Averill Park Central School District

Code of Conduct

2026 - 2027

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AVERILL PARK CENTRAL SCHOOL DISTRICT CODE OF CONDUCT

2025-2026

INTRODUCTION:

The Code of Conduct was constructed with the belief that appropriate steps must be taken in order to assure that the rights of all stakeholders (students, faculty, staff, administrators and parents/guardians) are upheld. Further, it allows for all to be able to undertake their responsibilities toward contributing to making the schools of the Averill Park Central School District a safe and nurturing place of academic learning and individual growth.

Discipline is most effective when it deals 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 place emphasis on the individual student's 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 at a given level will consider the following:

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

As a general rule, discipline will be progressive in nature and will always be conducted in such a way that the confidentiality of students is maintained. This means that a student's first violation will usually merit a lighter penalty than subsequent violations.

EXPECTATIONS FOR BEHAVIOR

Appropriate behavior is a choice. It is the belief of the Averill Park Central School District that the majority of students want to comply with school rules. These young people should be consistently rewarded. Positive reinforcement in our schools will take place in a variety of forms, which may include positive praise, awards and recognition, and extra privileges. These represent just a few of the many methods our staff uses to reward good behavior and citizenship.

Students who choose to not follow the established rules will be provided appropriate consequences, which are outlined later in this document.

The classroom teacher generally handles the majority of behavioral issues that arise. The principal and parent/guardian are involved in this process as deemed appropriate. Our Child Study Teams, typically consisting of the principal, teachers, psychologist, nurse and support staff regularly review students who struggle with behavioral or academic difficulties in order to assist in making recommendations for positive resolution.

Ideal discipline is self-directed and self-controlled. In order to assure an orderly environment in which each person may live and learn to his/her fullest capacity and in harmony with others, the school, community, and parent/guardian must work together in sharing the responsibility for helping students develop self-discipline. When self-discipline fails, or self-control falters, disciplinary measures outside the individual must be imposed to protect the rights of others. In the school district, as in the community-at-large, certain rules and procedures must be established to guide students through constructive growth into mature adulthood. Parents and guardians, teachers, and others who are responsible for the welfare and education of our students must cooperate to interpret and enforce these rules.

The Averill Park Central School District has guidelines in place for behavior, which include our buses, classrooms, hallways, grounds and while on field trips domestic and foreign. These guidelines are communicated often to our student body, but our goal is for each and every student to develop a self-discipline that will help him/her throughout life.

RIGHTS AND RESPONSIBILITIES:

The Board of Education of the Averill Park Central School District declares its full concurrence with and support of the principles and provisions of the Code of Conduct for Averill Park Central School District. Further, the Board pledges its full support to the administration, teachers, and staff of the School District in their fair and consistent enforcement of the Code.

Adopted by the Board of Education, June 23, 1998.
Addendum approved by the Board of Education, July 22, 2014

It is the belief of the Averill Park School District that in order for its Code of Conduct to be effective, the school district must have the cooperation and support of the entire community--students, parents, teachers, administrators, community, Board of Education, police, and judicial personnel. A breakdown in any part of this system puts the effectiveness of the Code of Conduct in jeopardy.

A committee comprised of students, staff, parents and administrators met to formulate this Code of Conduct during the 1997-98 school year. A similar committee will annually review this document.

I. Introduction:

1. The foundation of our Code of Conduct is respect for oneself, others, rules, and authority. The purpose of creating a code of responsibility is to clearly define what constitutes respect. Respect involves taking ownership of one's behavior. The following outline is designed to create and maintain a school climate in which all of us can work and learn safely and effectively. It summarizes items of law, Board of Education policies, and administrative regulation. It is intended to ensure that each student has the opportunity to achieve, both intellectually and socially, that the academic program is free of interruptions and that the rights and property of everyone in the building are respected.

2. When the Code of Conduct is not followed, designated consequences will be enforced. It is the school's responsibility to help students develop those strategies which will help them become more responsible. The Board recognizes the rights of teachers and administrators to remove disruptive students in an effort to assure security, safety, and a positive learning environment within the school. Provisions for continued educational programming for students so removed are the responsibility of the school district. Students identified as having special needs are assured of compliance with state and local laws in all cases.

3. The following pages contain rights and responsibilities as defined by the committee of parents, community members, administrators, teachers, and students. This document will be provided to all students, faculty, and parents via the district website.

II. Student Responsibilities and Rights:

Students have the responsibility to:

- Be responsible for adhering to and supporting the Code of Conduct.
- Show respect for the rights and privacy of other people.
- Contribute in making our school a clean and safe place.
- Be honest and maintain a high level of academic integrity.
- Attend school each day with an attitude necessary to achieve academic success, since attaining an education should be the primary activity of an adolescent.
- Attend each class. Be on time and prepared to learn and engage in meaningful activities.
- Participate in class. Be responsible for class work and homework.
- Be knowledgeable about academic requirements. Seek information and advisement concerning available programs and options.
- Communicate with parents, teachers, and staff to develop and maintain a positive educational program which will meet New York State requirements, Averill Park Central School District requirements, and your individual needs.
- Show compassion, understanding and tolerance toward others.
- Take ownership for all actions and exercise self-discipline. Make certain not to disrupt the educational process or infringe on the rights of others.
- To respect one another and treat each other fairly and civilly in accordance with this Code of Conduct and the Provisions of the Dignity for All Students Act, including the responsibility to conduct themselves in a manner that fosters an environment free from intimidation, harassment, bullying and/or discrimination.
- Refrain from engaging in intimidation, harassment, bullying and/or discriminatory behavior based on a persons' actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, sex, gender (including identity and expression) sexual orientation or disability on school property or at a school function.

Students have the right to:

- Due process.
- Be respected.
- Pursue their education in a non-threatening environment.
- Learn in circumstances which permit healthy, intellectual, emotional, physical, and moral development.
- School and educational programs which are effective and that are appropriate for their individual needs.
- Educational programs which prepare them for jobs, for college, for responsible family life, and for citizenship in a democratic society.
- Know what is expected of them, both behaviorally and academically.
- Be protected from intimidation, harassment, bullying and/or discrimination based on actual or perceived race, color, weight, national origin, ethnicity, religion or religious practice, gender (including identity and expression), disability, sexual orientation or sex by employees or other students on school property or at a school function.

III. Faculty/Staff/Administrator Responsibilities and Rights:

Faculty, staff and administrators, in general, have the responsibility to:

- Respect each student. Allow students to maintain their dignity and integrity in all interactions.
- Recognize the individual needs of each student in meeting the challenges of a K-12 education.
- Communicate with students (and parents/guardians when appropriate) to help develop and maintain a positive educational experience.
- Maintain confidentiality in all matters relating to student affairs and records.
- Be responsible for adhering to and supporting the Code of Conduct.
- Maintain a climate of mutual respect and dignity for all students, regardless of actual or perceived race, color, weight, national origin, ethnicity, religion or religious practice, disability, sexual orientation, gender (including identity and expression) or sex which will strengthen students' self-confidence and promote learning.
- Confront issues of harassment, discrimination and/or bullying 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.
- Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
- Report incidents of discrimination, bullying and/or harassment that are witnessed by faculty or otherwise brought to their attention via oral or written report by promptly notifying orally the building administrator, superintendent or their designee within one (1) school day from when they learn of the incident and to file a written report within two (2) school days thereafter with the principal, superintendent or their designee.

Faculty has the responsibility to:

- Prepare and produce effective learning experiences.
- Maintain consistent standards of behavior and academics in the classroom and throughout the school facility.
- Maintain a climate of mutual respect and dignity for all students, regardless of actual or perceived race, color, weight, national origin, ethnicity, religion or religious practice, disability, sexual orientation, gender (including identity and expression) or sex which will strengthen students' self-confidence and promote learning.
- Communicate with parents regarding students' academic and behavioral progress.
- Reprimand or discipline students in an appropriate manner, in accordance with the Code of Conduct.
- Keep accurate attendance records.
- Confront issues of harassment, discrimination and/or bullying 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.
- Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
- Report incidents of discrimination, bullying and/or harassment that are witnessed by faculty or otherwise brought to their attention via oral or written report by promptly notifying orally the building administrator, superintendent or their designee within one (1) school day from when they learn of the incident and to file a written report within two (2) school days thereafter with the principal, superintendent or their designee.

Staff has the responsibility to:

- Monitor students for correct behavior and citizenship throughout the school facility.
- Communicate with students, teachers, and administrators regarding students and/or school-wide issues.
- Report orally any incidents of discrimination, harassment and/or bullying that are witnessed or otherwise brought to staff's attention orally within one (1) school day to the building administrator, superintendent or their designee and to file a written report of such incident with the designated official to receive these reports within two (2) school days after making the oral report.

Administrators have the responsibility to:

- Administer progressive disciplinary measures according to outlined procedures in the Code of Conduct.
- Maintain an orderly atmosphere which is conducive to educational development and individual growth, with consistent standards applied.
- Execute New York State Education Department regulations and Averill Park School Board policies and procedures.
- Maintain and encourage a climate of mutual respect and dignity for all students, regardless of actual or perceived race, color, weight, national origin, ethnicity, religion or religious practice, disability, sexual orientation, gender (including identity and expression), or sex, with an understanding of appropriate appearance language and behavior in a school setting, to strengthen student's self images and to promote confidence to learn.
- Promptly lead or supervise and complete a thorough investigation of all written reports of discrimination, bullying and/or harassment that are submitted to the principal, superintendent or their designee. Such investigation may be performed in collaboration with the Dignity Act Coordinator for each building.
- When an investigation verifies a material incident of harassment, bullying and/or discrimination, the principal, superintendent and/or their designee shall take prompt action, consistent with the District's Code of Conduct, including but not limited to the provisions of 100.2(l)(2)(ii)(h), reasonably calculated to end the harassment, bullying and/or discrimination, eliminate any hostile environment and create a more positive school culture and climate.
- Ensure the safety of the student (s) against whom the harassment, bullying and/or discriminatory conduct was directed.
- Promptly notify the appropriate law enforcement agencies when it is believed that any harassment, bullying and/or discrimination may constitute criminal conduct.

All **Faculty, Staff and Administrators** have a right to:

- Be shown respect.
- Work in a non-threatening environment.
- Be supported in creative efforts to provide a sound educational program.
- Expect students to come to school prepared to learn.
- Be supported in their efforts to maintain a positive learning environment.

IV. Parent/Guardian Responsibilities and Rights:

Parents and guardians have the responsibility to:

- Understand that New York State Law requires every parent to properly care for, train, educate, discipline, and control their child.
- Be available to confer with school personnel concerning their child.
- Direct their concerns regarding the education of their child to the professional most directly involved.
- Be financially responsible for any damage to personal or school property committed by their child.
- Teach their children respect and dignity for themselves and for others, regardless of actual or perceived race, color, weight, national origin, ethnicity, religion or religious practice, disability, sexual orientation, gender (including identity and expression) or sex which will strengthen their child's confidence and help promote learning in accordance with the Dignity for All Students Act ("The Dignity Act").

All parents/guardians have a right to:

- Be shown respect.
- Receive timely communication regarding students' progress and programs at school.
- Responsiveness to their inquiries.
- Be informed about school policies and procedures.

THE DIGNITY FOR ALL STUDENTS ACT

New York State's Dignity for All Students Act (The Dignity Act) seeks to provide the State's public elementary and secondary school students with a safe and supportive environment free from discrimination, intimidation, taunting, harassment, and bullying on school property, a school bus and/or at a school function. The Dignity Act was signed into law on September 13, 2010 and took effect on July 1, 2012.

The Dignity for All Students Act was amended on July 1, 2013 to include statutory definitions and expand upon procedures and protections related to implementing the Dignity Act. The intent of the amended Dignity for All Students Act (Dignity Act) is to provide all public-school students with an environment free from harassment, bullying (including cyber bullying) and discrimination, as well as to foster civility in public schools. The Dignity Act focuses on the prevention of discriminatory behaviors, including harassment, bullying and/or discrimination through the promotion of educational measures meant to positively impact school culture and climate. The amended Dignity Act requires that all public school districts (districts) and Boards of Cooperative Educational Services (BOCES) include provisions in their Codes of Conduct prohibiting harassment, bullying (including cyberbullying), and/or discrimination against students by students and/or school employees on school property or at a school function, as well as provisions for responding to acts of discrimination and harassment against students by students and/or school employees on school property or at a school function.

The Dignity Act (Education Law §11[7]) defines harassment as the creation of a hostile environment by verbal and nonverbal conduct, verbal threats, intimidation or abuse, including cyberbullying, that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits; or mental, emotional and/or physical well-being; including conduct, threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause emotional harm; or reasonably causes or would be reasonably expected to cause a student to fear for his or her physical safety. Such acts include harassment, bullying and/or discrimination that occur on school property; at a school function or off school property where such acts create or would foreseeably create a risk of substantial disruption within the school environment where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. Such conduct, verbal threats, intimidation or abuse, may be based on any characteristic including, but not limited to a person's actual or perceived:

- race
- color
- weight
- national origin
- ethnic group
- religion
- religious practice
- disability
- sex
- sexual orientation
- gender (which includes a person's actual or perceived sex, as well as gender identity and expression).

Statutory Definitions

"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).

"School Function" means a school-sponsored extra-curricular event or activity occurring on or off school property (Education Law §11[2]).

"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]).

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

"Emotional harm" that takes place in the context of "harassment or bullying" means harm to a student's emotional well-being through creation of a hostile school environment that is so severe or pervasive as to unreasonably and substantially interfere with a student's education.

"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 9-B of article 5 of the Social Services Law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact (Education Law §§11[4] and 1125[3]).

"Gender" means a person's actual or perceived sex and includes a person's gender identity or expression (Education Law §11[6]).

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

"Harassment" or "Bullying" means the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying as defined in Education Law §11(8), that

> (a) has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional and/or physical well-being; or
> (b) reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; or
> (c) reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or
> (d) occurs off school property and creates or would forseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.

For purposes of this definition, the term "threats, intimidation or abuse" shall include verbal and non-verbal actions. (Education Law §11[7])

"Cyberbullying" means harassment/bullying, as defined above, through any form of electronic communication and may include, among other things, the use, both on and off school property, of electronic technology and communication devices, including, but not limited to, e-mail, instant messaging, blogs, chat rooms, pagers, cell phones, iPods, gaming systems and social media websites, to deliberately harass or threaten others.

"*Hostile Environment*" in the context of harassment and bullying refers to an environment that is so severe or pervasive as to unreasonably and substantially interfere with a student's education.

"*Material Incident of Harassment, Bullying and/or Discrimination*" means a single, verified incident or a series of related verified incidents where a student is subject to harassment, bullying and/or discrimination by a student and/or employee on school property or at a school function. This term includes a verified incident or series of related incidents of harassment or bullying that occur off school property; meet the definition of harassment and/or bulling as set forth above, and is the subject of a written or oral complaint to the superintendent, principal or their designee, or other school employee.

Acts of harassment, bullying and/or discrimination that are prohibited include those acts based on a person's actual or perceived membership in the following groups including, but not limited to:

- race
- color
- weight
- national origin
- ethnic group
- religion
- religious practice
- disability
- sex
- sexual orientation
- gender (which includes a person's actual or perceived sex, as well as gender identity and expression).

Nothing in this provision will prohibit a denial of admission into, or exclusion from, a course of instruction based on a person's gender that would be permissible under Education Law §3201-a or 2854(2)(a) and Title IX of the Education Amendments of 1972 (20 U.S.C. §1681, et seq.), or to prohibit, as discrimination based on disability, actions that would be permissible under Section 504 of the Rehabilitation Act of 1973. The Dignity Act emphasizes the creation and maintenance of a positive learning environment for all students free from harassment and discrimination. Each District must develop guidelines relating to the development of non-discriminatory instructional and counseling methods and address personal biases that may prevent equal treatment of all students in the school or classroom setting and develop strategies to confront issues of discrimination and harassment or any situation that threatens the emotional or physical health and safety of a student, school employee or a person who is lawfully on school property or at a school function.

In addition, the amended Dignity Act requires the development of measured, balanced, progressive, and age-appropriate responses to discrimination, harassment, and/or bullying, including cyberbullying, of students by students and/or employees. Remedial responses should be included in the Code of Conduct and place the focus of discipline on discerning and correcting the reasons why discrimination, harassment, and bullying occurred. The remedial responses should also be designed to correct the problem behavior, prevent another occurrence of the behavior, and protect the target of the act. Appropriate remedial measures may include, but are not limited to:

- peer support groups;
- assignment of an adult mentor at school that the student checks in with at the beginning and end of each school day;
- corrective instruction that re-emphasizes behavioral expectations or other relevant learning or service experience;
- engagement of student in a reflective activity about the misbehavior and its impact on others and how the student might handle the situation differently in the future and/or make amends to those who have been harmed;
- supportive intervention and/or mediation where constructive conflict resolution is modeled;
- behavioral assessment or evaluation;
- behavioral management plans or behavior contracts, with benchmarks that are closely monitored;

- student counseling and parent conferences that focus on involving persons in parental relation in discipline issues
- Restitution and/or restoration.

Environmental remediation may include, but is not limited to:

- School and community surveys or other strategies for determining the conditions contributing to the relevant behavior;
- Modification of schedules;
- Adjustment in hallway traffic and other student routes of travel;
- Targeted use of monitors;
- Parent education seminars/workshops;
- Peer support groups
- Class, grade, school and district-wide assemblies and programs

In the event of disciplinary actions in response to acts of harassment, bullying and or discrimination against students by employees or students, a progressive model of student discipline shall be imposed which includes measured, balanced and age-appropriate remedies and procedures that make appropriate use of prevention, education, intervention and discipline and shall consider, among other things, the nature and severity of the offending student's behavior, the developmental age of the student, the previous disciplinary record of the student and other extenuating circumstances as well as the impact the student's behaviors had on the individual(s) who was physically injured or emotionally harmed as a result of such acts. Responses shall be reasonably calculated to end the harassment, bullying and/or discrimination, prevent recurrence and eliminate the hostile environment. Disciplinary measures available to school authorities include, but are not limited to the following:

- Students: Discipline may range from a reprimand up to and including suspension from school, to be imposed consistent with the Code of Conduct and applicable law.

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

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

- Vendors: Penalties may range from a warning up to and including loss of District business.

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

The Dignity Act Coordinator (DAC)

The Dignity Act also requires that at least one staff member at every school be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion or religious practice, disability, sexual orientation, gender and sex. The staff member shall be referred to as the Dignity Act Coordinator "DAC" and is appointed by the Board of Education.

The Dignity Act Coordinator must be an employee of the District, a BOCES or a charter school and must be licensed and/or certified by the Commissioner as a classroom teacher, school counselor, school psychologist, school nurse, school social worker, school administrator or supervisor, or superintendent of schools.

The DAC must be provided training which addresses the social patterns of harassment, bullying and/or discrimination, including but not limited to those acts based upon a persons' actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender and sex. The DAC must be provided training in the identification and mitigation of harassment, bullying and/or discrimination as well as training in strategies for effectively addressing problems of exclusion, bias and aggression in educational settings.

In the event that a DAC vacates his or her position, another eligible employee must be immediately designated for an interim appointment as Coordinator, pending approval of a successor Coordinator by the Board of Education within thirty (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 eligible employee shall be immediately designated for an interim appointment as Coordinator, pending the return of the previous Coordinator to his or her duties as the DAC.

The name(s) and contact information for the DAC will be shared with all school personnel, students, parents and persons in parental relation. The information provided will include the name, designated school and contact information for each DAC. Information will be provided listing the information on the District's website; posting the information in highly-visible areas of school buildings and making the information available at the District and school-level administrative offices and including the information in the plain language summary of the code of conduct or by providing the information to parents and persons in parental relation at least once per year in a manner determined by the school, which may include electronic communication and/or sending the information home with the students.

The change in the name and/or contact information for a DAC shall not be deemed to constitute a revision to the Code of Conduct so as to require a public hearing.

Education for Students:
The District is committed to providing instruction to students that supports development of a school free of harassment, bullying and/or discrimination as required by the Dignity For All Students Act. To support this aim, the District will provide instruction as a component of the required civility, citizenship and character education required by Education Law §801-a, with an emphasis on discouraging acts of harassment, bullying and/or discrimination through instruction that raises student's awareness and sensitivity to harassment, bullying and/or discrimination based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex as well as instruction in the safe, responsible use of the Internet and electronic communications

Training for Faculty and Staff and Administrators:
The District is committed to implementing school employee training programs that promote a positive school environment free from harassment, bullying and discrimination (including cyberbullying) and to discourage and respond to incidents of harassment, bullying and discrimination. Employee, including school district administrators as well as faculty and staff will receive training designed to:

- Raise awareness and sensitivity to potential acts of harassment, bullying and/or discrimination directed at students that are committed by students and/or school employees on school property or at a school function, or off school property where such acts create or would forseeably create a risk of substantial disruption within the school environment, where it is forseeable that the conduct, threats, intimidation or abuse might reach school property; including but not limited to harassment, bullying and/or discrimination based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex; and
- Address the social patterns of harassment, bullying and/or discrimination, the identification and mitigation of such acts, and strategies for effectively addressing problems of exclusion, bias and aggression in educational settings; and
- Enable school employees to prevent and respond to incidents of harassment, bullying and/or discrimination, consistent with Education Law §13(4); and
- Make school employees aware of the effects of harassment, bullying, cyberbullying and/or discrimination on students; and
- Ensure the effective implementation of school policy on school conduct and discipline, including but not limited to guidelines on promoting a safe and supportive school climate while discouraging harassment, bullying and/or discrimination against students by students and/or school employees; and
- Include safe and supportive school climate concepts in curriculum and classroom management.

This training may be implemented and conducted in conjunction with existing professional development training and/or with any other training for school employees.

Reporting Incidents of Harassment, Bullying and/or Discrimination

The amendment to section 100.2(kk) of the Commissioner's Regulations revises the regulation to conform to and implement the reporting requirements of Chapter 102 by adding provisions for reporting of incidents of harassment, bullying/cyberbullying and/or discrimination to the superintendent, principal, or their designee, including requirements that:

- School employees who witness harassment, bullying, and/or discrimination or receive an oral or written report of such acts shall promptly orally notify the principal, superintendent, or their designee not later than one school day after such employee witnesses or receives a report of such acts and shall also file a written report with the principal, superintendent, or their designee no later than two school days after making an oral report. The principal, superintendent or the principal's or superintendent's designee shall lead or supervise the thorough investigation of all reports of harassment, bullying and/or discrimination, and ensure that such investigation is completed promptly after receipt of any written reports.
- When an investigation verifies a material incident of harassment, bullying, and/or discrimination, the superintendent, principal, or designee shall take prompt action, reasonably calculated to end the harassment, bullying, and/or discrimination, eliminate any hostile environment, create a more positive school culture and climate, prevent recurrence of the behavior, and ensure the safety of the student or students against whom such behavior was directed.
- The principal, superintendent, or their designee shall notify promptly the appropriate local law enforcement agency when it is believed that any harassment, bullying or discrimination constitutes criminal conduct.
- The principal shall provide a regular report, at least once during each school year, on data and trends related to harassment, bullying, and/or discrimination to the superintendent.
- Pursuant to Education Law section 13, retaliation by any school employee or student shall be prohibited against any individual who, in good faith, reports or assists in the investigation of harassment, bullying, and/or discrimination.

DISCRIMINATION, HARASSMENT, HAZING, BULLYING

The Board of Education recognizes that discrimination, hazing, harassment (sexual or otherwise), and/or bullying, including cyber-bullying, of students and/or staff is abusive and may constitute illegal behavior that harms victims and negatively impacts the school culture by creating an environment of fear, distrust, intimidation and intolerance. The Board further recognizes that preventing and remedying discrimination, hazing, harassment, and/or bullying in schools is essential to ensure a healthy, nondiscriminatory environment in which students can learn and employees can work productively.

The Board is committed to providing an educational and working environment that promotes respect, dignity and equality and that is free from all forms of harassment. To this end, the Board condemns and strictly prohibits all forms of discrimination, hazing, harassment, and/or bullying on school grounds, school buses and at all school-sponsored activities, programs and events including those that take place at locations outside the district.

General Statement of Policy:

- No student, teacher, administrator, volunteer, contractor or other employee of the school district shall plan, direct, encourage, aid or engage in discrimination, hazing, harassment and/or bullying.
- No student, teacher, administrator, volunteer, contractor or other employee of the school district shall permit, condone or tolerate discrimination, hazing, harassment and/or bullying.
- Students, parents and persons in parental relation may make an oral or written report of harassment, bulling and/or discrimination to teachers, administrators and other school personnel designed by the District.
- Apparent permission or consent by a person being subjected to discrimination, hazing, harassment or bullying does not lessen the prohibitions contained in this policy or the enforcement of this policy.
- This policy applies to behavior directly connected to school activities that occur on or off school property and before, during, and after school hours.
- A person who engages in an act that violates school policy or law shall be subject to discipline for that act.

Sexual Harassment:

Harassment can occur employee to student, student to employee, employee to employee, student to student, and from gender to gender. It shall be a violation of this policy for any student, employee or third party (school visitor, vendor, etc.) to sexually harass any student or employee. Words alone can constitute sexual harassment. Words can create an atmosphere that is so severe, pervasive, and offensive that it denies a victim equal access to educational or employment opportunities.

Sexual Harassment Definitions:

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

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

participation in school-sponsored activities, or creating an intimidating, hostile or offensive working or educational environment.

Hazing Definitions

"Hazing" means 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 organization*, or for any other purpose. The term hazing includes, but is not limited to:

- Any humiliating, degrading or dangerous activity demanded of a student to join a group, regardless of the student's willingness to participate (conduct has the potential to endanger the mental or physical health or safety of a student).
- Any hurtful, aggressive, destructive or disruptive behavior such as striking, whipping, sleep deprivation, restraint or confinement, calisthenics or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
- Substance Abuse –use or abuse of tobacco, alcohol or cannabis, or illegal drugs.
- Any activity that intimidates or threatens the student with ostracism, that subjects a student to emotional, physical or psychological stress, embarrassment, shame or humiliation, that adversely affects the health or dignity of the students or discourages the student from remaining in school.
- Any activity that causes or requires the student to perform a task or act that involves violation of state or federal law or of school district policies or regulations.

*"Student organization" means a group, club, or organization having students as its primary members or participants. It includes grade levels, classes, teams, activities or particular school events. A student organization does not have to be an official school organization to come within the terms of this definition.

Bullying Definitions:

Bullying consists of inappropriate persistent behavior including but not limited to threats, or intimidation of others (whether verbally or non-verbally), treating others cruelly, terrorizing, coercing, or habitual put downs and/or badgering others. Bullying, similar to all forms of harassment, discrimination and hazing, are prohibited behaviors.

Common characteristics of bullying:

- Physical – hitting, kicking, taking or damaging a victim's property
- Verbal – using words to berate, hurt, or humiliate
- Relational – maliciously spreading rumors, and/or actively excluding a person from the peer group to cause emotional harm

Cyberbullying:

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 email messages, instant messages, text messages, digital pictures or images, website postings (including blogs or any form of social media) which have the effect of:

- Physically, emotionally or mentally harming a student or staff member;
- Placing a student in reasonable fear of physical, emotional or mental harm;
- Placing a student in reasonable fear of damage to or loss of personal property; or
- Creating an intimidating or hostile environment that substantially interferes with a student's educational opportunities or a staff member's ability to perform his or her duties.

Sexting:

Sexting means sending, forwarding, displaying, retaining, storing or posting sexually explicit, lewd, indecent or pornographic photographs, images or messages by or on a cell phone, computer or other electronic means during school hours or activities on or off campus, while on school district property, during any recess, lunch or leave periods on or off school district property, by use of school district property, or beyond the hours of school operation if the behavior detrimentally affects the personal safety or well-being of school-related individuals, the governance, climate or efficient operation of the school or the educational process or experience.

All such behavior by students, staff, or third parties is strictly prohibited, and the commission of such acts shall subject the offending student(s) to appropriate disciplinary action, consistent with the student discipline code, which may include, but is not limited to, suspension or notification to the appropriate law enforcement authorities.

Reporting Complaints:

In order for the Board to effectively enforce this policy and to take prompt corrective measures, it is essential that all victims of discrimination, hazing, harassment (sexual or otherwise), and/or bullying and persons with knowledge of discrimination, hazing, sexual harassment, and/or bullying report the harassment immediately. The district will promptly investigate all complaints of discrimination, hazing, harassment (sexual or otherwise), and/or bullying, formal or informal, verbal or written. To the extent possible, all complaints will be treated in a confidential manner. Limited disclosure may be necessary to complete a thorough investigation.
A student who witnesses or is the victim of an incident of hazing, sexual harassment, or bullying should report such incidents to a guidance counselor, administrator, or seek out the Dignity Act Coordinator (DAC) for each school building as follows:

West Sand Lake Elem 674-7175:
Ms. Megan Beauchamp
beauchampm@apcsd.org

Averill Park High School 674-7000:
Ms. Crystle Murray
murrayc@apcsd.org

Miller Hill – Sand Lake Elem 674-7075:
Mr. Jeff McLane
mclanej@apcsd.org

Algonquin Middle School 674-7100:
Ms. Samantha Keenan
keenans@apcsd.org

Poestenkill Elem 674-7125:
Mr. Mike Rinaldi
rinaldim@apcsd.org

District Coordinator 674-7060:
Dr. Brian Rhode
rhodeb@apcsd.org

Reports of harassment, bullying and/or discrimination may be filled out in writing at any building administrative office. Forms will be available upon request. A copy of the District's reporting form is also available on the District's website and a completed form may be submitted to any district administrative office.

Investigation/Resolution:

If, after appropriate investigation, the district finds that a student, an employee or a third party including parent/guardian has violated this policy, prompt corrective action will be taken in accordance with the applicable collective bargaining agreement, district policy and state and federal law.

All complainants and those who participate in the investigation of a complaint of discrimination, hazing, harassment (sexual or otherwise), and/or bullying have the right to be free from retaliation of any kind. The complainant will be notified of the outcome of the investigation

Pursuant to Education Law §13, retaliation by any school employee or student shall be prohibited against any individual who, in good faith, reports or assists in the investigation of harassment, bullying and/or discrimination.

The Superintendent of Schools is required to develop and implement regulations for reporting, investigating and remedying allegations of hazing, sexual harassment, or bullying. These regulations are to be attached to this policy. Training programs shall be presented to students and employees to raise awareness of the issues surrounding discrimination, hazing, harassment (sexual or otherwise), and/or bullying, and to implement preventive measures to help reduce incidents of discrimination, hazing, harassment (sexual or otherwise) and/or bullying. Parents will be informed of this policy and the district's efforts to provide training to students and staff.

This policy shall be posted in a prominent place in each district facility and shall also be published in student registration materials, student, parent and employee handbooks, and other appropriate school publications.

Reference:
Title VII, Civil Rights Act of 1964
Title IX, Civil Rights Act of 1964
N.Y. Human Rights Law, Executive Law §§ 290 et seq.
The Dignity for All Students Act, Chapter 102 of the Laws of 2012 and Article 2 of N.Y. Education Law (§§ 10 through 18)
Averill Park Central School District Policy 0100 – Equal Opportunity
Adopted: 04/09/02

What To Do If You Are Being Harassed:

- Tell the harasser what your feelings are and that you expect the behavior to stop. If this is too difficult to do alone, or if the situation is serious, seek help from a parent, teacher, nurse, counselor, or administrator. You may also seek assistance from the Dignity Act Coordinator (DAC) in each school building.

- If the behavior is repeated or is a major offense, report the behavior to a teacher, counselor, nurse or administrator. You may also make a report to the Dignity Act Coordinator (DAC) in each school building. Both the reporter and the accused have a right to confidentiality, to the extent that the District can maintain confidentiality while still affording both parties their due process protections pursuant to Education Law §3214.

- If you have a reason to believe that the behavior could compromise your safety, walk away from the situation immediately. Seek help from any teacher, counselor, nurse or administrator. You may also seek assistance from the Dignity Act Coordinator (DAC) in each school building.

- After an investigation identifies that a material incident of discrimination, harassment and/or bullying occurred, the District will take appropriate action which may include, for a student, disciplinary action in accordance with the Code of Conduct and applicable law, which may include police involvement, with or without remedial consequences, as appropriate. A staff member may be subject to discipline ranging from a warning up to and including termination to be imposed consistent with all applicable contractual and statutory rights. Volunteers, vendors and other individuals may be subject to penalties ranging from a warning up to and including loss of volunteer assignments, loss of District business and/or denial of future access to school property and school functions and may include police involvement.

DEFINITION OF A WEAPON

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

POSSIBLE PENALTIES FOR CODE OF CONDUCT VIOLATIONS:

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. All of these penalties will be imposed in such a way that is consistent with the student's right to due process. The general penalty spectrums related to specific behaviors are found later in this document.

Verbal Warning:
A Verbal Warning may be given by any member of the district staff.

Written Warning:
A Written Warning may be given by hall and lunch monitors, coaches, guidance counselors or support staff, teachers, and the Principals or their designee.

Written/Verbal Notification to Parent:
A notification of a parent or guardian may be given by coaches, guidance counselors or support staff, teachers, and the Principals or their designee.

Teacher Detention: (Grades 6-12)
A Teacher Detention may be given by the classroom teacher with notification of parent.

Removal from classroom by Teacher:
May be used by a classroom teacher and may include, but is not limited to, (1) short-term "time-out" in the administrator's office; (2) sending a student to the administrator's office for the remainder of class time only; (3) sending a student to a guidance counselor or other district staff for counseling. Time-honored classroom management techniques such as these do not constitute disciplinary removals in accordance with NYS Education Law.

Lunch/Recess Detention:
May be assigned by the Principals or their designee.

Administrative Detention: (Grades 6-12)
An Administrative Detention may be assigned by the Principals or their designee. Detentions run from 2:15 PM- 3:15 PM.

Suspension from Transportation:
This may be assigned by the Director of Transportation, the Principals or their designee.

Suspension from Athletic Participation: (Grades 6-12)
This may be assigned by the Director of Athletics, a coach, the Principals or their designee.

Suspension from Social or Extracurricular Activities: (Grades 6-12)
This may be assigned by the Principals or their designee.

Suspension of other Privileges (i.e. parking, computer use, attendance on field trips, participation in graduation ceremony):
This may be assigned by the Principals or their designee.

Community Service:
This may be assigned by the Principals or their designee.

Extended School Detention (Grades 6-12):
This may be assigned by the Principals or their designee. ESD runs from 2:15 PM – 4:45 PM at the high school and from 2:30 PM – 5:00 PM at the middle school. Transportation will not be provided by the school.

ISS (In-School Suspension/Support) (Grades 9-12):
This may be assigned by the Principal(s) or their designee. This program is assigned as an alternative to Out-of-School Suspension, with students attending school in an alternate, and more restrictive program, within the school. Students will have access to continued instruction while in ISS, and will also participate in support as related to the decisions made leading to placement in the program.

Short-term (five days or less) Suspension from School:
This may be assigned by the Principal or Superintendent of Schools, in accordance with due process procedures established by NYS Education Law Section 3214.

Long-term (more than five days) Suspension from School:
This may be assigned by the Superintendent of Schools or Board of Education, pending the results of a Superintendent's Hearing, in accordance with due process afforded by NYS Education Law Section 3214.

Permanent Suspension from School:
This may be assigned by the Superintendent of Schools or Board of Education, pending the results of a Superintendent's Hearing, in accordance with due process afforded by NYS Education Law Section 3214.

In addition, other responses may be considered, depending on the circumstances and the needs required in order to affect positive behavioral change and support for the individual student, while maintaining a safe and orderly environment for everyone within the school. These may include, but are not limited to:

- Financial restitution
- Referral to school counseling and support
- Corrective remedial measures which may include, but are not limited to:
    - peer support groups;
    - assignment of an adult mentor at school that the student checks in with at the beginning and end of each school day;
    - corrective instruction that re-emphasizes behavioral expectations or other relevant learning or service experience;
    - engagement of student in a reflective activity about the misbehavior and its impact on others and how the student might handle the situation differently in the future and/or make amends to those who have been harmed;
    - supportive intervention and/or mediation where constructive conflict resolution is modeled;
    - behavioral assessment or evaluation;
    - behavioral management plans or behavior contracts, with benchmarks that are closely monitored;
    - student counseling and parent conferences that focus on involving persons in parental relation in discipline issues.

- Involvement of the State/local police or the County Department of Probation for a PINS Diversion or PINS assessment

Discipline of Students with Disabilities

Any student with disabilities, as defined in state or federal law, who is facing an out of school suspension pursuant to NYS Education Law Section 3214 shall be afforded the additional procedural protections provided under the Individuals with Disabilities Act ("IDEA"), Section 504 of the Rehabilitation Act, Article 89 of the New York State Education Law and Part 201 of the New York State code of Rules and Regulations ("NYCRR").

Appeal of Discipline

A parent or student can appeal a short-term suspension imposed by the Principal, by submitting a written appeal to the Superintendent of Schools within ten business days of the first day of the suspension. The Superintendent of Schools will issue a decision regarding the appeal within ten calendar days of receiving the appeal.

A parent or student can appeal a long-term suspension, or a short-term suspension imposed by the Superintendent, to the Board of Education by submitting a written appeal within ten business days of the first day of the suspension to the Clerk of the Board. The Board of Education will issue and convey directly the parent or person in parental relation a decision regarding the appeal within thirty calendar days of receiving the appeal.

If the parent or student do not agree with the District's final determination regarding discipline, the parent can appeal to the Commissioner of Education within thirty calendar days from the decision of the Board of Education as permitted by law.

REFERRALS TO OUTSIDE AGENCIES

A. 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.

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

B. Law Enforcement Notification

All illegal activities shall be referred to the appropriate law enforcement agency.

C. 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:
Being habitually truant and not attending school as required by part one of Article 65 of the Education Law.

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.

Knowingly and unlawfully possesses marijuana in violation of Penal Law §221.05.

D. 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:

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

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

SEARCHES AND INVESTIGATIONS

A. **Searches**

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 may question a student about an alleged violation of law and/or the District Code of Conduct. Students are not entitled to any "Miranda"-type warning before being questioned by school officials, nor are school officials required to contact a student's parent/guardian before questioning the student. However, school officials will inform all students why they are being questioned and/or searched.

In addition, the Board authorizes the Superintendent, building principals, building assistant principals, other administrators, the school nurse, and district security officials to conduct searches of students and their belongings, which includes student vehicles parked on District property, with exceptions set forth below, so long as 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 a very limited search.

An authorized school official also may search a student or the student's belongings based upon information received from a reliable source that the student possesses contraband. Before searching a student's person or the student's belongings the authorized school official should ask the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence believed to exist but may include a physical pat down of the student's person.

Whenever practical, searches will be conducted in the privacy of administrative offices and the student will be present when their possessions are being searched. Searches will be conducted in the presence of two adults whenever possible.

If there is reasonable suspicion to search a student's vehicle and consent is not given and/or the student is not cooperative in the search of the vehicle, parking privileges may be revoked in the discretion of the Superintendent and/or High School Principal.

Under no circumstances will any school personnel conduct a strip search of any other person. For purposes of this section, requiring the removal of an outer coat or jacket, or shoes and socks, shall not constitute a strip search. In the unlikely event that a strip search is believed to be warranted, the police should be summoned to the scene.

B. Exceptions to Searches

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 students' 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.

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 informants
4. Purpose of search (that is what items were being sought)
5. Type and scope of search
6. Persons conducting searches and their titles and positions
7. Witnesses, if any, to the search
8. Time and location of search
9. Results of search
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 the principal's designee shall clearly label each item taken from the student, photograph the item, and retain control of the item until it is turned over to police.

D. Police Involvement in Searches and Investigations of Students

District officials are committed to cooperating with police officials and other law enforcement authorities to maintain a safe school environment. 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 arrest warrant or other court order authorizing the student's removal; or
2. Probable cause to believe a crime has been committed on school property or at a school function and some imminent circumstsance continues to exist

Before police officials are permitted to question or search any student, the principal or his or her designee shall first try to notify the student's parent/guardian to give the opportunity to be present during the police questioning or search. If the student's parent/guardian cannot be contacted prior to the police questioning or search, the questioning or search shall not be conducted in the absence of either of the above two circumstances. The principal or designee will also be present during any police questioning or search of a student on school property or at a school function.

Students who are questioned by police officials on school property or at a school function will be afforded the same rights they have outside of school. This means:

1. They must be informed of their legal rights.
2. They have the right to remain silent.
3. They may request the presence of an attorney.

CODE OF CONDUCT FOR THE ELEMENTARY SCHOOLS OF THE AVERILL PARK CENTRAL SCHOOL DISTRICT

Students have many rights and responsibilities as a member of our school community. They are as follows:

Each person has the right to:
1. Go through every day free of put-downs
2. Learn without interruptions
3. Courtesy at all times
4. The safekeeping of his or her belongings

Each person has the responsibility to:
1. Act and speak so that feelings are not hurt and their rights are maintained
2. Act and speak in a way that is not offensive to others
3. Help make the best learning environment
4. Become the best that he or she can become
5. Respect the personal space and property of themselves and others

Good citizenship is accomplished through combined efforts of home and school. Cooperation and support of parents and/or guardians is essential to maintaining safety and order.

Discipline

No single set of guidelines can provide a means of anticipating the variety of disciplinary situations that occur. It is the responsibility of teachers and principals to investigate each incident on an individual basis and determine the appropriate course of action.
Classroom teachers and support personnel will always attempt to handle and resolve situations which occur under their supervision by having a discussion with the student, contacting the parent, or restricting the student's privileges. Should the problem not be resolved, the problem will be referred to the principal. Depending on the nature of the problem, the frequency of its occurrence and the student's history, the principal will decide the appropriate action for the behavior.

Below is a list of possible action steps:

- Student conference with teacher or staff member
- Teacher contact with parent
- Principal contact with student
- Principal contact with parent
- Discipline Report Form
- Conference with parent, student, teacher, and principal
- Exclusion from an activity
- Repair, clean or restitution of property damages.
- Loss of bus privileges
- Loss of privilege of eating in cafeteria.
- Exclusion from recess
- In-school suspension
- Suspension from school (½-5 days)
- Conference with Superintendent
- Exclusion from school by Superintendent (more than 5 days)
- Local community agency involvement- Police/Youth Aid/Family Court/Child Protective Services

For all disciplinary issues not explicitly addressed in the Elementary Code of Conduct the principal shall utilize the Middle School/High School Code of Conduct for disciplinary steps and violations where appropriate.

Classroom Behavior

The classroom is the prime learning center of the school. It is the responsibility of the students to put forth their best effort to learn. Students should know the expectations of behavior rules for their classroom set in place by their teacher. In order to make the classroom a suitable and safe place to learn and an enjoyable place for all students to spend the day, all students will:

- Be prepared with necessary materials to learn
- Listen when an adult or another student is speaking
- Transition appropriately from one activity to another
- Complete all work to the best of their ability
- Respect the values and views of others
- Allow others to work without interruption
- Follow all classroom expectations and rules. This includes all other rooms visited throughout the day (i.e. cafeteria, special area classes, auditorium for presentations etc.)
- Receive permission from the teacher prior to leaving the room

Student Dress Code

All students and their families have the primary responsibility for acceptable student dress and appearance. Teachers and all other district staff should exemplify and reinforce acceptable student dress and help students to develop an understanding of appropriate appearance in school. A student's dress, grooming and appearance, including hairstyle/color, jewelry, make-up and nails, shall:

1. Be safe, appropriate and should not disrupt or interfere with the educational process. Hats and/or bandanas should not be worn except during theme days (such as Hat Day).
2. Not include items that are offensive, vulgar, obscene, libelous, or denigrate others on account of race, color, religion, creed, national origin, gender, sexual orientation or disability.
3. Not promote and/or endorse the use of alcohol, tobacco cannabis or illegal drugs and/or encourage other illegal or violent activities.
4. Include safe and appropriate footwear for PE and recess. Footwear that is a safety hazard- such as flip flops, crocs or shoes without a back, high-heeled shoes and retractable roller blade sneakers- will not be allowed.

Each day, weather permitting, there is outdoor recess. Please make sure that your child wears appropriate clothing, including footwear, hat, gloves, warm jacket and snow pants. Please label all outerwear with your child's name so that lost items may be returned to the student.

Please encourage your child to check the Lost and Found if an item has been lost.

Interpretation of the dress code will be at the discretion of the building principal. Students who violate the dress code shall be required to change their appearance by covering or removing the offending item and if necessary, replace it with an acceptable item.

Electronics & Toys on School Property

In accordance with New York State law, personal internet-enabled devices—including but not limited to cell phones, smartwatches, earbuds, tablets, iPads, and other electronic communication or entertainment devices—are not permitted to be used or visible during the school day, from the start of the instructional day through dismissal. Having a device visible during the school day is prohibited and may result in confiscation and parent notification. Students are strongly encouraged to leave all personal internet-enabled devices at home.Toys and personal items coming to school

present a number of problems which can result in items being lost, broken, or breakage, or stolen. Most importantly these unnecessary items disrupt the educational process. We ask that parents/families do not permit these items coming into school. The school district will not be responsible for any lost, stolen, or damaged items. Your child's teacher may permit certain types of toys, games, or equipment to be brought to school in certain circumstances. Please uphold the requests of the teachers when these exceptions occur.

Student Conduct in the Cafeteria

- Show respect to all staff and students while in the cafeteria.
- Provide the appropriate amount of personal space so that lunchtime is an enjoyable experience for everyone.
- Stand in an orderly line while waiting to enter and exit the cafeteria.
- Eat in pre-arranged areas according to grade level. Sit elsewhere only if permission has been granted.
- Walk in the cafeteria
- Maintain an appropriate volume determined by the principal and cafeteria staff, talk in a conversational voice.
- Eat food in an acceptable manner.
- No sharing food due to food allergies.
- Pay lunch charges within one week from each charge.
- Remain seated while in the cafeteria and raise your hand to receive permission to leave your space.
- Help keep the cafeteria clean by picking up after yourself.

Hallway Behavior

Keeping the hallways clean and safe is the responsibility of everyone in the school. Moving through the halls from one area to another must be done in a quiet and respectable manner to avoid disrupting others. Therefore, to promote a safe, clean and quiet environment in the halls, the following behaviors should be practiced:

- Keep hallways clean and free from litter.
- Walk quietly in the halls.
- Treat displays, bulletin board materials and school property with respect.
- Keep hands and feet off the walls.
- Maintain your personal space.

Assembly Behavior

Assembly programs are provided for large group information, entertainment, and educational purposes. Students are expected to demonstrate courteous behavior out of respect to the guests of the Averill Park Central School District who are offering programs and performances. Therefore, the following behaviors are expected:

- Sit where an adult in charge instructs, and remain seated during assemblies. If a need arises, the student only leaves with permission from the supervising adult.
- Watch and listen politely to performances and speakers.
- Clap after performance and other appropriate times during the show to demonstrate appreciation. Whistling, cheering, screaming, stomping feet, booing or other noise making is not an appropriate way to show appreciation and is unacceptable assembly behavior.
- Leave at the end of the assembly in an orderly fashion, following the directions of an adult in charge.

Recess & Playground Rules

It is each student's responsibility to share the equipment, obey the rules, teachers and /or recess monitors on duty. When visiting the playground whether it is before, after, or during school hours, exhibit good safety practices AT ALL TIMES. For the safety and enjoyment of all students at recess, students are expected to:

- Stay on the designated playground area with their teacher and/or monitor, and request permission to retrieve balls outside the designated area.
- Respect others, take turns, share, and include others to play.
- Keep hands to yourself, refrain from rough housing and avoid playing physical contact games such as tackle football.
- Maintain a safe distance from playground equipment while it is being used by others.
- Use the playground equipment correctly and safely.
- Refrain from making and throwing snowballs, or other objects such as sticks, stones, rocks, dirt, etc.
- Refrain from foul language, offensive names, or put-downs.
- Receive permission from teacher and/or monitor to re-enter the building before the end of recess.

  Failure to follow playground rules can result in loss of playground privileges and disciplinary measures consistent with the district's code of conduct.

CODE OF CONDUCT FOR AVERILL PARK CENTRAL SCHOOL DISTRICT STUDENTS IN GRADES 6-12. (ALGONQUIN MIDDLE SCHOOL AND AVERILL PARK HIGH SCHOOL)

I. STUDENT/COMMUNITY SAFETY AND WELL-BEING

The well being and safety of the students and staff at the middle and high schools are of prime importance and concern to all. Everyone at Algonquin and Averill Park High School has a right to a safe and orderly environment.

The following behaviors are not consistent with the values stated above and are, therefore, subject to the disciplinary actions listed below. Serious and repeated violations may result in more severe consequences. Serious or repeated violations may also result in a referral to the school's Child Study Team, who will consider referral to the Court for a Person in Need of Supervision petition or to a human services agency for the purpose of obtaining family support for improved behavior and performance on the part of each student. All consequences will be applied consistently and without exception, always in response to the individual need of the student and circumstance**. The consequences listed in this code provide a framework within which the disciplinarians operate. They may be modified or tailored to meet the circumstances of special situations as they arise.**

A. Illegal Behaviors which Endanger the Welfare of the School Community: Students are expected to participate in maintaining a safe and orderly environment which is conducive to the academic and personal development of everyone.

Examples of violations and corresponding consequences may include, but are not limited to:

• Possession of a weapon(s), fireworks/ smoke bombs; "Possession" means having a weapon (gun, knife or other object which may be used to inflict harm) in school, on school grounds, on a school bus, on a field trip, at an athletic event, or at any school function. • Pulling of fire alarm, making a bomb threat, false 911 emergency calls	Each Offense: • contact parent/guardian • ISS • up to 5 day(s) out of school suspension, at discretion of Building Principal • superintendent's hearing for additional suspension, as warranted • police notified, as warranted • referral to school counselor, as warranted • loss of parking privilege for up to twelve months • restricted from attending or participating in extra-curricular activities • engagement in reflective activities

B. Alcohol, Drugs (Illegal/Prescription), Cannabis and Tobacco: The use, possession, or sale of drugs (including cannabis, all cannabis products, and synthetic cannabinoids), paraphernalia, alcohol or tobacco, in accordance with NYS Law, will not be tolerated at the middle or high school at any time.

Examples of violations and corresponding consequences may include, but are not limited to:

• Sale or distribution of alcoholic beverages and/or drugs, including cannabis, all cannabis products and synthetic cannabinoids • Possession, use, or under the influence of drugs/alcohol, including cannabis, all cannabis products and synthetic cannabinoids • Possession of drug paraphernalia • Use of tobacco products • Use of E-cigarettes, Vaporizer (vape) Pens, or similar item	Each Offense: • contact parent/guardian • ISS • up to 5 day(s) out of school suspension, at discretion of Building Principal • superintendent's hearing for additional suspension, as warranted • police notified, as warranted • referral to school counselor • loss of parking privilege for up to twelve months • restricted from attending or participating in extra-curricular activities • engagement in reflective activities

• Possession of cigarettes or tobacco products • Possession of E-cigarettes, Vaporizer (vape) Pens, or similar item	Each offense: • confiscation, parent/guardian must pick up item from administrators in main office • Extended School Detention (ESD) or ISS may be assigned • repeated offenses will be considered insubordination

C. Possession and/or Use of Inappropriate Items: Students at the middle and high school will not bring items into the building which are not conducive to the school environment, have the potential to disrupt others, or create a safety concern.

Examples of violations and corresponding consequences may include, but are not limited to:

• Possession and/or use of inappropriate objects (matches, lighters, laser pointers, etc.)	Each offense: • confiscation, parent/guardian must pick up item from administrators in main office • Detention may be assigned • Repeated offenses will be treated as insubordinate behavior

D. Violent or Substantially Disruptive Behavior/Harassment: Students are expected to treat others with respect at all times at the middle and high schools.

Examples of violations and corresponding consequences may include, but are not limited to:

• Violent behavior: harassment (physical/emotional), discrimination, intimidation, hazing, bullying, cyber-bullying, threats of harm, threatening language, making physical contact, assault, fighting, attempting to incite a serious incident which compromises the school environment or student safety, etc.) • Use of slurs, taunts, rumors and/or comments relating to ethnicity, disability, religion or religious practice, national origin, race, sexual orientation, gender (including identity or expression), weight, or physical condition of another, and any form of sexual harassment	Each Offense: • investigation of complaint • corrective remedial measures, as warranted • contact parent/guardian • ESD, ISS, or out of school suspension, at the discretion of Building Principal. Physical injury of another student may result in up to 5 day(s) out of school suspension, at discretion of Building Principal • Superintendent's hearing for additional suspension, as warranted • police notified, as warranted • referral to school counselor • loss of parking privilege for up to twelve months • restricted from attending or participating in extra-curricular activities • engagement in reflective activities

E. Use of Electronic/Communication Devices:

While the positive uses of technology are recognized, personal internet-enabled devices—including but not limited to cell phones, smartwatches, earbuds, tablets, and other similar items—can present significant disruptions to the school and instructional environment. In compliance with New York State law, students are prohibited from using or displaying these devices at any time during the school day, from the first bell to the last bell, including during class time, passing time, study halls, and lunch periods.

The only exemptions to these restrictions are for students who require access to an internet-enabled device to manage a medical condition, where required by a student's Individualized Education Program (IEP), for academic purposes, or for other legitimate purposes, such as translation, family caregiving and emergencies.

Examples of items and corresponding consequences may include, but are not limited to:

• Use of cell phone, beeper, pager, bluetooth device, **smart watch, earbuds**, or other communication device without the explicit permission of a staff member	• First offense can include
	  ○ Student sent to office
	  ○ Phone confiscated by Teacher/Admin.
	  ○ Parent contacted by Teacher/Admin.
	  ○ Phone goes in safe, to be picked up at the end of the day.
	  ○ Student must turn phone in directly to secure location for a period of time defined by school
	• Second offense can include:
	  ○ Items listen above
	  ○ Parent picks up phone from school
	  ○ Referral logged into the system.

	○ Additional consequences assigned, progressively, for insubordination, for each offense defined by each school ○ Student must turn phone in directly to secure location for a period of time defined by school

F. Parking/Traffic Violations: Student parking at the high school is a privilege, not a right. Parking is available to seniors, and juniors as space allows. Each student who obtains parking privileges must register the vehicle to be parked on school property with the main office. Approved applicants will receive a parking tag which must be displayed at all times.

Examples of violations and corresponding consequences may include, but are not limited to:

• Parking on school grounds without a valid parking permit, or reckless driving, or ignoring parking regulations (e.g. parking in restricted parking areas, etc.) • ALL cars must be registered and have a permit in order to park on school grounds. Students park on school grounds at their own risk. The school district will not assume liability for an individual's vehicle.	First offense: • warning • contact parent/guardian • possible temporary loss of parking privilege Second offense: • contact parent/guardian • towing of vehicle at student's expense • loss of parking privilege Each offense thereafter: • contact parent/guardian • towing of vehicle at student's expense • ESD or ISS • will be treated as insubordination • permanent loss of parking privilege

G. Use of Electric Bikes and Scooters, Rollerblades, All-Terrain Vehicles, and Skateboards:

The use of these items is prohibited at all times in school buildings and on school property, except that those legally permitted to operate electric bikes and like items under NYS law may use them on school property but must follow all traffic controls and immediately park in a location that does not obstruct normal vehicle or pedestrian traffic.

Example of violations and corresponding consequences may include, but are not limited to:

• Use of Electric Bikes and Scooters, Rollerblades, All-Terrain Vehicles, and Skateboards: on school property	Each offense: • contact parent/guardian • police notified, as warranted • confiscation of item, parent/guardian must pick up items from administrators in main office • Repeated offenses will be treated as insubordination

H. Loitering: Students are expected to remain under the supervision of a teacher and/or coach if remaining in the building after 2:10 PM at the High School or 2:25 p.m. at the Middle School.

Examples of violations and corresponding consequences may include, but are not limited to:

• Loitering (students may not remain on school grounds or in the building after school unless participating in a supervised activity)	Each offense: • warning • contact parent/guardian, as warranted • possible loss of extracurricular participation Each additional offense: • detention or ESD may be assigned • Repeated offenses will be treated as insubordination

II. ETHICAL BEHAVIOR, RESPECT FOR PROPERTY AND OTHERS

All students and staff have the right to be treated with respect. Respect and ethical behavior are expected of all members of the middle and high school community at all times.

The following behavior is not consistent with the values stated above and is, therefore, subject to the disciplinary actions listed below. Serious and repeated violations may result in more severe consequences, including a principal's conference. **The consequences listed in this code provide a framework within which the disciplinarians operate. They may be modified or tailored to meet the circumstances of special situations as they arise.**

A. Academic Integrity: It is expected that all students at the middle and high school will complete their own academic work to the best of their ability.

Examples of violations and corresponding consequences may include, but are not limited to:

• Cheating (plagiarism, forgery, copying another's work, etc.) • Plagiarism is the use of anyone else's words or ideas without proper citation. Such instances may include, but are not limited to: - Copying all or portions of a paper from internet or book sources - Using a paper of one's own from another class or year (self-plagiarism) - Submitting work created by someone else, such as students or parents, as one's own. - Use of Artificial Intelligence when explicitly prohibited by the teacher.	First offense: • contact parent/guardian (by teacher) • academic consequence to be determined by the teacher (grade of zero may be assigned) Second offense and each thereafter: • contact parent/guardian • academic consequence to be determined by the teacher (grade of zero may be assigned) • will be treated as insubordination

B. Destruction of Property: Students at the middle and high school are expected to demonstrate respect towards the property of the school and others.

Examples of violations and corresponding consequences may include, but are not limited to:

• Acts of vandalism, theft and destruction of property	Each offense: • contact parent/guardian • detentions or ESD or ISS may be assigned • up to 5 day(s) out of school suspension, at discretion of Building Principal • Superintendent's hearing for additional suspension, as warranted • restitution • police notified • loss of parking privilege for up to twelve months • community service • engagement in reflective activities • repeated offenses will be treated as insubordination

C. Cafeteria Cleanliness and Conduct: Middle and high school students are expected to conduct themselves appropriately in the cafeteria at all times and clean up after themselves.

Examples of violations and corresponding consequence may include, but are not limited to:

• Cafeteria misconduct • Throwing objects, food and/or leaving trays and debris	Each offense: • possible contact parent/guardian • community service • lunch detention assigned • repeated offenses will be treated as insubordination

D. Staff Directives: Students at the middle and high school are expected to follow the reasonable directives of faculty and staff.

Examples of violations and corresponding consequences may include, but are not limited to:

• Insubordination (refusing to follow a directive made by a staff person)	Each offense: • contact parent or guardian • teacher assigned detention • detention, ESD, or ISS may be assigned • out of school suspension, at the discretion of the Building Principal. • loss of parking privileges for up to 12 months • restricted from attending and/or participating in extra-curricular activities

E. Profanity/Obscene Language/Disruption/Disrespectful Behavior: Students are expected to be orderly and well-mannered in their conduct at school. The use of profane or obscene language, directed at anyone, is not acceptable.

Examples of violations and corresponding consequences may include, but are not limited to:

• Inappropriate language (obscene, profane, vulgar, abusive, etc.) • Disruptive behavior • Disrespectful behavior • Substantial disruption of the educational process or substantial interference with the teacher's authority over the classroom.	Each Offense: • contact parent/guardian (by teacher) • teacher detention • Depending upon severity, and at discretion of Building Principal detention, ESD, ISS, or OSS may be assigned. • restriction from attending or participating in extra-curricular activities.

F. Public Displays of Affection: Students are expected to refrain from displays of affection while in the school environment.

Examples of violations and corresponding consequences may include, but are not limited to:

• Public display of affection (inappropriate display of affection on school property; kissing, hugging, touching, etc.)	Each offense: • verbal warning • possible contact parent/guardian • Repeated offenses will be considered insubordination

G. Lewd Behavior: Students are expected to refrain from inappropriate acts or behaviors while in the school environment.

Examples of violations and corresponding consequences may include, but are not limited to:

• Lewd behaviors are defined as: inappropriate sexual contact (including through electronic means), touching, gestures, and/or acts. • Other behaviors may be deemed as lewd, per administration.	Each offense: • contact parent/guardian • 1-5 days of out of school suspension may be assigned by the Building Principal • restricted from attending or participating in extra-curricular activities • engagement in reflective activities • engagement in reflective activities

H. Code for Appropriate Dress: The home and school need to work together to cooperate in the matter of dress. School is considered the "workplace" for students and they are expected to dress as such.

Examples of violations and corresponding consequences may include, but are not limited to:

All persons are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions. School is considered a workplace for adults and students. Appropriate dress is: 1. That which is safe and does not disrupt or interfere with the educational process. This includes, but is not limited to chains, safety pins, spikes, animal collars, leashes, etc. 2. That which does not include items which are vulgar, obscene, libelous, or denigrate others because of race, color, religion, creed, national origin, gender (including identity and expression), sexual orientation, sex, weight or disability. 3. That does not promote and/or endorse the use of alcohol, tobacco, cannabis or illegal drugs and/or encourage other illegal or violent activities. 4. Student clothing must at all times cover undergarments, midriffs, and cleavage so that none of these is visible to others. Skirts and shorts must reach at least the mid- thigh of the wearer. Tops must <u>not</u> be strapless, sheer or backless. 5. The middle and high schools are hat-free campuses. Students are expected to remove all headwear prior to entering the building. Exceptions to this rule may be granted by the principal for religious or medical reasons. **Students at the high school may wear hats, but are required to comply with the request(s) of staff to remove head wear in their individual instructional spaces. Hats must align with other parts of the Code of Conduct and Dress Code, as outlined above.** Building administration reserves the right to determine what is appropriate to wear to school and school sponsored events (including formal and semi-formal wear, athletic apparel, etc.)	<u>Each offense:</u> • student asked to substitute or remove the article of clothing for a suitable one • parent/guardian contacted by teacher • item 2: corrective remedial measures, as warranted under DASA, may be considered harassment • student possibly sent home to change • parent conference may be conducted • repeated offenses will be considered insubordination

III. CLASS/SCHOOL ATTENDANCE

Regular school attendance is the focus of all learning and is required of all students at the middle and high school.

The following actions are not consistent with the value stated above and are, therefore, subject to the disciplinary actions listed below. Serious or repeated violations may result in more severe consequences, including a principal's conference. Serious or repeated violations will also result in a referral to the school's child study team, who will consider referral to the court for a Person in Need of Supervision petition or to a human services agency for the purpose of obtaining family support for improved behavior and performance on the part of each student. **The consequences listed in this code provide a framework within which the disciplinarians operate. They may be modified or tailored to meet the circumstances of special situations as they arise**. Additionally, consideration may be given to suspension of parking privileges.

A. Arrival to School: Students at Averill Park High School are expected to arrive to school on-time. A warning bell rings at 7:25 AM each day, with first block beginning at 7:30 AM. At that time, students are expected to be in their classroom and ready to engage in instructional activities. At Algonquin Middle School, it is expected that students will arrive to homeroom by 7:45 AM.

Examples of violations and corresponding consequences may include, but are not limited to:

• Unexcused tardy to school (referring to the late arrival to the building, and subsequently to a 1st class of the day)	Each offense: • student signs into building, receives an admit pass which is to be given to the classroom teacher • teacher assigns classroom detention upon receipt of admit pass indicating unexcused late arrival (APHS only) • Parents may only excuse a tardy on the same day that the tardy occurs. This must be done by contacting the attendance office directly. Excuses arriving any later will not excuse the assigned detention. • Repeated tardiness to school, regardless of excuse, may result in a parent meeting with building officials, detention or ESD assigned, and/or a possible referral to the court for a Person in Need of Supervision petition, or other human service agency • restriction from attending or participating in extra-curricular activities.

B. Arrival to Class: Students are expected to arrive to classes throughout the day on time. This means that students are in the classroom and ready to learn at the bell.

Examples of violations and corresponding consequences may include, but are not limited to:

• Unexcused late arrival to class	First 3 Offenses: • teacher assigns classroom detention and contacts parent/guardian Each additional offense: • will be treated as insubordination

	• restriction from attending or participating in extra-curricular activities.

C. Class Attendance: It is expected that students will attend all classes to which they are assigned each day.

Examples of violations and corresponding consequences may include, but are not limited to:

• Class cut (a complete illegal absence from class)	First offense: • contact parent/guardian by teacher and administrator • teacher detention Additional offenses: • will be considered insubordination • restriction from attending/participating in extra-curricular activities.

D. Closed Campus: Averill Park High School students will remain on campus at all times, from their arrival in the morning, until dismissal. Once a student has arrived to campus, either by bus or a car, they may not leave without permission.

Examples of violations and corresponding consequences may include, but are not limited to:

• Leaving school building/grounds without permission	First offense: • contact parent/guardian • ESD Second offense and each additional: • contact parent/guardian • two ESD's • loss of parking privilege for up to twelve months

E. School Attendance: Students are expected to attend school when in session at all times.

Examples of violations and corresponding consequences may include, but are not limited to:

• Truancy (skipping school)	First offense: • contact parent/guardian • ESD • restricted from attending or participating in extra-curricular activities Second offense and each thereafter: • contact parent/guardian • parent/guardian-administrative conference • two ESD's • may be treated as insubordination • loss of parking privilege for up to twelve months • restricted from attending or participating in extra-curricular activities

Transportation Code of Conduct

Our Transportation Department takes great pride in providing a safe and quality service to students. In order to make this part of the school day safe, the following rules are in place. Keep in mind that behavior must mirror the classroom rules.

Basic Rules of Riding:

- Students should be at their stop and visible at least 5 minutes before their scheduled pickup time. Porches and doorways are not acceptable areas for waiting.
- Students should keep their hands to themselves and stay seated at all times while the bus is in motion.
- Following indicated crossing procedures and basic rules ensure everyone's safety.
- All changes in your child's transportation should be communicated directly to your child's building main office. Written notes are also required at the building level.

Assigned Seating:

APCSD has assigned seating in all of its buses that transport students. The primary reason for this is one of safety. In the event of an accident, this information is crucial. The secondary reason is that of discipline. Having a driver know exactly where each child is seated helps determine who is or is not being safe.

Student Discipline:

The discipline process is as follows:

- The driver writes a referral describing the behavior that took place and all previous attempts to remedy it.
- The referral will be reviewed and signed by the Transportation Supervisor and. in case of serious infractions, the building principal will be involved.
- When necessary, referrals will be forwarded to the building principal and the Director of Special Education, as appropriate
- The building principal will return the completed referral directly to the Transportation Supervisor once follow-up has occurred.
- Students/Parents are responsible for reimbursing the school district for the repair or replacement of damage—this is not in lieu of appropriate behavior consequences.
- Communication with parents will be initiated so that they are informed of the matter.

Severe Conduct Requiring Immediate Action:

Below is the list of some behaviors that are serious and distract the driver or create an unsafe situation.

- Weapons
- Violence
- Smoking and/or open flame
- Hate-related actions/language
- Vandalism to bus
- Throwing objects at the bus
- Sexual misconduct
- Profane language directed at a staff member
- Harassment, bullying and/or discriminatory behavior

Expectations for Student Bus Behavior:

Actions, which distract the driver and are unacceptable

- Shouting
- Profane/vulgar language
- Hitting/pushing
- Throwing objects
- Moving from assigned seat
- Bullying
- Harassment
- Discrimination

Actions, which create an unsafe situation

- Throwing items out of the bus
- Placing body parts out of the bus window
- Not staying in assigned seat while bus is in motion
- Not complying with driver's directions the first time
- Not following the correct loading/unloading/crossing procedures
- Bringing items on the bus that can not fit in a book bag
- Bringing on animals or insects
- Bringing glass on the bus
- Eating and/or drinking on the bus

Cell Phone Usage:

Although personal internet-enabled devices are prohibited during the school day, students may use cell phones and other personal devices while riding the school bus, as long as their use is appropriate and non-disruptive. If a device is being used in a way that distracts the driver, creates a safety concern, or involves harassment or inappropriate content, the bus driver may direct the student to turn the device off and put it away.

Bus Switching:

Due to overcrowding of buses, we are not able to honor requests for transfer of students to any other bus other than the one which takes them to and from their legal residence. In the event of an extreme emergency, the parents/guardians may contact the transportation department at 674-7070 for permission to allow the transfer. A written note should accompany the child to their building principal. The Transportation Department reserves to right to deny any request for a switch of bus runs without District Office authorization if necessary.

GUIDELINES AND POLICIES REGULATING THE USE OF COMPUTER RESOURCES IN THE AVERILL PARK CENTRAL SCHOOL DISTRICT

The Board of Education of the Averill Park Central School District encourages the use of computer resources as a valuable tool for education and an integral part of the curriculum. Computer resources shall be defined to include but are not limited to the following: computers, computer programs, electronic library resource and the network, along with access to the Internet, communication (e-mail) with teachers and other students and the development and testing of staff and student programs.

Included below are guidelines and regulations covering student and staff use of district computer resources, including:

- Who shall have access to, and level of access to
- Acceptable uses of
- Sanctions for inappropriate use of
- Proper use of copyrighted materials

General Guidelines

These guidelines and regulations shall be made known to all staff, parents and students prior to their use of district computer resources.

Student and staff use of district computer resources are for school related use only. Computer resources are available to users solely for the purpose of supporting our educational programs (classroom activities, career exploration and limited directed discovery activities) and professional development. The use of district computer resources is a privilege, not a right and may be revoked at anytime. Each user must agree with and comply to the Board of Education Policy and related guidelines.

The school district is subject to personal information privacy laws, and will undertake the collection of this information in compliance with the requirements of such laws, including by limiting collection to information that is relevant and necessary to address a risk or threat and by ensuring that information is collected from online sources and is only obtained from open source sites. The school district will not collect information as part of a threat assessment unless there is reason to believe that a risk exists. Information collected as part of a threat assessment may be provided to law enforcement authorities in appropriate circumstances.

Procedures

All users of Averill Park Computer Resources must comply with the district's Acceptable Users Policy and agree to the terms and conditions of their use of any Averill Park Central School District Computer Resources, as well as agree to the publication of any material developed while a student or staff member of the Averill Park Central School District.

Users will agree to the terms and conditions of the acceptable use policy each time they log in to any Averill Park Central School District Computer Resources. In order to best utilize online and other research related computer resources users first should develop a search plan defining the problem or area of study. Staff may access personal accounts for school-related purposes if computer resources are not in demand by another staff or student pursuing a curriculum or school-related project.

Failure to comply with any of the policies or guidelines related to computer resources will result in appropriate disciplinary action including, but not limited to:

- loss of usage privileges related to computer resources
- monetary restitution for any damages caused
- possible civil or criminal proceedings
- loss of school privileges
- detention
- suspension from school
- any other school penalties deemed appropriate

Acceptable Uses

The use of district computer resources must be in support of education and research consistent with the educational objectives of the Averill Park Central School District.

The purpose of district computer resources is to support research and education in and among academic institutions by providing access to these unique resources and by allowing for the opportunity to engage in collaborative work. All material obtained by means of these resources should be considered copyrighted and included on a works cited page; furthermore, the Averill Park Central School District assumes no responsibility for the quality or accuracy of such material.
Users may have access to e-mail. Elementary students' e-mail access will be via a classroom account under the supervision of the classroom teacher. Secondary students may be provided with an individual e-mail account but must have the approval of the administration and their parents for such an account. Staff may request an e-mail account. Each user is to report to the system administrator any message that is received that the user feels is inappropriate or makes them feel uncomfortable.

Prohibited Activities

Following is a partial list of generally prohibited activities. This list is not all inclusive and is intended as a general guide for the user of district computer resources and may be updated at any time without notice.

1.) Cyberbullying:
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, (including artificial intelligence) such as sending or posting inappropriate or derogatory email messages, instant messages, text messages, digital pictures or images, or website postings (including blogs) which have the effect of:

- Physically, emotionally or mentally harming a student or staff member;
- Placing a student in reasonable fear of physical, emotional or mental harm;
- Placing a student in reasonable fear of damage to or loss of personal property; or
- Creating an intimidating or hostile environment that substantially interferes with a student's educational opportunities or a staff member's ability to perform his or her duties.

2.) Sexting:
Sexting means sending, forwarding, displaying, retaining, storing or posting sexually explicit, lewd, indecent or pornographic photographs, images or messages by or on a cell phone, computer or other electronic means during school hours or activities on or off campus, while on school district property, during any recess, lunch or leave periods on or off school district property, by use of school district property, or beyond the hours of school operation if the behavior detrimentally affects the personal safety or well-being of school-related individuals, the governance, climate or efficient operation of the school or the educational process or experience.

Cyber-bullying, sexting, and all such behavior by students, staff, or third parties is strictly prohibited and the commission of such acts shall subject the offending student(s) to appropriate disciplinary action, consistent with the Code of Conduct, which may include, but is not limited to, suspension or notification to the appropriate authorities.

3.) Other Disallowed Activities:

- engage in activities for commercial purposes or political lobbying
- post personal contact information about yourself or others
- engage in activities that will disrupt the system in any way
- alter the operation system or application software on the district computers in any way
- engage in any illegal activity
- arrange to meet with anyone you meet online
- share your password or account with others
- use profane, vulgar, rude, disrespectful or threatening language in any correspondence
- post or access obscene or profane material
- establish unauthorized web sites or web pages
- copy software
- download unauthorized information or applications
- load personal software or disks
- alter, tamper with or destroy the material of another user or the district
- use the computer to access data from secure areas (no hacking)
- use personal data storage devices without authorization
- engage in harassment, bullying, cyberbullying or other acts of discrimination

Wireless Network

It is the intention of the Averill Park Central School District to provide a high level of reliability and security when using the wireless network. Wireless Access Points provide shared bandwidth and so as the number of users increase the available bandwidth per user decreases. As such, please show consideration for other users and refrain from running high bandwidth applications and operations such as downloading large music files and video from the Internet. Network reliability is determined by the level of user traffic and accessibility. Wireless networking represents supplemental access to the APCSD network. Wired access is still the preferred way for connectivity.

As the deployment and usage of the APCSD wireless network progresses, we reserve the right to adjust the access and usage policies, and guidelines as necessary, for the sole benefit of APCSD wireless users to provide a safe and reliable computing environment and ensure high quality secured services. It is the responsibility of all persons using the Wireless Internet Access network to be familiar with this policy and the Internet Policy.

All installed wireless access points and antennas are the property of APCSD. Do not tamper with, adjust, abuse, repair, or otherwise touch these access points and their antennas.

We reserve the right to monitor and log communications on a per connection basis to ensure proper usage of network resources for both wired and wireless connections.

Personally Owned Internet Devices

In alignment with New York State law and district policy, personal internet-enabled devices may not be used during the school day (bell-to-bell), and students will not have access to the district's wireless network during school hours. Access to the APCSD wireless network will be available outside of school hours (i.e. access for students staying after school). Students and staff using the network must comply with the district's BYOD Responsible Use Guidelines.

The district maintains both a wired and wireless network, which are filtered for acceptable content in accordance with the Children's Internet Protection Act (CIPA). Network storage is only available from school-owned devices. The district reserves the right to monitor and log all activity conducted on its networks to ensure compliance with district policies and applicable laws.

AVERILL PARK ATHLETIC CODE OF CONDUCT

Participation in interscholastic athletics at Averill Park is a privilege, not a right, and is contingent upon the student-athlete's willingness to commit to the provisions of the Athletic Code of Conduct. The privilege of wearing the blue and gold should elicit great pride in both student-athletes and his/her family. It is also a responsibility which requires an extra commitment, both inside and outside of the school building. Standards of behavior are necessarily high and a willingness to live up to them is a condition for participation. Consistent with these standards, and as a continuing condition of eligibility, student-athletes are required to sign the Athletic Participation Contract prior to each season. The student-athlete's signature, along with that of his/her parent/guardian, indicates they both recognize and understand this responsibility and that the student-athlete agrees to adhere to the Athletic Code of Conduct.

Appropriate Conduct Requirements

Student-athletes shall avoid any infractions of the Averill Park Central School District Code of Conduct. In addition, student-athletes shall avoid any action(s) or the participation in an activity outside of school, which might bring embarrassment or an unfavorable view on the student-athlete, his/her teammates, coaches, family, school or community. Such alleged violation(s) will be subject to review and possible subsequent action. Examples of some behaviors which would be considered as violations of the Athletic Code of Conduct and subject to the eligibility chart include, but are not limited to:

- Any infraction which results in an Out of School Suspension (OSS)
- Use, Possession, or Sale of Alcohol
- Use, Possession, or Sale of Tobacco Products (including alternative nicotine products and/or paraphernalia)
- Use, Possession, or Sale of Cannabis Products (including alternative cannabis product and /or paraphernalia)
- Use, Possession, or Sale of Illegal Drugs (including drug paraphernalia) – Any student-athlete found to be selling illegal drugs will be suspended for one calendar year from the date of the sale.
- Constructive Possession – Student-athletes who are found to have been voluntarily associating with others who are illegally using, possessing or selling drugs, drug paraphernalia cannabis, cannabis paraphernalia, or alcohol, and who do not attempt to remove themselves in a reasonable amount of time are in violation of the Athletic Code of Conduct.
- Hazing – Coaches will not permit, nor will student-athletes participate in, any type of hazing at any time. Hazing is defined by any conduct or method of initiation into any interscholastic team, whether on public or private property, which deliberately or recklessly exploits a less powerful student-athlete physically, emotionally, and/or socially.
- Theft and/or Destruction of Property – Theft and/or destruction of property of any kind, including property of Averill Park or our opponents will not be tolerated.

Application of the Code

The Athletic Code of Conduct shall be in effect for 365 days per year and will be in effect at all times, in all locations, including non-school activities. Each coach also has the prerogative to establish additional guidelines specific to his/her particular team, so long as such guidelines do not erode or minimize the criteria set forth herein.

Self-Reporting

Any off-campus Athletic Code of Conduct violation that is self or family reported to the Director of Athletics **prior** to athletic staff and/or Director of Athletics awareness of the violation may result in up to a 50% reduction of the normal penalty. This will only be honored one time during the career of the student-athlete.

Penalties

Violations of the Athletic Code of Conduct will result in penalties as determined formally by the Director of Athletics and Building Principal. The consequences listed below may be modified or tailored by the Director of Athletics and Building Principal to meet the circumstances of special situations as they arise. In determining appropriate penalties, the Director of Athletics and Building Principal shall be guided as follows:

First Offense

1) If an offense occurs that is deemed to be a violation of the Athletic Code of Conduct, the student-athlete will be allowed to practice with the team but shall not be allowed to participate in the team's scheduled contests according to the eligibility chart. Scrimmages are **not** considered scheduled contests.
2) Penalties which cannot be served during the sport season in which they are imposed will be carried over for completion in the next sports season in which the student-athlete participates. The penalty assigned will be adjusted proportionately based on the number of regular season scheduled contests in the subsequent season.

Second Offense

If a second offense occurs, the game penalty will be increased according to the eligibility chart. If the second offense occurs within the same calendar year as the first offense, the games penalty will be increased proportionally. For example, for a 16-game season a second offense in the same calendar year as the first offense the penalty would be 12 games. For a second offense within the same sports season the athlete will be suspended for the remainder of the season.

Third Offense

If a third offense occurs the student-athlete shall be removed from participation in **all** interscholastic athletics for one calendar year beginning on the date the penalty for the third offense is imposed.

Offenses Resulting in Arrest or the Filing of Formal Charges in Court

In the case of an arrest for a criminal offense or filing of charges, disciplinary action will be at the discretion of the Director of Athletics and Building Principal.

ELIGIBILTY CHART

# of Regular Season Scheduled Contests	Contest Penalty First Offense	Contest Penalty Second Offense
<8	1	2
8	2	4
9	2	4
10	2	4
11	2	4
12	3	6
13	3	6
14	3	6
15	3	6
16	4	8
17	4	8
18	4	8
19	4	8
20	5	10
21	5	10
22	5	10
23	5	10
24	6	12

*This eligibility chart is in effect for any disciplinary infractions resulting in OSS and the above listed, but not limited to, infractions of the Athletic Code of Conduct. The final determination will be made by the Director of Athletics.
*It should be noted, notwithstanding the above chart of penalties, that facts of an incident may warrant immediate removal from the team if the Director of Athletics and Building Principal believe that the offense committed by the student-athlete warrants such action.

Community Service Option

In an effort to decrease the amount of time between the behavior that violates the code of conduct and the athletic consequence, student-athletes may be given the choice between serving the contest penalty or community service at the discretion of the Director of Athletics and Building Principal.

The restorative philosophy is student-centered as it aims to hold student-athletes accountable to a higher standard, while simultaneously decreasing the time between the offense and consequence. It is aligned to the District's mission of meeting the needs of and creating opportunities for every student every day by helping to keep disconnected students connected to their school community. Finally, the community service option allows the student to repair the damage they have caused to the school community by engaging in work that will benefit the larger school community.

The following guidelines will be used by the administration in determining a student-athlete's community service consequence:

- The community service option will only apply to infractions that occur during the offseason.
- The community service option will only apply for the first violation that results in a consequence that could result in a contest suspension.

Student-athletes will have to engage in three (3) hours of community service for each contest suspension as assigned by the Director of Athletics. All of the community service hours must be completed prior to the start of the season.

Due Process

Prior to the imposition of any penalty under the Athletic Code of Conduct, the Director of Athletics and/or Building Principal will notify the student-athlete of the nature of the infraction and the student-athlete will be given an opportunity to explain his/her side of the story.

Appeal Procedure

The student-athlete and/or parent/guardian have the right to appeal penalties under the Athletic Code of Conduct to the Superintendent. Appeals must be made in writing within three school days of assignment of a penalty for an Athletic Code of Conduct Violation. A response to the appeal will be provided within three school days after receipt of the letter by the Superintendent.

Extended School Detention (ESD)

Any student-athlete serving an ESD will not be able to practice or play on the day of an ESD.