level: (1) sophomore - three units; (2) junior - seven units; and (3) senior - eleven units. The grade placement shall also consider the year in which the student will complete requirements for graduation.

Policy Adopted: December 15, 1975

Policy Amended: May 16, 1983

Policy Amended: March 17, 1997

NORWICH CITY SCHOOLS

Administrative Guidelines

B405

B405

PROMOTION AND RETENTION

Whenever retention is being considered, but no later than the end of the first semester, the teacher shall confer with the principal and other staff members involved with the child such as the child's special education teachers and counselor. Parents shall be invited to a meeting with the teacher, principal, superintendent and other staff members no later than March 1 for discussion of the potentials for retention. This discussion shall consist of an explanation to the parents of their child's current academic standing in relationship to the group and his or her own individual ability. Goals will be set for the third quarter. During the first two weeks of the fourth quarter another meeting will be held to review the goals and the student's progress. At this time, a final decision regarding retention shall be made.

Guidelines Adopted: December 15, 1975

Guidelines Amended: May 16, 1983

Guidelines Amended: March 17, 1997

NORWICH CITY SCHOOLS

Board Policy

A406

A406

GRADUATION REQUIREMENTS

Graduation from Norwich High School is granted upon a student's successful completion of a course of study in accord with his ability and when the student has successfully met and passed all minimum requirements of credits and sequences established by the State as well as the school district.

Students leaving Norwich High School no earlier than the end of their Junior year who enter a prescribed course of study at such places as a college, private school, or college level courses in the military may be granted a diploma upon successful completion of an approved equivalent program. In such cases all State and local requirements must be met.

In certain cases, an I.E.P. diploma may be awarded to pupils with a handicapping condition by prior arrangement with the Committee on Special Education.

Policy Adopted: May 21, 1979
Policy Amended: June 20, 1988
Policy Amended: September 10, 2001
Policy Amended: October 16, 2007

GRADUATION REQUIREMENTS

Regents Diploma	Advanced Regents Diploma
Test Requirements	Test Requirements
Passed English Regents with grade of 65 or higher	Passed English Regents
Passed Math Regents with grade of 65 or higher	Passed Math Regents A and B
Passed Global Studies Regents with grade of 65 or higher	Passed Global Studies Regents
Passed US History Regents with grade of 65 or higher	Passed US History Regents
Passed Science Regents with grade of 65 or higher	Passed two Science Regents including Living Environment
Passed Second Language Proficiency Exam/1 credit in second language*	Passed Second Language Regents**
Course Requirements	Course Requirements
4 Credits in English	4 Credits in English
4 Credits in Social Studies	4 Credits in Social Studies
3 Credits in Math	3 Credits in Math
3 Credits in Science	3 Credits in Science
2 Credits in Physical Education	2 Credits in Physical Education
1 Credit in Art and/or Music	1 Credit in Art and/or Music
.5 Credit in Health	.5 Credit in Health
1 Credit in Second Language*	3 Credits in Second Language
Credits needed for Graduation = 22	Credits needed for Graduation = 22

*One Unit in Second Language may be earned by passing a proficiency examination or by passing a high school course.

**Students acquiring five units in occupational studies or arts may be exempted from the three unit requirement in second language. Those students must have one unit in a second language which may be earned either through a proficiency exam or by a course.

DIPLOMA REQUIREMENTS BASED ON JUNE 2005 BOARD OF REGENTS ACTION TO PHASE IN THE 65 GRADUATION STANDARD ON REQUIRED REGENTS EXAMS.

Entering Freshman Class	Local Diploma Requirements	Regents Diploma Requirements	Regents Diploma with Advanced Designation Requirements
2005	Score 65 or above on 2 required Regents exams and score 55 or above on 3 required Regents exams. Earn 22 units of credit.	Score 65 or above on 5 required Regents exams. Earn 22 units of credit	Score 65 or above on 8 required Regents exams. Earn 22 units of credit
2006	Score 65 or above on 3 required Regents exams and score 55 or above on 3 required Regents exams. Earn 22 units of credit.	Score 65 or above on 5 required Regents exams. Earn 22 units of credit	Score 65 or above on 8 required Regents exams. Earn 22 units of credit
2007	Score 65 or above on 4 required Regents exams and score 55 or above on 3 required Regents exams. Earn 22 units of credit.	Score 65 or above on 5 required Regents exams. Earn 22 units of credit	Score 65 or above on 8 required Regents exams. Earn 22 units of credit
2008	Score 65 or above on 5 Required Regents exams. Earn 22 units of credit.	Score 65 or above on 8 Required Regents exams. Earn 22 units of credit.	

NOTE: The Regents Competency Test safety net for students with disabilities will continue to be available for students entering grade 9 prior to September 2010. Students using this safety net will receive a local diploma. The low-pas option of scoring between 55-64 on the required Regents exams to earn a local diploma will continue to be available for students with disabilities, without local option.

Guidelines Adopted: May 21, 1979
 Guidelines Amended: June 20, 1988
 Guidelines Amended: September 10, 2001
 Guidelines Amended: October 16, 2007

NORWICH CITY SCHOOLS

Board Policy

A407

A407

STUDENT RECORDS

The educational interests of the student can best be served only by full cooperation between the school, student and/or the parents, based on a complete understanding of all available information. At the time of inspection of a student's records by the parent and/or student with his/her parents present until age eighteen, appropriate personnel must be present to prevent any misinterpretation by the parent and or/student of the meaning of the record.

Only carefully worded professional opinion rendered in line of duty should be written by a physician, psychiatrist, psychologist, guidance counselor, nurse, social worker, speech therapist, principal, or teacher. All such opinions should be reasonably related to the educational process and accurately reflect true facts.

Original student records of any kind may not be transferred from the jurisdiction of the school district which first prepared them. When a student transfers to another school, information in the form of a transcript, academic record, health record and other pertinent information, or photographic copies thereof, must be sent to the receiving school.

Transfer of student information must not be made without the consent expressed or implied, of the student and/or his/her parents. Consent may reasonably be implied where the student transfers to another school; where he/she has applied for admission to another school; or where he/she has applied for admission to an institution of higher learning.

The records of the school concerning an individual student shall be used for the promotion of the welfare of the student. No teacher shall give information from a student's record to anyone outside the school staff, except the student or his/her parents, until the student reaches age eighteen or enrolls in a post secondary school. Having reached age eighteen or being in attendance in a post secondary school, the student becomes the sole authority to give consent to the review of his/her records. Other school officials designated by the Superintendent may give information from the records only to the student, his/her parents, by Court Order, or other persons approved by the student and/or his/her parents in accordance with the law.

A request to review a student's records may be made by the person or persons with the legal authority to do so. This request may be made on an application provided for such and kept on file in the several buildings (copy attached). Such review will take place at the earliest time an appointment can be scheduled, but in no case will the time exceed the forty-five day limit from the date of application as prescribed by law.

Each person or persons with the legal authority to review a student's records shall have a right to challenge the information contained in the record. The challenge of the record must be made in writing to the Building Principal. The hearing for such challenge shall be held with reasonable promptness and adequate notice shall be given as the time and place of such hearing. In the case of such challenge, the procedure will be as follows:

- a. A meeting with the Building Principal will be scheduled to discuss the records in question.
- b. In the event the person is not satisfied with the decision made by the building principal, an appeal may be made to the Superintendent of Schools.
- c. If such individual is still not satisfied with the decision rendered by the Superintendent of Schools, an appeal may be made directly to the Board of Education.

Ref: Ed Law, Sec. 2116 and 7611

Ref: Freedom of Information Act.
State of New York

Policy Adopted: September 17, 1973
Policy Amended: February 18, 1975
Policy Amended: March 17, 1997
Policy Amended: October 16, 2007

NORWICH CITY SCHOOLS

Administrative Guidelines

B407

B407

STUDENT RECORDS

Any challenge to a part of an individual's record will be made in writing with specific reference to what is being challenged. The responsibility for whether or not to expunge the questioned parts of the record rests with the Building Principal or the Psychologist in the case of psychological records written by the psychologist.

If the individual wishes to appeal the decision of the Principal or the Psychologist, he will do so in writing to the Superintendent with a copy of the original challenge attached. Should the ultimate resolution of the challenge be to expunge the questioned part of the record, all information pertaining to the challenge will be destroyed. If the ultimate decision is not to expunge the challenged part of the record, all of the information pertaining to the challenge will be maintained with the individual's cumulative record.

Policy Adopted: September 17, 1973

Policy Amended: February 18, 1975

REQUEST FOR
STUDENT RECORD REVIEW

Date _____

I, _____ request an opportunity to inspect
the student records of _____.
(person requesting review)

Date of Appointment _____

Record Review Conducted _____
(date)

Signature _____
(person requesting review)

Signature _____
(Building Principal and/or person
conducting review)

NORWICH CITY SCHOOLS

Board Policy

A407.1

A407.1

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA) STUDENT DIRECTORY INFORMATION

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that the Norwich City School District, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, The Norwich City School District may disclose appropriately designated "directory information" without written consent, unless you have advised the District to the contrary in accordance with District procedures. The primary purpose of directory information is to allow the Norwich City School District to include this type of information from your child's education records in certain school publications. Examples include:

A playbill, showing your student's role in a drama production;
The annual yearbook;
Honor roll or other recognition lists;
Graduation programs; and
Sports activity sheets, such as for wrestling, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks.

In addition, two federal laws require local education agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with three directory information categories – names, addresses and telephone listings – unless parents have advised the Norwich City School District that they do not want their student's information disclosed without their prior written consent. ¹

If you do not want the Norwich City School District to disclose directory information from your child's education records without your prior written consent, you must complete the form below and return to the Superintendent, Norwich City Schools,
19 Eaton Ave., Norwich NY 13815, **no later than September 30, 2006**. The Norwich City School District has designated the following information as directory information for release:

- | | |
|-------------------------|---|
| 1. Student's name | 9. Participation in officially recognized activities and sports |
| 2. Address | 10. Weight and height of members of athletic teams |
| 3. Telephone listing | 11. Degrees, honors, and awards received |
| 4. Photograph | 12. The most recent educational agency or institution attended |
| 5. Date of birth | |
| 6. Major field of study | |
| 7. Dates of attendance | |
| 8. Grade level | |

¹These laws are: Section 9528 of the ESEA (20 U.S.C. 7908), as amended by the No Child Left Behind Act of 2001 (P.L. 107-110), the education bill, and 10 U.S.C. 503, as amended by section 544, the National Defense Authorization Act for Fiscal Year 2002 (P.L. 107-107) the legislation that provides funding for the Nation's armed forces.

.....

As a parent, legal guardian, or student over the age of 18, you have the right to refuse the release of student directory information, otherwise known as "opting out."

If you wish to "opt out" please sign where indicated below and return this form to the attention of the Superintendent, Norwich City School District, 19 Eaton Avenue, Norwich, NY 13815. If you consent to allow this information to be used, you do not need to return this form or take any further action.

Child/Children/s Names

Grade

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Signature

Date

SIGNING HERE INDICATES THAT YOU DO NOT WANT THE DISTRICT TO RELEASE STUDENT DIRECTORY INFORMATION CONCERNING [YOUR CHILD] [YOU]. IF THIS IS THE CASE, PLEASE RETURN THIS FORM TO THE DISTRICT AS INDICATED ABOVE.

Policy Adopted: December 17, 2001
Policy Amended: September 23, 2002
Policy Amended: July 10, 2006

NORWICH CITY SCHOOLS
Board Policy

A408.2

A408.2

ELIGIBILITY FOR INTERSCHOLASTIC SPORTS AND
EXTRA CURRICULAR ACTIVITIES

The Norwich City School District strives to offer its students a comprehensive program that enables each to develop into successful, well-rounded individuals. In doing so, it is recognized that the fundamental purpose of any educational program is to focus on maximizing academic achievement. The District also recognizes that Extra Curricular Activities for students provide additional growth and success; therefore, these are a desirable component of the District's overall program. The extra curricular experience should enrich, not detract from or compromise a student's academic achievement. It is the expectation of the Board of Education that parents, administrators, coaches, teachers, and students must share in the responsibility to ensure that each student involved in Extra Curricular Activities works to his/her academic potential.

Philosophy

The Norwich City School District recognizes that extra curricular activities provide opportunity for personal development, contribution to the school, self-realization of potential, and education of the whole person. However, these programs are a privilege, and the student must maintain good academic standing in order to earn the right to participate in these programs. Students who are residents of the Norwich City School District, but educated outside of the District's schools and not home schooled, will be allowed to participate in extra curricular activities if there is no additional cost to the District; participation will not displace a Norwich City School District student from an opportunity otherwise available; participation does not adversely impact the activity and upon approval of the Superintendent after review of application and in accordance with Commissioner's regulations.

Norwich High / Middle School Procedures

1. At the beginning of each season, the faculty will receive rosters of all students participating in extra curricular activities. (including but not limited to clubs, sports, marching band, musical, etc.)
2. Academic eligibility will be based on a student's performance in all academic subjects.
3. Eligibility will be based on the work of the student for the five-week period prior to participation. Eligibility for the first five weeks of the school year will be based on the grades received in the preceding June. In the event a student attends summer school to make up the deficiency that grade will be used to determine eligibility.

Every five weeks the Building Principal and Athletic Director will review the list of failing student grades.

The Building Principal and Athletic Director will meet with the Advisor and/or Coach to develop an academic assistance plan for any failing student in an extra curricular activity. The student's teachers will assist in developing that plan. The plan will be shared with the student's parents and student's teachers.

Eligibility for Interscholastic Sports and Extra Curricular Activities

Should the student be unable to fulfill the plan requirements the Building Principal, Athletic Director, Coach and/or Advisor will recommend appropriate next steps up to and including making the student ineligible for extra curricular participation.

All Non-Credit Bearing Activities:

Archive (HS)	Modified, JV and Varsity Sports (HS/MS)
School Store (HS/MS)	National Honor Society (HS)
Cheerleading (HS)	Natoli Committee (HS)
Class Activities (Trips, etc.) (HS/MS)	Outing Club (HS)
Class Officers(HS/MS)	Pep Club (HS)
Colorguard (HS/MS)	Prom Committee (HS)
Drama Club/Musical (HS/MS)	SADD Club (HS)
First (HS)	Stage/Tech Crew (HS/MS)
Foreign Exchange Club (HS)	Student Athletic Council (HS)
Foreign Language Clubs (HS)	Student Council (HS/MS)
Jazz Ensemble (HS/MS)	TAP (HS)
Key Club (HS)	Video Club (HS)
Marching Band (HS/MS)	Odyssey of the Mind (MS)
Art Club (MS)	

Exceptions

The Prom (HS)
Senior Trip (HS)
School Dances (HS/MS)
Trips with Monetary Commitment (HS/MS)

The attached Athletic Code of Conduct is hereby incorporated as an administrative guideline for student participation in interscholastic athletics.

Policy Adopted:	February 21, 1972
Policy Amended:	June 20, 1983
Policy Amended:	January 28, 2002
Policy Amended:	July 1, 2002
Policy Amended:	July 1, 2003
Policy Amended:	May 20, 2009
Policy Amended:	February 10, 2010

NORWICH CITY SCHOOLS
Administrative Guidelines

B408.2

B408. 2

ATHLETIC CODE OF CONDUCT

Athletes do their best when they are in peak mental and physical condition. Each athlete will be representing Norwich City Schools. The best effort is expected from each athlete; therefore, it is necessary to establish certain regulations to assist athletes in doing their best. All athletes are expected to recognize the need and importance of the following rules of behavior; therefore, failure to abide by any of the rules and regulations may result in suspension or dismissal.

A. Each athlete is expected to do the following:

1. Demonstrate good sportsmanship, win or lose.
2. Refrain from profane or vulgar language.
3. Treat officials with respect.
4. Attend practice regularly and get sufficient rest as directed by the coach of the sport.
5. Wear athletic equipment issues by the Norwich Schools only for scheduled practices, games, or when authorized by the coach.
6. NOT remove personal effects or athletic equipment from opponent's school nor damage any equipment or facilities home or away.
7. Remain with the team until dismissed by the coach.
8. Be loyal to the team, coach, school and staff.
9. Demonstrate appropriate behavior at all times as a representative of the team, school, and community.
10. Maintain grades as outlined in the Eligibility Policy (Procedure # 3).

Violations of any of the above rules and regulations will result in disciplinary action. Violations may be punishable by benching, suspension or dismissal from the team. In addition, in cases involving theft or vandalism, the player is to pay for the items stolen or destroyed.

All dismissal actions will be conducted with procedures for due process, which involves the athlete and parents or guardian. This means the Principal, Athletic Director and coach will hold a conference (hearing) to provide the accused with an opportunity to explain what occurred after the presentation of the accusation. A decision will be rendered by the panel and a written report will be submitted to those involved. Suspension and/or dismissal will not occur prior to the parent conference (24 hours) unless the conference is waived.

- B. Athletes are not to use or be under the influence of alcoholic beverages, illegal substances or tobacco products since these are considered health hazards and detrimental to an athlete's physical and mental well-being. Religious or ceremonial use of alcohol with the knowledge and consent of parents and/or guardians is excepted.

1st Violation of Rule B will result in suspension from the team for a minimum of 10%*** of the scheduled games, or may result in dismissal from the squad. If the student agrees to immediate counseling by a drug and alcohol counselor (illegal substance or alcohol) or High School Health Instructor (tobacco products) he/she will be allowed to remain with the team, but must miss a minimum 10% of the scheduled contests. The athlete must continue counseling until released by the counselor/teacher to be eligible for further participation. The student and parent(s) will be given a conference within 24 hours, if requested, to discuss the conduct in question. If the student is found guilty of a violation of Rule B the suspension or dismissal will start immediately after the conference is provided, or if there is no conference requested, the suspension/ dismissal begins immediately. Attendance at practice and games is at the discretion of the coach. All dismissal actions will be conducted as outlined above under Rule A. NOTE: Counseling may continue from season to season or even school year to school year. Awards will be withheld until counseling is complete.

2nd Violation of Rule B during the school year will result in suspension of the privilege to participate in further interscholastic athletics for the remainder of that school year unless the athlete agrees to counseling by a drug and alcohol abuse counselor for drugs and alcohol, or a Health teacher for tobacco products violation. Then, pending the outcome of counseling when the counselor/teacher deems it appropriate, the school panel (Principal, Athletic Director and Coach), will decide upon conditions of reinstatement.

It should be an honor and a privilege to represent Norwich School District on a sports team and thus, by accepting this honor the athlete must accept the responsibilities which go with it. These responsibilities include abiding by all the rules for behavior set forth here and any additional rules as set forth by the coach, administration, School Board, league and all NYSPHSAA rules and regulations.

(*** 10% Rule 1-10 contests scheduled ... 1 contest)
11 or more contests scheduled ... 2 contests)

- C. Athletes are to refrain from hazing. "Hazing" is a form of harassment which involves committing an act against a student or coercing a student into committing an act that creates a risk of emotional, physical or psychological harm to a person, in order for the student to be initiated into or affiliated with a student or other organization, or for any other purpose. The fact that a victim may consent to the act does not excuse the behavior or lessen the offense.

It is essential for the proper administration of any set of rules that the administration and enforcement of them be fair, firm and consistent. For this reason, the following guidelines for enforcement have been established.

Each member of the Norwich Athletic Community must bear the following responsibilities as their part in supporting the total program:

- Athlete: Personal commitment to the team and the Athletic Code
- Team captain: Personal commitment and example to their team members and the leadership to help others on the team maintain their own commitment to the Code. Responsibility to work through and with the coach.
- Parents: Responsibility of being informed as to athlete's commitments to the team. Responsibility of giving support to the athlete in meeting these commitments. Responsibility for initiating and supporting disciplinary action at home and within the framework of the Athletic Code.
- Administration: Providing the necessary support to the teams and coaches for the firm, fair and consistent enforcement of the code. Initiating prompt action in all cases of severe violation. Establishing and maintaining the Code as a viable standard of conduct.
- Community: Providing the supportive climate necessary for all of the above.

COMMUNICATION OF INFORMATION

Proper formal routes of information concerning the violation of the Athletic Code of Conduct are:

1. The parent of the athlete reporting directly to the coach the nature of the violation and also their own action in removing or suspending the athlete from the team.
2. The coach confronting the athlete directly with information concerning the alleged breach in the student's behavior.
3. The coach personally witnessing athlete break the Athletic Code.
4. Another certified school employee witnessing a violation of the Code and reporting it to the coach of the team involved.

Information from students and other members of the community passed on to the coach or administration can be used in the following ways:

1. The coach can confront the athlete with the information direct or in the presence of the other person.
2. The information can be set aside pending further evidence of the violation.

Exception to Part A, Rule Number 7: Permission may be granted by the team coach only after the parent/legal guardian has signed the Alternative Transportation Form that requests that a player be allowed to return with the parent only from an out-of-town contest.

APPEAL PROCESS

1. If there is disagreement in the decision by the panel, the parent/student may appeal to the Superintendent of Schools within 48 hours upon receipt of the decision.
2. Disagreement with the Superintendent's decision can be appealed to the Board of Education.
3. Final appeal to the New York State Commissioner of Education.

Guidelines Adopted:	April 18, 1978
Guidelines Amended:	June 20, 1983
Guidelines Amended:	August 17, 1987
Guidelines Amended:	August 13, 1990
Guidelines Amended:	January 28, 2002
Guidelines Amended:	October 16, 2007
Guidelines Amended:	November 13, 2012

Norwich Athletic Department Alternative Transportation Form
(to allow athletes to be transported by their parents/legal guardians ONLY!)

Sport _____ Contest _____ Date _____

PLEASE READ:

As the parent/legal guardian of the student athlete listed below, I realize that my signature indicated that I will accept full responsibility for my child in transporting him/her back to Norwich after the away contest indicated.

Name of Student Athlete	Signature of Parent/Legal Guardian
1	
2	
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	

NORWICH CITY SCHOOLS

Board Policy

A408.3

A408.3

HIGH SCHOOL HANDBOOK

The High School Handbook shall be on file in the Superintendent's Office. It shall be subject to revision every fourth year, or more often if necessary. This handbook is for the use of the high school students and shall contain information as to courses, rules, activities, organizations and such materials as will be helpful to students.

Policy Adopted: February 21, 1972

NORWICH CITY SCHOOLS

Board Policy

A408.4

A408.4

STUDENT GOVERNMENT

The Board of Education encourages the organization of student government and student participation therein as a democratic experience.

Policy Adopted: February 21, 1972

NORWICH CITY SCHOOLS

Board Policy

A408.5

A408.5

ACTIVITIES

Student group activities are to be approved at all times by the Building Principal. In the case where an activity will absent students overnight, prior approval of the Board of Education will be secured.

Policy Adopted: February 21, 1972

Policy Amended: May 16, 1983

NORWICH CITY SCHOOLS

Board Policy

A408.6

A408.6

HONORS

High honors and honors will be established on the basis of averages. Designation to the High Honor Roll requires an average of 90 or above. Designation to the Honor Roll requires an average of 85 to 89.

Policy Adopted: February 21, 1972

Policy Amended: May 16, 1983

NORWICH CITY SCHOOLS
Board Policy

A408.7

A408.7

NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE SCHOOL DISTRICT

The City School District of the City of Norwich does not discriminate on the basis of a person's actual age or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (identify or expression) in the educational programs or activities which it operates. This policy of non-discrimination includes the following areas: recruitment and appointment of employees; employment pay and benefits; counseling services for students; access by students to education programs, course offerings and student activities.

The Superintendent of Schools has designated the Deputy Superintendent as the official responsible for the coordination of activities relating to this policy. The Director will provide information, including complaint procedures to any student or employee who feels that his or her rights under Title IX of the educational amendments of 1972 may have been violated by the district or its officials.

Policy Adopted: June 21, 1976
Policy Amended: March 18, 2002
Policy Amended: October 16, 2007
Policy Amended: November 13, 2012

NORWICH CITY SCHOOLS

Board Policy

A408.8

A408.8

PARTICIPATION FEES

Any proposed fee to be assessed students for participation in any school district-sponsored activity will be assessed only after approval by the Board of Education.

Policy Adopted: October 21, 1991

NORWICH CITY SCHOOLS

A408.9

A408.9

Board Policy

HOME INSTRUCTION

The Board of Education of the Norwich City Schools shall ensure that children instructed at home are taught by a competent instructor and receive an education substantially equivalent to that offered in the district's schools.

Parents/guardians who wish to educate their children at home must submit to the district an individual home instruction plan (IHIP), outlining the educational goals to be met and the course materials and syllabi to be used each year for the child's learning process. The Superintendent may accept or deny an IHIP. Parents/guardians must submit quarterly reports which will provide the district with the necessary information to make determinations of substantial equivalency and competency of instruction on an ongoing basis.

Parents/guardians may appeal to the Board a determination by the Superintendent of Schools or designee that an IHIP is not in compliance with the Regulations of the Commissioner of Education. Parents/guardians shall have the right to appeal the final determination of the Board to the Commissioner of Education within 30 days of receipt of such determination.

Ref: Education Law §3202(4)
8 NYCRR §100.10
Matter of Abookire, 33 EDR 473 (1994)

Policy Adopted: June 15, 2004
Policy Amended: October 16, 2007

NORWICH CITY SCHOOLS

B408.9

B408.9

Administrative Guidelines

HOME INSTRUCTION

PARTICIPATION IN ACTIVITIES

Students who are residents of the Norwich City School District, but educated outside of the District's schools, i.e. either being home-schooled or tutored by an individual employed by the District, will not be allowed to selectively participate in programs or activities offered by the District. Essentially, the District will offer its programs and activities only to those students attending its schools.

Guidelines Adopted: June 15, 2004

NORWICH CITY SCHOOLS

Board Policy

A409

A409

DETERMINATION OF STUDENT RESIDENCY AND THE EDUCATION OF HOMELESS CHILDREN

- I. The Administration shall establish procedures for determining student residency. Such procedures shall allow for the submission of documentation concerning residency by the parent(s), the person in parental relation, or the student, as appropriate. Such procedures shall also provide for notice to the parent(s), person in parental relation or child of the right to appeal an adverse decision by the Board to the Commissioner of Education.

Policy Adopted: November 21, 2007

NORWICH CITY SCHOOL DISTRICT

Administrative Guidelines

B409

B409

PROCEDURES FOR DETERMINING STUDENT RESIDENCY AND THE EDUCATION OF HOMELESS CHILDREN

- I. The Board appoints the Superintendent as its designee to carry out the procedures for determining student residency. Only the Board or its designee may make a determination of residency. No other School District employee shall make such a determination, but shall refer all questions of residency to the Board or its designee.
- II. Residency shall be determined when a question arises concerning the residency of a student currently attending the District's schools, or when a student applies for admission to the District's schools.
- III. All procedures for determining a student's residency shall be in conformance with Sections 100.2(x) and (y) of the Commissioner's Regulations.

IV. Homeless Children

- A. Determination will first be made whether the student is a homeless child according to the definition in Commissioner's Regulations Section 100.2(x)(1)(i). The determination of whether a particular student fits the definition of being homeless is a case-specific inquiry. The definition of a homeless child includes:
 1. students who lack a fixed, regular and adequate nighttime residence; or
 2. students who have a primary nighttime location that is either a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings; or a supervised, public or private shelter designed to provide temporary living quarter

The term homeless child shall not include a child in foster care.

- B. The District shall appoint an appropriate staff person to serve as a local education agency (LEA) liaison for students in homeless situations.
- C. If the student is determined to be a homeless child, then the school district of [last attendance]* origin and the school district of current location shall be determined according to the definitions in Commissioner's Regulations Sections 100.2(x)(1), [(ii)]* (iii) and (iv).

- D. 1. A designation form provided by the commissioner shall be completed in full by the appropriate designator. All school districts, temporary housing facilities operated or approved by a local social services district, and residential facilities for runaway and homeless youth shall make such forms available to a homeless child who seeks admission to school or to the parent or person in parental relation who seeks to enroll such child in school.
- a. Where the homeless child is located in a temporary housing facility operated or approved by a local social services district or a residential facility for runaway and homeless youth, the director of the facility or a person designated by the social services districts, shall, within two business days of entry into such facilities, assist the designator to ensure that the form is properly completed and assist the child, where necessary, to enroll in the designated school district.
 - b. Where a parent or person in parental relation or a child who is neither placed in a temporary housing facility by the local department of social services nor housed in a residential program for runaway homeless youth established pursuant to article 19-H of the Executive Law, designates the school district of current location, the school district shall forward to the department a completed designation form and a statement of the basis for its determination that the child is a homeless child entitled to attend the schools of the district.
2. Designator means:
- a. The parent or person in parental relation to a homeless child; or
 - b. the homeless child, together with the LEA homeless liaison designated under §IV (B) of this procedure, where applicable, in the case of an unaccompanied youth; or
 - c. The director of a residential program for runaway and homeless youth established pursuant to article 19-H of the Executive Law, in consultant with the homeless child, where such homeless child is living in such program.

3. The designator shall have the right to designate one of the following as the school district within which a homeless child shall be entitled to attend upon instruction:
 - a. the school district current location (where the student is currently housed) or;
 - b. the school district of origin (where the student attended school when he or she became homeless); or
 - c. a school district participating in a regional placement plan.
4. When the school district in which a homeless child is temporarily housed is the same district the child attended when the child became homeless, the child shall be entitled to attend the schools of such district without the payment of tuition. In lieu of attending the school serving the attendance zone in which the child is temporarily relocated, such child may choose to remain in the public school building he or she previously attended until the end of the school year and for one additional year if that year constitutes the child's last year in such building.
5. A homeless child who designates the school district of current location and who relocates to another temporary housing arrangement outside of such district, or to a different attendance zone within such district, shall be entitled to maintain the prior designation to continue attendance in the same school building until the end of the school year and for one additional year if the year constitutes the child's last year in such building.
6. Where the public school or school district a homeless child was attending on a tuition-free basis or was entitled to attend when circumstances arose which caused the child to become homeless is located outside the State, the homeless child shall be deemed a resident of the school district in which the child is temporarily located and shall be entitled to attend the schools of such district without payment of tuition. Such district of residence shall not be considered the school district of origin or the school district of current location for purposes of this section.

7. Whenever the school district of origin is designated, the child shall be entitled to return to the school building where previously enrolled.

Whenever the school district of current location is designated, the child shall be entitled to attend the school that is zoned for his or her temporary location or any school that non-homeless students who live in the same attendance zone in which the homeless child or youth is temporarily residing are entitled to attend.
 8. Prior to the end of the first semester of attendance or within 60 days of commencing attendance at a school pursuant to the designation made in accordance with this subdivision whichever occurs later, the designator may change the designation if the designator finds the original designation to be educationally unsound.
- E. Upon receipt of a designation form, the designated school district shall immediately:
1. Review the designation form to assure that it has been completed;
 2. Admit the homeless child even if the child is unable to produce records normally provided for enrollment (such as previous academic records, medical records or proof of residency);
 3. Provide the child with access to all of its programs, activities and services to the same extent as they are provided to resident students;
 4. Contact the school district where the child's records are located for a copy of such records;
 5. If the student needs to obtain immunizations, or immunization or medical records, immediately refer the parent or guardian to the local educational agency (LEA) liaison who will assist in obtaining such immunizations or records; and
 6. forward the designation form to the commissioner, and the school district of origin, where applicable.
- F. Within five days of the receipt of a request for school records, the school district shall forward a complete copy of the homeless child's records including, but not limited to, proof of age, academic records, evaluations, immunization records, and guardianship papers, if applicable.
- G. 1. If the District makes a determination to send a homeless student to a school other than the school of origin or a school requested by the parent/guardian the District will provide a written explanation, including

the right to appeal, within two (2) business days of such determination.

2. If there is a factual dispute over whether a student is homeless the district must still immediately enroll the student.

a. The District must then provide the parent or guardian with the opportunity to submit information to the district addressing the issue of whether the student is homeless prior to making a final determination.

b. When a district makes a final determination that the student is not homeless, it must provide written notice in accordance with §X of this policy.

The student must remain enrolled at the school until the district makes a final determination and for a minimum of 30 days after the determination. The 30-day period gives the parent the opportunity to appeal the Commissioner of Education.

c. If the student files an appeal that contains a request for a stay, the district must continue to enroll the student until the Commissioner rules on the stay request.

H. Any homeless child not entitled to receive transportation pursuant to Education Law, section 3209(4) from the Department of Social Services or from the Division for Youth, to the extent funds are provided for such purpose as determined by the director of the budget, shall be transported by the designated school district.

1. Such transportation shall not be in excess of 50 miles one way, except where the commissioner certifies that such transportation is in the best interest of the child.

2. Where a homeless child designates the school district of current location as the district the child will attend, the district shall provide transportation to such child on the same basis as a resident student.

3. If a homeless child chooses to continue attendance in the public school building where he or she previously attended, the school district shall provide transportation to and from the child's temporary housing location and the school the child legally attends if such temporary housing is located in a different attendance zone or community school district within the district.

4. Expenditures for the transportation of a parent accompanying a transported homeless child shall be eligible for transportation aid pursuant to section 3602(7) of the Education Law under the following circumstances:

a. where the homeless child is being transported using public transportation, transportation of the child with an accompanying parent has been determined by the school district responsible for

transporting the child to be the most cost-effective means of transportation, and the school district has determined that public transportation unaccompanied by the parent is inappropriate because of the child's age, the distance to be traveled, the complexity of the transportation arrangement, the need to transport the

child through a high crime area, or a combination of such factors;
or

- b. where the homeless child is a student with a disability whose individualized education program (IEP) includes the services of a transportation aide or attendant, and providing transportation with the parent serving as the transportation aide or attendant for the child is the most cost-effective means of transportation; or
- c. where transportation by the parent in the parent's vehicle is the most cost-effective means of transportation.

V. A. If the student is determined not to be a homeless child, then the student's residency shall be determined according to the following guidelines.

- 1. Generally, a student's residence is presumed to be that of his/her parents. However, this presumption may be rebutted.
- 2. Factors which will be considered in rebutting this presumption include:
 - a. Is the current living arrangement the student's actual and only address?
 - b. Does the student intend to remain in the District?
 - c. Is the parent(s) exercising custody and control over the student?
 - d. Does the parent(s) continue to support the student?
 - e. Do the adults with whom the student is living provide for the student's care and supervision as otherwise provided by parent(s)?

- f. Is there sufficient evidence that the parents have transferred custody and control of the child to the individual with whom the child is living? The District may require a sworn statement or affidavit from the parents acknowledging their transfer of custody and control to the child's custodian, unless the student is an emancipated minor.
 - g. Why is the student living with others? If it is determined that the sole reason for the child's residing in the District with persons other than his/her parents is to take advantage of the services available in the District, the child will be deemed not to be a resident of the District.
- VI.
 - A. Students beyond the compulsory school age, who are independent and living apart from their parents, who are not in need or receipt of foster care, may be considered emancipated for purposes of establishing a residence apart from their parents. Establishment of emancipation rebuts the presumption that a student's residence is with his/her parents.
 - B. The District may require documentation from a student who claims the status of an emancipated minor. Such documentation may include, but shall not be limited to, such things as proof of the student's age; his/her means of support; an explanation of the circumstances surrounding the student's emancipation, including a description of the student's relationship with his/her parents; and evidence that the student is not receiving any support from his/her parents. Proof of eligibility for public assistance as an emancipated minor will be deemed to establish a student's status for purposes of residency. The District may require a sworn statement or affidavit from the student as proof of emancipation and residence. (See Regulation 7021.2)
- VII. Where a student is living with one parent denominated the custodial parent by virtue of a court order, the child's residence is presumed to be that of the custodial parent. In the event that the child is residing with the non-custodial parent, the non-custodial parent's residence may be deemed to the child's residence if:
 - A. The student is determined to be an emancipated minor.
 - B. It is determined that the presumption that a student resides with the custodial parent has been rebutted. Factors which will be considered in rebutting this presumption include:
 - 1) the amount of time the student resides with the non-custodial parent, and

- 2) the intent of the custodial parent to have the child establish residence with the non-custodial parent, among other factors.
- VIII. In cases where a student's time is divided between two households and both parents assume the day-to-day responsibilities for the child, the custodial parent may designate the child's residence with the non-custodial parent to establish the student's residence there.
- IX. In the course of making any determination regarding student residency, the Board or its designee will afford the parent(s), or the person in parental relation, or the child, as applicable, the opportunity to submit information concerning the child's right to attend school in the District.
- X. Where the Board of Education or its designee determines that the child is neither a resident nor entitled to attend the schools of the District as a homeless child, written notice of the determination will be provided within two (2) business days to the parent, the person in parental relation or to the child. Such notice shall include the basis for the determination, the date of exclusion from the District, and a statement regarding the right to appeal an adverse determination to the Commissioner of Education, in accordance with Section 310 of the New York State Education Law, within thirty (30) days of the date of the determination. Such notice shall also state that the procedure for taking an appeal to the Commissioner may be obtained from the Office of Counsel, New York State Education Department, State Education Building, Albany, New York 12234.

Policy Adopted: November 21, 2006

PROCEDURES FOR DETERMINING STUDENT RESIDENCY AND THE EDUCATION OF
HOMELESS CHILDREN

- I. The Board appoints the Superintendent as its designee to carry out the procedures for determining student residency. Only the Board or its designee may make a determination of residency. No other School District employee shall make such a determination, but shall refer all questions of residency to the Board or its designee.

- II. Homeless Children
 - A. The District shall appoint an appropriate staff person to serve as a local education agency (LEA) liaison for students in homeless situations. (*should be BOE Appt.*)

 - B. If the student is determined to be a homeless child, then the school district of [last attendance]* origin and the school district of current location shall be determined according to the definition of Homeless Child and Unaccompanied Youth. Pursuant to McKinney-Vento 42 USC §11434a[2], Education Law §3209(1)(a), and 8 NYCRR §100.2(x)(1)(i) a homeless child is defined as:
 - 1) A child who lacks a fixed, regular and adequate nighttime residence, including a child or youth who is:
 - (a) sharing the housing of other persons due to loss of housing, economic hardship or similar reason (sometimes referred to as “doubled-up”);
 - (b) living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations;
 - (c) abandoned in hospitals;
 - (d) awaiting foster care placement; or
 - (e) a migratory child who qualifies as homeless because he or she is living in circumstances described above; or

 - 2) A child or youth who has a primary nighttime location that is:
 - (a) a supervised publicly or privately operated shelter designed to provide temporary living accommodations including, but not limited to, shelters operated or approved by the state or local department of social services, and residential programs for runaway and homeless youth; or
 - (b) a public or private place not designed for or ordinarily used as a regular sleeping accommodations for human beings, including a child or youth who is living in a car, park, public space, abandoned building, substandard housing, bus or train stations or similar setting.

An unaccompanied youth is defined as a homeless youth who is not in the physical custody of a parent or guardian.

- C. A designation form provided by the commissioner shall be completed in full by the appropriate designator. All school districts, temporary housing facilities operated or approved by a local social services district, and residential facilities for runaway and homeless youth shall make such forms available to a homeless child who seeks admission to school or to the parent or person in parental relation who seeks to enroll such child in school.
- (a) Where the homeless child is located in a temporary housing facility operated or approved by a local social services district or a residential facility for runaway and homeless youth, the director of the facility or a person designated by the social services districts, shall, within two business days of entry into such facilities, assist the designator to ensure that the form is properly completed and assist the child, where necessary, to enroll in the designated school district.
 - (b) Where a parent or person in parental relation or a child who is neither placed in a temporary housing facility by the local Department of Social Services nor housed in a residential program for runaway homeless youth established pursuant to article 19-H of the Executive Law, designates the school district of current location, the school district shall forward to the department a completed designation form and a statement of the basis for its determination that the child is a homeless child entitled to attend school.
- D. Any homeless child not entitled to receive transportation pursuant to Education Law, section 3209(4) from the Department of Social Services or from the Division for Youth, to the extent funds are provided for such purpose as determined by the director of the budget, shall be transported by the designated school district.
- 1) Such transportation shall not be in excess of 50 miles one way, except where the commissioner certifies that such transportation is in the best interest of the child.
 - 2) Where a homeless child designates the school district of current location as the district the child will attend, the district shall provide transportation to such child on the same basis as a resident student.
 - 3) If a homeless child chooses to continue attendance in the public school building where he or she previously attended, the school district shall provide transportation to and from the child's temporary housing location and the school the child legally attends if such temporary housing is located in a different attendance zone or community school district within the district.
 - 4) Expenditures for the transportation of a parent accompanying a transported homeless child shall be eligible for transportation aid pursuant to section 3602(7) of the Education Law under the following circumstances:
 - (a) where the homeless child is being transported using public transportation, transportation of the child with an accompanying parent has been determined by the school district responsible for transporting the child to be the most cost-effective means of transportation, and the school district has determined that public transportation unaccompanied by the parent is inappropriate because of the child's age, the distance to be traveled, the complexity of the transportation arrangement, the need to transport the child through a high crime area, or a combination of such factors; or

- (b) where the homeless child is a student with a disability whose individualized education program (IEP) includes the services of a transportation aide or attendant, and providing transportation with the parent serving as the transportation aide or attendant for the child is the most cost-effective means of transportation; or
 - (c) where transportation by the parent in the parent's vehicle is the most cost-effective means of transportation.
- III. A. Students beyond the compulsory school age, who are independent and living apart from their parents, who are not in need or receipt of foster care, may be considered emancipated for purposes of establishing a residence apart from their parents. Establishment of emancipation rebuts the presumption that a student's residence is with his/her parents.
- B. The District may require documentation from a student who claims the status of an emancipated minor. Such documentation may include, but shall not be limited to, such things as proof of the student's age; his/her means of support; an explanation of the circumstances surrounding the student's emancipation, including a description of the student's relationship with his/her parents; and evidence that the student is not receiving any support from his/her parents. Proof of eligibility for public assistance as an emancipated minor will be deemed to establish a student's status for purposes of residency. The District may require a sworn statement or affidavit from the student as proof of emancipation and residence. (See Regulation 7021.2)
- IV. Where a student is living with one parent denominated the custodial parent by virtue of a court order, the child's residence is presumed to be that of the custodial parent. In the event that the child is residing with the non-custodial parent, the non-custodial parent's residence may be deemed to the child's residence if:
 - (1) The student is determined to be an emancipated minor.
 - (2) It is determined that the presumption that a student resides with the custodial parent has been rebutted. Factors which will be considered in rebutting this presumption include:
 - (a) the amount of time the student resides with the non-custodial parent; and
 - (b) the intent of the custodial parent to have the child establish residence with the non-custodial parent, among other factors.
- V. In cases where a student's time is divided between two households and both parents assume the day-to-day responsibilities for the child, the custodial parent may designate the child's residence with the non-custodial parent to establish the student's residence there.
- VI. In the course of making any determination regarding student residency, the Board or its designee will afford the parent(s), or the person in parental relation, or the child, as applicable, the opportunity to submit information concerning the child's right to attend school in the District.
- VII. Where the Board of Education or its designee determines that the child is neither a resident nor entitled to attend the schools of the District as a homeless child, written notice of the determination will be provided within two (2) business days to the parent, the person in

parental relation or to the child. Such notice shall include the basis for the determination, the date of exclusion from the District, and a statement regarding the right to appeal an adverse determination to the Commissioner of Education, in accordance with Section 310 of the New York State Education Law, within thirty (30) days of the date of the determination. Such notice shall also state that the procedure for taking an appeal to the Commissioner may be obtained from the Office of Counsel, New York State Education Department, State Education Building, Albany, NY 13815.

Policy Adopted: November 21, 2006

Policy Amended: July 6, 2016

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