

# *Webutuck Central School*

## **MISSION STATEMENT**

Webutuck Central School, a partnership of students, staff, home, and community, will strive to develop the whole child in a safe, nurturing, and stimulating environment. Students will experience academic and personal success and gain skills to become lifelong learners and responsible citizens.

### **Webutuck Central School**

**High School Principal:  
Kenneth H. Sauer**

**Middle School Principal:  
Scott Richards**

**PO Box N, 194 Haight Road  
Amenia, New York 12501  
845-373-4106, 4107, 4114  
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# **STUDENT HANDBOOK AGREEMENT**

**2005-2006 SCHOOL YEAR**



**“STRIVING FOR EXCELLENCE”  
Designated a 21<sup>st</sup> Century School**

**I have reviewed and understand all of the areas discussed in the STUDENT HANDBOOK established by Webutuck Central School. I am also fully aware that the student handbook has been formulated to provide me with an understanding of my rights and responsibilities as a student of Eugene Brooks Middle School. I agree to abide by all the rules and regulations described in that document and I am fully aware of the consequences for not adhering to the established policies.**

**STUDENT SIGNATURE \_\_\_\_\_**

**Date: \_\_\_\_\_**

**Print your name: \_\_\_\_\_**

**Please read, sign and remove this agreement from your handbook/planner to submit to the main office by September 23rd, 2005.**

September, 2005

Dear Webutuck Central School Student:

The faculty, staff, and administration welcome those of you who are new to these halls and we look forward to seeing the return of familiar faces.

This handbook was designed to help you understand the policies and procedures at our school. Please read the handbook carefully and thoroughly and become familiar with our practices to ensure that you have a safe and successful school year.

Our teachers, staff, and administrators are committed to helping you succeed. We encourage you to become involved in the life of the school. There are many opportunities to participate in clubs, athletics, and organizations that will help expand your horizons. Please take advantage of these options. Be an active participant in your education and you will certainly be provided with many memorable experiences.

As we look forward to the coming year I hope we can all work together to create a learning environment rich in mutual respect, academic success, and heightened community awareness.

Enjoy your school year! Work hard and your efforts will surely be rewarded. We look forward to working and learning with you.

Sincerely,

Kenneth H. Sauer  
Principal

**2005-2006 WEBUTUCK CENTRAL SCHOOL**  
**STUDENT AND PARENT HANDBOOK RECEIPT**

To: All Parents and Guardians of Webutuck Central School Students  
From: Kenneth H. Sauer, High School Principal & Scott Richards, Middle School Principal  
Subject: **Student Handbook**

The contents of this handbook are intended to familiarize you and your children with all aspects of our school program. To acknowledge receipt of this handbook, please review this statement and return a signed copy to the Principal's Office.

I understand and consent to the responsibilities outlined in the Webutuck Central School Student and Parent Handbook.

**I understand and agree that my child/children should and will be held responsible for their behavior. I also understand the expectations and consequences included in the school conduct and discipline codes apply while on school property or attending school-sponsored activities.**

**Furthermore, I also understand that any student who violates the student code of conduct shall be subject to disciplinary action, up to and including suspension from school.**

"I understand that the district does not discriminate on the basis of disability with regard to admission, access, treatment, or employment in school programs and activities; and that my child/children has/have the right to: individualized evaluation, an examination of relevant records, and to demand an impartial hearing and/or subsequent review with respect to discrimination on the basis of disability."

"Regarding student records, I have read and understand the information regarding access to my child's/children's educational records. I also understand that certain student information is considered directory information. Directory information includes: a student's name, telephone number, address, date and place of birth, awards received in school, dates of attendance, weight and height of members of athletic teams, most recent previous school attended, participation in officially recognized activities and sports."

RELEASE: \_\_\_\_\_ DO NOT RELEASE: \_\_\_\_\_

**Directory information may be released by the school to anyone who requests it unless I object to the release of any or all of this information within ten (10) school days of the time this Handbook was issued to my child/children.** "Lastly, I have read and discussed with my child/children the information regarding the district's Emergency Management Plan."

\_\_\_\_\_  
Parent's Signature/Date

\_\_\_\_\_  
Student's Signature/Date

**Please return this sheet to the main office by September 23, 2005.**

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# Webutuck Central School BELL SCHEDULE 2005—2006

## TWO-HOUR DELAY SCHEDULE

<b>Period 1</b>	<b>9:30 – 9:58</b>
<b>Period 2</b>	<b>10:01 – 10:29</b>
<b>Period 3</b>	<b>10:32 – 11:00</b>
<b>Period 4</b>	<b>11:03 – 11:31</b>
<b>Period 5</b>	<b>11:34 – 12:04</b>
<b>Period 6</b>	<b>12:07 – 12:37</b>
<b>Period 7</b>	<b>12:40 – 1:10</b>
<b>Period 8</b>	<b>1:13 – 1:41</b>
<b>Period 9</b>	<b>1:44 – 2:11</b>

**AFTER SCHOOL ACTIVITIES 2:11 – 3:30 PM**

<b>FIRST DISMISSAL BUS</b>	<b>2:15 PM</b>
<b>SECOND DISMISSAL BUS</b>	<b>3:30 PM</b>
<b>LATE/SPORTS BUS</b>	<b>4:30 PM</b>

**For information on the closing of school, please listen to one of the following radio stations:**

WGY	Schenectady	810 AM
WHVW	Hyde Park	95 AM
WEOK	Poughkeepsie	1390AM, 101.5 FM
WKZE	Sharon	1020 AM

## CODE OF CONDUCT

### I. INTRODUCTION

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

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

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

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

### II. DEFINITIONS

For purposes of this Code, the following definitions apply:

**“Disruptive student”** means an elementary or secondary student under the age of 21 who is substantially disruptive of the educational process or substantially interferes with the teacher’s authority over the classroom.

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

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

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

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

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

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

### **III. STUDENT RIGHTS AND RESPONSIBILITIES**

#### **A. STUDENT’S RIGHTS**

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

1. Take part in all district activities on an equal basis regardless of race, color, creed, national origin, religion, gender or sexual orientation or disability.
2. Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty in connection with the imposition of the penalty.
3. Access school rules and, when necessary, receive an explanation of those rules from school personnel.

#### **B. STUDENT RESPONSIBILITIES**

All district students have the responsibility to:

1. Contribute to maintaining a safe and orderly school environment that is conducive to learning and to show respect to other persons and to property.
2. Be familiar with and abide by all district policies, rules, and regulations dealing with student conduct.
3. Attend school every day unless they are legally excused and be in class, on time, and prepared to learn.
4. Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.
5. React to direction given by teachers, administrators and other school personnel in a respectful, positive manner.
6. Work to develop mechanisms to control their anger.
7. Ask questions when they do not understand.
8. Seek help in solving problems that might lead to discipline.
9. Dress appropriately for school and school functions.

10. Accept responsibility for their actions.
11. Conduct themselves as representatives of the district when participating in or attending school-sponsored extracurricular events and to hold themselves to the highest standards of conduct, demeanor, and sportsmanship.

#### **IV. ESSENTIAL PARTNERS**

##### **A. PARENTS**

All parents are expected to:

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

##### **B. TEACHERS**

All district teachers are expected to:

1. Maintain a climate of mutual respect and dignity, which will strengthen students' self-concept and promote confidence to learn.
2. Be prepared to teach.
3. Demonstrate interest in teaching and concern for student achievement.
4. Know school policies and rules, and enforce them in a fair and consistent manner.

5. Communicate to student and parents:
  - a. Course objectives and requirements;
  - b. Marking/grading procedures;
  - c. Assignment deadlines;
  - d. Expectations for students;
  - e. Classroom discipline plan.
6. Communicate regularly with students, parents and other teachers concerning growth and achievement.

**C. GUIDANCE COUNSELORS**

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

**D. PRINCIPALS/ASSISTANT PRINCIPAL**

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
2. Ensure that students and staff have the opportunity to communicate regularly with the Principal and approach the Principal for redress of grievances.
3. Evaluate on a regular basis all instructional programs.
4. Support the development of student participation in appropriate extracurricular activities.
5. Be responsible for enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.
6. Be responsible for keeping channels of communication open with parents.

**E. SUPERINTENDENT**

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
2. Review with district administrators the policies of the Board of Education and state and federal laws relating to school operations and management.

3. Inform the Board about educational trends relating to student discipline.
4. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
5. Work with district administrators in enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.

**F. BOARD OF EDUCATION**

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

**V. STUDENT DRESS CODE**

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

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

1. Be safe, appropriate and not disrupt or interfere with the educational process.
2. Recognize that extremely brief garments such as tube tops, net tops, halter tops, spaghetti straps, plunging necklines (front and/or back) and see-through garments are not appropriate and will be considered a disruption to the learning environment. Shorts, skirts and dresses must fall at least to the end of the middle finger when the arms are extended naturally at the sides. Pajamas and slippers are not considered appropriate attire for school.
3. Ensure that underwear is completely covered with outer clothing.
4. Include footwear at all times. Footwear that is a safety hazard will not be allowed.
5. Not include items that are vulgar, obscene, and libelous or denigrate others on account of race, color, religion, creed, national origin, gender, sexual orientation or disability.
6. Not promote and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities.
7. Sunglasses, hats, visors, bandannas, do-rags, coats, jackets and other types of outerwear are to be kept in lockers and not worn during the course of the school day.

9. Students must also comply with the dress code for physical education class.

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

Students who violate the student dress code shall be required to modify their appearance by covering or removing the offending item, and if necessary or practical, replace it with an acceptable item. Any student who refuses to do so shall be subject to discipline, up to and including suspension for the day. Any student who repeatedly fails to comply with the dress code shall be subject to further discipline, up to and including suspension.

## **VI. PROHIBITED STUDENT CONDUCT**

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

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

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

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

### **A. Engage in conduct that is disorderly. Examples of disorderly conduct include:**

1. Running in hallways;
2. Making unreasonable noise;
3. Using language or gestures that are profane, lewd, vulgar or abusive (1-3 Day Suspension);
4. Obstructing vehicular or pedestrian traffic;
5. Engaging in any willful act that disrupts the normal operation of the school community;
6. Trespassing. Students are not permitted in any school building, other than the one they regularly attend, without permission from the administrator in charge of the building;
7. Computer/electronic communications misuses, including any unauthorized use of computers, software, or inter/intranet account, accessing appropriate websites, or any other violation of the district's acceptable use policy.

**B. Engage in conduct that is insubordinate. Examples of insubordinate conduct include:**

1. Failing to comply with the reasonable directions of teachers, school administrators or other school employees or otherwise demonstrating disrespect.
2. Lateness for, missing, or leaving school without permission.
3. Skipping an assigned after school detention.

**C. Engage in conduct that is disruptive. Examples of disruptive conduct include:**

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

**D. Engage in conduct that is violent. Examples of violent conduct include:**

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

**E. Engage in any conduct that endangers the safety, morals, health or welfare of others. Examples of such conduct include:**

1. Lying to school personnel.
2. Stealing the property of other students, school personnel or any other person lawfully on school property or attending a school function.
3. Defamation, which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them.
4. Discrimination, which includes the use of race, color, creed, national origin, religion, gender, sexual orientation or disability as a basis for treating another in a negative manner.

5. Harassment, which includes a sufficiently severe action or a persistent, pervasive pattern of actions or statements directed at an identifiable individual or group which are intended to be or which a reasonable person would perceive as ridiculing or demeaning.
  6. Intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm.
  7. Hazing, which includes any intentional or reckless act directed against another for the purpose of initiation into, affiliating with, or maintaining membership in any school sponsored activity, organization, club or team.
  8. Selling, using or possessing obscene material.
  9. Using vulgar or abusive language, cursing or swearing.
  10. Smoking a cigarette, cigar, pipe or using chewing or smokeless tobacco.
  11. Possessing, consuming selling, distributing or exchanging alcoholic beverages or illegal substances, or being under the influence of either. "Illegal substances" include, but are not limited to, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any substances commonly referred to as "designer drugs."
  12. Inappropriately using or sharing prescription and over-the-counter drugs.
  13. Gambling.
  14. Indecent exposure; that is exposure to sight of the private parts of the body in a lewd or indecent manner.
  15. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
- F. Engage in misconduct while on a school bus. It is crucial for students to behave appropriately while riding on district buses to ensure their safety and that of other passengers and to avoid distracting the bus driver. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. Excessive noise, pushing, shoving and fighting will not be tolerated.
- G. Engage in any form of academic misconduct. Examples of academic misconduct include:
1. Plagiarism; to use another persons' ideas or expressions in your writing without acknowledging the source.
  2. Cheating.
  3. Copying.
  4. Altering records.
  5. Assisting another student in any of the above actions.

## **VII. REPORTING VIOLATIONS**

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

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

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

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

## **VIII. DISCIPLINARY PENALTIES, PROCEDURES AND REFERRALS**

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

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

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

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

If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education and discipline, if warranted, shall be administered consistent with the separate requirements of the Code of Conduct for disciplining

students with a disability or presumed to have a disability. A student identified as having a disability shall not be disciplined for behavior related to his/her disability.

#### **A. PENALTIES**

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

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

#### **B. PROCEDURES**

The amount of due process a student is entitled to receive before a penalty is imposed depends on the penalty being imposed. In all cases, regardless of the penalty imposed, the school personnel authorized to impose the penalty must inform the student of the alleged misconduct and must investigate, to the extent necessary, the facts surrounding the alleged misconduct. All students

will have an opportunity to present their version of the facts to the school personnel imposing the disciplinary penalty in connection with the imposition of the penalty.

Students who are to be given penalties other than an verbal warning, written warning or written notification to their parents are entitled to additional rights before the penalty is imposed. These additional rights are explained below:

**1. Teacher Detention:**

Teachers, Principals, Assistant Principal and the Superintendent may use detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate. Detention will be imposed as a penalty only after the student's parent has been notified. The student and the student's parent will be provided with a reasonable opportunity for an informal conference with the building Principal or the Principal's designee to discuss the conduct and the penalty involved. Saturday detention may also be assigned in lieu of or in addition to In School Suspension or teacher assigned detention.

**2. Suspension from transportation:**

If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the Principal or Assistant Principal's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the Principal, Assistant Principal, or the Superintendent or their designees. In such cases, the student's parent will become responsible for seeing that his or her child gets to and from school safely. Should the suspension from transportation amount to a suspension from attendance; the district will make appropriate arrangements to provide for the student's education.

A student subjected to a suspension from transportation is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the building Principal or the Principal's designee to discuss the conduct and the penalty involved.

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

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

**4. In-school suspension:**

The Board recognizes the school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the Board authorizes Principals, Assistant Principal, and the Superintendent to place students who would otherwise be suspended from school as the result of a Code of Conduct violation in "in-school suspension." The in-school suspension teacher will be a certified teacher.

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

Students assigned In School Suspension may not attend or participate in any school-related activities during the period of the suspension. This includes extra-curricular as well as curricular activities.

**5. Teacher disciplinary removal of disruptive students:**

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

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

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

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

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

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

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

The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the student's

removal at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents.

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

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

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

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

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

Any disruptive student removed from the classroom by the classroom teacher shall be offered continued educational programming and activities until he or she is permitted to return to the classroom. The students' classroom teacher will provide class work.

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

Removal of a student with a disability, under certain circumstances, may constitute a change in the student's placement. Accordingly, no teacher may remove a student with a disability from his or her class until he or she has verified with the Principal or the Chairperson of the Committee on Special Education that the removal will not violate the student's rights under state or federal law or regulation.

## **6. Suspension from school**

Students are expected to make up work missed during a day of suspension and to meet the deadlines set by teachers for the completion of that work.

Students on suspension may not attend or participate in any school-related activities during the period of the suspension. This includes extra-curricular as well as curricular activities.

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

The Board retains its authority to suspend students, but places primary responsibility for the suspension of students with the Superintendent and the building Principals.

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

Upon receiving a recommendation or referral for suspension, or when processing a case for suspension, the Superintendent or Principal shall gather the facts relevant to the matter and record them for subsequent presentation, if necessary.

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

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

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

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

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

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

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

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

**c. Permanent suspension**

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

## **DISCIPLINARY ACTION CHART**

### **C. MINIMUM PERIODS OF SUSPENSION**

#### **1. Students who bring a weapon to school:**

Any student, other than a student with a disability, found guilty of bringing a weapon onto school property will be subject to suspension from school for at least one calendar year. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law §3214. The Superintendent has the authority to modify the one-year suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the following:

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

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

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

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

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

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

## ATTENDANCE

### ABSENCES AND LATENESS: PARENTAL NOTES

New York State Education Law mandates that parental notes explaining the reason for an absence must be filed with the school immediately following a student's return after an absence. Notes are filed in the School Nurse's Office.

**ABSENCES:** When a student is absent, the school must obtain an affidavit (commonly called an "excuse") from the parent or guardian and signed, stating:

The student's full name;

1. Days and dates absent from school;
2. The reason for the absence. This excuse is a legal document that must be kept on file for three years and can be admitted in court as documentary evidence. Failure to present a note following an absence will result in the absence being recorded as truancy.

**ABSENCES- LEGAL:** Students are legally excused from school for the following reasons: personal illness; critical illness or death in the immediate family; impassable roads (that the district buses do not service); recognized religious holiday; required attendance at court, and quarantine.

**ABSENCES- ILLEGAL:** Fall into two categories: **Unlawful Detention and Truancy.**

1. **Truancy:** A student sent to school by his/her parents and expected to be in school is considered truant if she/he absents him/herself for some unlawful reason.
2. **Unlawful Detention:** Occurs when a pupil is absent from school with the knowledge and consent stated or implied of his parent for other than legal reasons, such as visiting, away, vacation, shopping, needed at home, caring for baby, work, no shoes, overslept, car trouble, etc. Trips with parents are not approved educational trips.

If excuses are not received, all absences will be recorded as illegal.

**The New York State Educational Law requires this process.**

Education Law also applies to late arrivals (tardiness). Students arriving late for the start of school must carry a parental note with them indicating the reason for such lateness. These are filed in the Principal's Office.

- Students are expected to be in school on time daily. Late arrival to school or class is not acceptable.
- **3 lates = a cut**, which will result in an in-school suspension. The same laws in effect for attendance apply to tardiness as well. Students must be in attendance at school every day of the school year unless they are sick, have a death in the family, must observe a religious obligation, or have another legal excuse.
- Students requesting early dismissal from school must carry a parental note with them to school at the beginning of the school day. Parents must sign the sign out sheet in the Office when picking up their children from school during the day. **No Verbal Permission will be accepted.** Leaving school property during the school day without parental permission and school approval is strictly forbidden.

**No student may sign him or herself out of school. This is a closed campus. Students may not leave without authorized approval from the Assistant Principal or Principal.**

- Unexcused tardiness falls into two categories: Unlawful detention and truancy. Under truancy, a student sent to school by his/her parent and expected to be in school is considered truant if he/she absents himself for some unlawful reason. Unlawful detention occurs when a pupil is absent from school with the knowledge and consent stated or implied of his parent for other than legal reasons, such as visiting, away, vacation, shopping, needed at home, caring for baby, work, no shoes, overslept, car trouble, etc.

### **ATTENDANCE – COMPULSORY EDUCATION LAW**

**IMPORTANT NOTE:** A 1992 amendment to New York State Compulsory Education Law states: “Children who turn 16 during a school year continue to be subject to the compulsory education laws until the end of that school year.” For example, students who turn 16 between July 1, 2005 and June 30, 2006 are required to attend instruction until the end of the 2005-2006 school year.

Regarding a student over 16 year of age not subject to the above revision of the law: A student is not dropped from the register until 20 days after the school is notified that the student will not be returning to school, or until twenty consecutive days absent from school accumulate. Once the school is notified, steps will be taken, involving a conference with the student and parents or guardians, to persuade the student to return to school or to at least continue his or her education through an alternative educational program

### **ABSENCES**

We wish to emphasize consistent attendance is crucial to student success. Should a student be absent, the school nurse will attempt to contact a parent or guardian to verify the legality of the absence. It would also be helpful if parents could call the school before 7:15 a.m. When a student is absent from school because of illness or an emergency, the student must present an excuse signed by a parent or guardian explaining the absence. These notes are kept on file. There is also a School Attendance Team, which meets regularly to check student’s absences and discuss possible solutions. These options include parent-school conferences, Child Study Team meeting and/or referral to outside agencies such as Child Protective Services, filing a Person in Need of Supervision (PINS), and a home visit.

The school will accept requests for student’s work for those who are absent.

Class work, including tests and/or homework, missed due to illegal absences cannot be made up.

**3 lates to school or any class = a cut = 1 day In-school suspension**

### **Webutuck Attendance Policy**

#### I. Absence

- A. Parents should notify the school of the student’s absences by 7:15 AM. Written excuses must be presented to the appropriate official upon the student’s return to school. If a written excuse is not provided within three days, the absence will be deemed unexcused.
- B. Students may not be absent from a full year class more than **9** times in one semester, and students may not be absent from a full year class more than **18** times in one year. Students exceeding the allotted number of days will be denied credit.

- C. Students who are more than **20** minutes late to class without a legitimate excuse will be counted as absent.
- D. Absences are either excused or illegal. The principal, acting as the board appointed designee, shall approve or disapprove any student's absences in excess of the equivalent of 9 days. Credit may be re-instated at the discretion of the principal, provided that the student remains in the class, does not miss any more days, and maintains a passing grade. Credit will only be re-instated following the end of the course.
  - 1. The Board recognizes the following as examples of legal excuses for student absence (i.e.—excused absences). These must be verified by the student's parent/guardian or school personnel, where applicable:
    - a. Personal illness.
    - b. Serious illness or death in the immediate family.
    - c. Religious observance.
    - d. Required attendance in court.
    - e. Approved school-sponsored activities, including field trips, interscholastic athletics, musical and other competitions.
    - f. Directed or authorized presence at the Administrative Offices or Nurse' Office.
    - g. Sent home by the nurse.
    - h. Student present in ISS.
    - i. Student assigned Out of School suspension.
    - j. Quarantine.
    - k. Dental and medical appointments that cannot be arranged for after school or during other non-school hours.
    - l. Approved college visitation (generally restricted to juniors and seniors), with the prior knowledge and approval of parents and counselors, so long as it does not exceed 4 days in a school year.
    - m. Accident.
    - n. Bus is late to school.
    - o. Hospitalized with home instruction (medical/psychiatric placement).
    - p. Home instruction (pursuant to administrative referral).
  - 2. The following are examples of inexcusable or illegal absences (i.e.—unexcused absences):
    - a. Truancy
    - b. Missing the school bus
    - c. Shopping
    - d. Baby-sitting
    - e. Hunting and fishing
    - f. Vacations
    - g. Employment
    - h. Car trouble or traffic delays
    - i. Oversleeping
    - j. Family business

(Note: The preceding lists are not to be considered complete and/or comprehensive.)

## II. Make-up

- A. Students with excused absences will be given an opportunity to make up work missed provided arrangements are made within three (3) days of the student's return to school. There will be no academic penalty for excused absences provided that any work missed is made up.
- B. Students may make up or reduce previous class absences through the following:
  - 1. Do subject work with the subject teacher for 40 min/1 hour after school during the teacher's available after school hours, OR

2. Do prearranged subject work in Saturday detention to make up time due to excessive absences, OR
3. Go to Attendance school.
  - a. Attendance school will be scheduled for the last 4 Saturdays immediately preceding the end of each semester in order to provide the opportunity for students who are able to maintain a passing average in a given course but who fail due to attendance.

C. Stipulations for make-ups include:

1. Class make-ups cannot be done during the regular school day.
2. Make-up assignments are to be completed within one calendar week of the student's return to class.
3. Classes missed due to in school or out-of-school suspension must be made up through the make-up options.

D. Students who abuse the make-up policy will be subject to appropriate disciplinary action which may include denial of future make-up options.

III. Intervention.

- A. Classroom teachers will inform main office with reference to attendance.
- B. The main office will then coordinate the communications with the student's parent/guardian.
  1. The principal will complete a letter notifying parents/guardian that a student is *In Danger of Failing Due to Attendance* at **3, 6 and 8** days total absences for each semester.
  2. The principal will also complete a letter notifying that a student has *Failed Due to Attendance* once the maximum days of absence have been met and make up work has not been completed.
- C. Attendance School will be planned at the end of each semester in order to provide the opportunity for students who are able to maintain a passing average in a given course but who fail due to attendance.

IV. Extra-Curricular Activities

- A. Students must be in attendance for the full day or arrive by 11:00 AM with a legal excuse in order to participate in extra curricular activities (sports, dance, play practices, field trips, etc.)
- B. Students who miss a class during the school day due to an illegal absence cannot participate in after school activities that day, including sports practices and interscholastic competition.
- C. Students who leave school due to illness may not return to school later that day to participate in after school activities.

V. Vacation Policy. Planned absences for family vacations are illegal absences. Vacationing students who are at risk of reaching the limit must make up classes prior to vacation. Parents of student planning vacations should notify the school administration at least one week prior to the vacation. Vacationing students are responsible for all material and assignments missed.

VI. Extended Illness. When a student is absent for more than a day, or when a student is diagnosed as having a potential long term illness, the student or his/her parent should contact the school administration to arrange for the educational needs of the student. An extended illness will be counted as a single day if, upon return to school, the student supplies a doctors note that indicates the physician recommended the student remain out of school.

VII. Driving Privileges

- A. Students who drive to school and arrive late are subject to losing their driving privileges. After 3 lates, students' driving privileges may be revoked for a period of time.

- B. Younger siblings of students with driving privileges are responsible for arriving on time and are subject to procedures described above in regard to excessive tardiness.
- C. Students are not allowed to leave without a legal excuse during the school day.
- D. Students with any lapse in adhering to the Attendance Policy will result in revoking of parking privileges.

**D. REFERRALS**

1. **Counseling:**

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

2. **PINS Petitions:**

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

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

3. **Juvenile Delinquents and Juvenile Offenders**

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

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

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

**TARDIES**

Any student arriving to 1<sup>st</sup> period class after the bell will be marked tardy. Students must present a note from their parent or guardian explaining the tardiness and sign in with the Office before going to first period class. Students who are late three (3) times to school will be assigned an in-school suspension by the office.

Failure to sign in properly as stated above and chronic tardiness may result in a conference with Parent/Guardian and/or further disciplinary action

## **SUPPORT OPTIONS**

We work in many ways to try and help students in the most effective manner. Below are some support options that you can avail yourself of whenever the need arises. Please call **845-373-4108** for further information and/or assistance.

**CHILD STUDY TEAM:** The child study team consists of the Guidance Counselors, The Astor School Social Workers, the Student Assistance Counselor, the School Nurse, Assistant Principal and the Principal. The team meets as requested to discuss students at risk.

**COUNSELING:** We utilize the professional services of our Astor Counseling Team, which consists of School Social Workers. We also have on staff a School Psychologist, a Student Assistance Counselor, and Guidance Counselors. Sometimes, students and/or families are referred to outside agencies or counselors. The Guidance Office shall handle all referrals of students for counseling.

**MEDIATION:** Many students and teachers have taken advantage of the expertise of our trained student mediators. Through the mediation process, disputants work together with teachers, counseling staff, and guidance counselors to develop a resolution of the conflict in which both sides win.

### **IX. ALTERNATIVE INSTRUCTION**

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

### **X. DISCIPLINE OF STUDENTS WITH DISABILITIES**

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

This Code of Conduct affords students with disabilities subject to disciplinary action no greater or lesser rights than those expressly afforded by applicable federal and state laws and regulations.

#### **A. Authorized Suspensions or Removals of Students with Disabilities**

1. For purposes of this section of the Code of Conduct, the following definitions apply:

A “suspension” means a suspension pursuant to Education Law §3214.

A “removal” means a removal for disciplinary reasons from the student’s current educational placement other than a suspension and change in placement to an interim alternative educational setting (IAES) ordered by an impartial hearing officer because the student poses a risk of harm to himself or herself or others.

An “IAES” means a temporary educational placement for a period of up to 45 days, other than the student’s current placement at the time the behavior precipitating the IAES placement occurred,

that enables the student to continue to progress in the general curriculum, although in another setting, to continue to receive those services and modifications, including those described on the student's current Individualized Education Program (IEP), that will enable the student to meet the goals set out in such IEP, and include services and modifications to address the behavior which precipitated the IAES placement that are designed to prevent the behavior from recurring.

**2. School personnel may order the suspension or removal of a student with a disability from his or her current educational placement as follows:**

- a. The Board, the district (BOCES) Superintendent of schools or a building Principal may order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed five consecutive school days and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior.
- b. The Superintendent may order the placement of a student with a disability into an IAES, another setting or suspension for up to 10 consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (a) above for the same behavior, if the Superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.
- c. The Superintendent may order additional suspensions of not more than 10 consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement.
- d. The Superintendent may order the placement of a student with a disability in an IAES to be determined by the committee on special education (CSE), for the same amount of time that a student without a disability would be subject to discipline, but not more than 45 days, if the student carries or possesses a weapon to school or to a school function, or the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function.
  1. **“Weapon”** means the same as “dangerous weapon” under 18 U.S.C. §930(g)(w) which includes, “a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except...[for] a pocket knife with a blade of less than 2 ½ inches in length.”
  2. **“Controlled substance”** means a drug or other substance identified in certain provisions of the federal Controlled Substances Act specified in both federal and state law and regulations applicable to this policy.
  3. **“Illegal drugs”** means a controlled substance except for those legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or any other federal law.

**B. Change of Placement Rule**

1. A disciplinary change in placement means a suspension or removal from a student's current educational placement that is either:

- a. for more than 10 consecutive school days; or
  - b. for a period of 10 consecutive school days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they cumulate to more than 10 school days in a school year and because of such factors as the length of each suspension or removal, the total amount of time the student is removed and the proximity of the suspensions or removals to one another.
2. School personnel may not suspend or remove a student with disabilities if imposition of the suspension or removal would result in a disciplinary change in placement, based on a pattern of suspensions or removals if the CSE has determined that the behavior was not a manifestation of the student's disability, or the student is placed in an IAES for behavior involving weapons, illegal drugs or controlled substances.

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

1. The district's Committee on Special Education shall:
- a. Conduct functional behavioral assessments to determine why a student engages in a particular behavior, and develop or review behavioral intervention plans whenever the district is first suspending or removing a student with a disability for more than 10 school days in a school year or imposing a suspension or removal that constitutes a disciplinary change in placement, including a change in placement to an IAES for misconduct involving weapons, illegal drugs, or controlled substances.
- If subsequently, a student with a disability who has a behavioral intervention plan and who has been suspended or removed from his or her current educational placement for more than 10 school days in a school year is subjected to a suspension or removal that does not constitute a disciplinary change in placement, the members of the CSE shall review the behavioral intervention plan and its implementation to determine if modifications are necessary.
- b. Conduct a manifestation determination review of the relationship between the student's disability and the behavior subject to disciplinary action whenever a decision is made to place a student in an IAES either for misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in his current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension that constitutes a disciplinary change in placement.
2. The parents of a student who is facing disciplinary action, but who has not been determined to be eligible for services under IDEA and Article 89 at the time of misconduct, shall have the right to invoke applicable procedural safeguards set forth in federal and state law and regulations, if, in accordance with federal and state statutory and regulatory criteria, the school district is deemed to have had knowledge that their child was a student with a disability before the behavior precipitating disciplinary action occurred. If the district is deemed to have had such knowledge, the student will be considered a student presumed to have a disability for discipline purposes.
- a. The Superintendent, building Principal or other school official imposing a suspension or removal shall be responsible for determining whether the student is a student presumed to have a disability.

- b. A student will not be considered a student presumed to have a disability for discipline purposes if, upon receipt of information supporting a claim that the district had knowledge the student was a student with a disability, the district either:
1. conducted an individual evaluation and determined that the student is not a student with a disability, or
  2. determined that an evaluation was not necessary and provided notice to the parents of such determination, in the manner required by applicable law and regulations.

If there is no basis for knowledge that the student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as any other non-disabled student who engaged in comparable behaviors.

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

3. The district shall provide parents with notice of disciplinary removal no later than the date on which a decision is made to change the placement of a student with a disability to an IAES for either misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in his/her current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension or removal that constitutes a disciplinary change in placement.

The procedural safeguards notice prescribed by the Commissioner shall accompany the notice of disciplinary removal.

4. The parents of a student with disabilities subject to a suspension of five consecutive school days or less shall be provided with the same opportunity for an informal conference available to parents of non-disabled students under the Education Law.
5. Superintendent hearings on disciplinary charges against students with disabilities subject to a suspension of more than five school days shall be bifurcated into a guilt phase and a penalty phase in accordance with the procedures set forth in the Commissioner's regulations incorporated into this code.
6. The removal of a student with disabilities other than a suspension or placement in an IAES shall be conducted in accordance with the due process procedures applicable to such removals of non-disabled students, except that school personnel may not impose such removal for more than 10 consecutive days or for a period that would result in a disciplinary change in placement, unless the CSE has determined that the behavior is not a manifestation of the student's disability.

7. During any period of suspension or removal, including placement in IAES, students with disabilities shall be provided services as required by the Commissioner's regulations incorporated into this code.

**D. Expedited Due Process Hearings**

1. An expedited due process hearing shall be conducted in the manner specified by the Commissioner's regulations incorporated into this code, if:
  - a. The district requests such a hearing to obtain an order of an impartial hearing officer placing a student with a disability in an IAES where school personnel maintain that it is dangerous for the student to be in his or her current educational placement, or during the pendency of due process hearings where school personnel maintain that it is dangerous for the student to be in his or her current educational placement during such proceedings.
  - b. The parent requests such a hearing from a determination that the student's behavior was not a manifestation of the student's disability, or relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES.
2. During the pendency of an expedited due process hearing or appeal regarding the placement of a student in an IAES for behavior involving weapons, illegal drugs or controlled substances, or on grounds of dangerousness, or regarding a determination that the behavior is not a manifestation of the student's disability for a student who has been placed in an IAES, the student shall remain in the IAES pending the decision of the impartial hearing officer or until expiration of the IAES placement, whichever occurs first, unless the parents and the district agree otherwise; (2) if school personnel propose to change the student's placement after expiration of an IAES placement, during the pendency of any proceeding to challenge the proposed change in placement, the student shall remain in the placement prior to removal to the IAES, except where the student is again placed in an IAES.
3. An expedited due process hearing shall be completed within 15 business days of receipt of the request for a hearing. Although the impartial hearing officer may grant specific extensions of such time period, he or she must mail a written decision to the district and the parents within five business days after the last hearing date, and in no event later than 45 calendar days after receipt of the request for a hearing, without exceptions or extensions.

**E. Referral to law enforcement and judicial authorities**

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

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

**XI. CORPORAL PUNISHMENT**

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

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

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

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

## **XII. STUDENT SEARCHES AND INTERROGATIONS**

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

In addition, the Board authorizes the Superintendent, building Principals, the school nurse and district security officials to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the district Code of Conduct.

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

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

Before searching a student or the student's belongings, the authorized school official should attempt to get the student to admit that he or she possesses physical evidence that they violated the law or the district code, or get the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought.

Whenever practicable, searches will be conducted in the privacy of administrative offices and students will be present when their possessions are being searched.

### **A. Student Lockers, Desks and Other School Storage Places**

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

## **B. Strip Searches**

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

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

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

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

## **C. Documentation of Searches**

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

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

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

#### **D. Police Involvement in Searches and Interrogations of Students**

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

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

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

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

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

#### **E. Child Protective Services Investigations**

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

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

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

### **XIII. VISITORS TO THE SCHOOLS**

The Board encourages parents and other district citizens to visit the district's schools and classrooms to observe the work of the students, teachers and other staff. Since schools are a place of work and learning, however, certain limits must be set for such visits. The building Principal or his or her designee is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to visitors to the schools:

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

### **XIV. PUBLIC CONDUCT ON SCHOOL PROPERTY**

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

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

All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner. In addition, all persons on school property or attending a school function are expected to be properly attired for the purpose they are on the school property.

**A. Prohibited Conduct**

No person, either alone or with others, shall:

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

**B. Penalties**

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

1. **Visitors:** Their authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, local law enforcement authorities will be contacted to assist in removing the person.
2. **Students:** They shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.
3. **Tenured faculty members:** They shall be subject to disciplinary action as the facts may warrant in accordance with Education Law §3020-a, or any other legal rights that they may have.
4. Staff members in the classified service of the civil service entitled to the protection of Civil Service Law §75. They shall be subject to immediate ejection and to disciplinary action as the facts may warrant in accordance with Civil Service Law §75 or any other legal rights that they may have.

5. Staff members other than those described in subdivisions 4 and 5. They shall be subject to warning, reprimand, suspension or dismissal as the facts may warrant in accordance with any legal rights they may have.

**C. Enforcement**

The building Principal or his or her designee shall be responsible for enforcing the conduct required by this code.

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

The district shall initiate disciplinary action against any student or staff member, as appropriate, with the "Penalties" section above. In addition, the district reserves its right to pursue a civil or criminal legal action against any person violating the code.

**XV. DISSEMINATION AND REVIEW**

**A. Dissemination of Code of Conduct**

The Board will work to ensure that the community is aware of this Code of Conduct by:

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

The Board will sponsor an in-service education program for all district staff members to ensure the effective implementation of the Code of Conduct. The Superintendent may solicit the recommendations of the district staff, particularly teachers and administrators, regarding in-service programs pertaining to the management and discipline of students.

The Board of Education will review this Code of Conduct every year and update it as necessary. In conducting the review, the Board will consider how effective the code's provisions have been and whether the code has been applied fairly and consistently.

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

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

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

### **ADDRESS AND TELEPHONE NUMBER CHANGES**

It is extremely important that changes in address, and home, work, and emergency telephone numbers be reported to the guidance office immediately. In case of an emergency, we want to be able to reach parents as soon as possible.

### **APPOINTMENTS WITH STAFF MEMBERS**

Please call if you need an appointment with office staff, the Assistant Principal, Principal, Guidance Counselor, Nurse's Office or Teacher's.

### **ATHLETICS - ATTENDANCE AT ATHLETIC EVENTS**

All students are encouraged to attend as many athletic events as they can and to cheer the Webutuck teams on to victory.

#### **Those attending are to follow these rules of behavior:**

1. Cheer for your team -- do not boo or hiss the opposing team.
2. Use appropriate language at all times.
3. Do not harass spectators, players or officials.
4. Food or Drink is not permitted inside the gym.
5. Any student absent, tardy, in-school suspended or suspended from school during the day may not attend an after school function without special permission from the Principal.
6. Any student who is on social suspension may not attend an after school function.
7. A spectator may not leave the building during an indoor contest and return to the building without the prior approval of a chaperone.
8. Anyone who is carrying alcoholic beverages or is under the influence of drugs or alcohol is prohibited from school property.
9. Spectators may not have any noisemakers.
10. Signs, placards, or posters may not be brought or carried by a spectator into a game or displayed.

### **ATHLETIC SELECTION AND CLASSIFICATION PROGRAM**

In order to participate in interscholastic sports, students must have had a physical examination by a Doctor, Nurse Practitioner or Physician's Associate within one year of the time the sport is to take place. A report of this physical examination must be filed with the school nurse. Physical examinations are conducted at school for this purpose at no cost to the student. The nurse will announce dates for physical examinations. The Selection/Classification Program for selecting and classifying students for interscholastic athletics focuses on determining a student's readiness for

interscholastic competition. The procedures may be used to identify students of above average, average, and below average development for athletic participation. This screening program is based on the following:

- Pupils do not grow and mature on identical schedules. Age and grade level alone provide insufficient information about a student's readiness for involvement in interscholastic athletic contests.
- Among pupils of the same age and grade, there is a tremendous range in stage of maturation, physical fitness, skills and prior sports experience. All factors must be evaluated to ensure the pupil's sports success and the prevention of injury.
- The stage of maturation is related to physical development, strength, closure of the epiphyses, and to the development of agility, strength, speed and endurance.
- The demands of different sports vary as to the importance of the evaluated factors. Each sport is considered in relation on the degree of contact and strenuous nature. New York State Physical Fitness Screening Test items are weighted in relation to their importance to each specific sport.
- The screening procedure applies only to a pupil's eligibility to have access to try out for a specific team. An approval decision permits a pupil to try out for a team under the same standards that are used for all other pupils trying out for a team.

**The following standards must be met:**

1. A parent must sign the request form to allow the student to try out for a particular team.
2. The student must pass a physical examination and the maturation test for the particular sport and level, either Junior Varsity or Varsity.
3. The student must pass the New York State Physical Fitness Screening Test for the particular sport and level (Junior Varsity and Varsity) within 30 days of the beginning of that sports season. Once a student has gone through these procedures and has been scheduled to participate in a specific sport at a specific level of play, re-administration of the Physical Fitness Test is not necessary for additional seasons in the same sport.
4. After the student has met all of the above, he or she must have the approval of the Athletic Director. Only after the Athletic Director indicates acceptance into the selection and classification program may the student try out for the team.

**BUS INFORMATION FOR YOUR SAFETY**

**BUS PASSES:**

- Bus passes may be requested prior to the start of school each day only. Students requesting bus passes **must** have a **written** note from a parent or guardian with them when a pass is requested, **no verbal permission is allowed.**

**BUS PROCEDURES:**

- Proper behavior on school buses will be strictly enforced to maintain safety. Students who violate proper behavior standards or fail to heed directions issued by the bus driver may forfeit their privileges to ride for a fixed period of time. All students must know that a bus driver has the authority of a classroom teacher, i.e., to assign seats, demand silence, issue instructions, etc.
- Inquires regarding buses, routes, pick up, drop-off should be directed to the Transportation department. Please call them directly: **845-373-4105.**

**AT THE BUS STOP:**

- Be on time. Form a line as the bus approaches.
- Never run toward the bus. Never push or shove near the bus.
- Stay away from the sides and back of the bus.
- If you cross the street or road, wait for the driver to signal you to cross. Look both ways for yourself.

**ENTERING THE BUS:**

- Enter one at a time. Use the handrails.
- Sit in the first available seat unless assigned a seat by the driver.
- A student will not ride any bus other than his or her own without written permission from the school office.

**THE FOLLOWING ITEMS ARE NOT TO BE CARRIED ON THE BUS:**

- Anything made of glass, or any pointed or sharp objects.
- Large class projects or large musical instruments.
- Baseball bats, hockey sticks, or any large, hard objects.
- Any object that may endanger oneself or others.
- No unapproved electronic equipment.

**LEAVING THE BUS:**

- A student will not be allowed to get off the bus at any stop other than his or her designated bus stop without *written* permission from the school office.
- Emergency doors may never be used to enter or exit except in an emergency or an emergency drill.
- Remain in your seat until the bus comes to a complete stop and the doors have been opened. Go down the steps slowly using the handrail.
- Move away from the bus immediately. There are dangerous blind spots along the right side, in back of and in front of the bus.
- If you cross the street after getting off you must walk ahead of the bus on the sidewalk or along the edge of the road if there is no sidewalk. Remember to wait for the driver to give the signal to cross, and look both ways before crossing.
- If a student drops something under or near the bus, the student must NOT attempt to pick it up without first telling the driver. If a monitor is present, he or she must get the object or paper.

**BEHAVIOR ON THE BUS:**

1. Cooperate with the driver at all times.
2. The driver has authority on the bus. You must follow the driver's instructions.
3. Do not stand while the bus is moving.
4. Remain seated and face the front of the bus.
5. Never touch opening devices on emergency doors or windows.
6. Talk in a normal tone without making any loud noises. Loud voices and noises distract the driver.
7. Do not stick head, arms, or legs out the window for any reason.
8. Never yell out the windows.
9. Never throw objects out the windows.
10. No pushing, shoving, fighting, or disturbing other students.
11. Keep aisles clear of book bags, lunch boxes or other objects.
12. Keep your bus clean.
13. Vandalism will not be tolerated. Payment must be made for any damages.

## **TOBACCO USE AND SMOKING**

New York State Law forbids smoking on the school grounds and in the buildings. The school grounds and school buildings have been declared “drug-free school zones,” which means it is illegal to possess, sell, or use drugs, including tobacco, within one thousand (1000) feet of the school property.

Smoking by students in the building, on the grounds, in school or in personal vehicles on school grounds is prohibited at all times. In addition, smoking items, i.e., all tobacco products and paraphernalia, including chewing tobacco, cigarettes, cigars, pipes, etc., are also prohibited. Said items will be confiscated and discarded, and repeated instances will result in disciplinary action.

Smoking on school grounds or at school functions (home or away) will be identified by any one of the following:

- Students possessing a cigarette, chewing tobacco, or any tobacco products or paraphernalia;
- Smoke being exhaled;
- Student or students in a closed lavatory stall with smoke rising or in an area where smoke is present.
- More than one student in a closed lavatory stall.

**Possession by a student of tobacco in any form will result in an immediate three (3) day suspension.**

## **DANCES**

Student organizations may sponsor dances during the year. The purpose of dances at school is to provide a healthy and enjoyable social activity for students. While student organizations have been able to raise money at such events, the emphasis has always been on the entertainment of our students at a reasonable cost.

The Principal must approve each dance. Only students in grades 6 - 8 may attend middle school dances. Only students in grades 9 – 12 may attend high school dances.

## **RULES:**

1. All other school rules apply at a dance.
2. **Guests:** If a student wishes to invite a guest to a school-sponsored dance, the guest must be registered with the Principal at least 1 week prior to the dance. A list of approved guests will be given to the chaperone at the entry desk. Only approved guests will be permitted at the dance.
3. Students who are absent, have an unexcused tardiness, in-school suspension or suspended on the day of a dance are not permitted at the dance unless the Principal granted special permission.
4. Once a student has been admitted, he or she may not leave the dance without being accompanied by a chaperone. Otherwise, if you leave the dance, you cannot return.
5. Refreshments are to be kept in designated areas.
6. Students and approved guests are not permitted to be around the rear of the building or to loiter in the front parking lot.
7. If you are asked to leave, you must do so immediately. A parent will be called. If a parent is unavailable, the Dutchess County sheriff and /or New York State Police may be called.
8. Please arrange for your ride to pick you up on time at the end of the dance.
9. Bookbags and backpacks may not be brought into school dances.

## **Driving**

Although permission to drive to and park in the designated student parking area will be granted to some students, as described below, we discourage all students from driving to school unless absolutely necessary. When students who would otherwise drive to school take the school bus, energy is conserved and safety is promoted.

Seniors and Honor Society members, may drive to school provided they follow the procedures listed below and remain in good standing as far as the school rules in general are concerned.

1. Student must have completed the Teen Driving Program
2. Complete a student parking form and list of rules, signed by student and parent. Return to Principal's Office for approval

Receive a parking sticker from the Principal's Office, which must be mounted on the inside back window.

## **EMERGENCY PROCEDURES FOR STUDENTS AND STAFF**

In compliance with the Webutuck Central School District's Disaster Plan, the following are written instructions on emergency sheltering and evacuation procedures:

### **1. ALARM WARNING SYSTEM:**

<b>Evacuation:</b>	Fire Alarm Bell
<b>Sheltering:</b>	Public Address System
<b>Early Dismissal:</b>	Public Address System

### **2. RESPONSE:**

<b>Evacuation:</b>	Follow written evacuation plan as posted.
<b>Sheltering:</b>	Follow written sheltering plan as posted in all classrooms showing shelter area and/or public address system or personally given instructions.
<b>Early Dismissal:</b>	Dismissal procedures as usual in all buildings but at designated time.

### **3. EMERGENCY PLANNING COMMITTEE MEMBERS:**

Kevin Geohan	Emergency Coordinator
Dr. Richard N. Johns	Superintendent
William McGhee	Board of Education Member
Rick Grossi	Health Services
Kenneth H. Sauer	Principal
Scott Richards	Middle School Principal
John Merwin	Faculty Representative
Jason Thomas	Cafeteria Supervisor

### **4. ADDITIONAL INFORMATION:**

A copy of the Webutuck Central School Emergency Response Plan is available to you in the Business Office.

## **EXTRA - CURRICULAR ACTIVITIES**

All students are encouraged to participate in extra - curricular activities. A student fulfills more than an individual need to learn the rudiments of a sport or the skills of dramatics as a participant. The individual learns to be a supportive member of a team and to help meet a group objective. Students with a commitment to excellence in extra-curricular activities become positive role models for other students.

**EXTRA HELP**

Students may obtain extra help at times during the school day and after school. Students should speak to their teachers and make appointments for extra help.

**FIELD TRIPS**

**PARENT PERMISSION FORM  
FIELD TRIPS**

Field trips are a beneficial part of the Webutuck School District educational program. While the use of field trips is viewed as a positive addition to the educational efforts contained within the walls of the schools, they do, by their very nature, present a separate list of concerns that require parental review and agreement. The following regulations are in place to ensure that field trips can be taken in such a way that children are safe and no one is exposed to mishaps or unnecessary risk. In order to do so, the Webutuck School District must insist that the parent or legal guardian provide permission for their son or daughter to participate in the field trip under the following conditions:

1. I understand that school sponsors, as well as chaperones, are accompanying my child on this field trip. I give my permission for them to supervise my child. I understand that these people have the authority to enforce all school rules while on this field trip.
2. I understand that violations of the code of conduct by my child while on this trip will result in discipline and that, under Webutuck Board of Education Policy #208, my child will be sent home at my expense in response to serious violations.
3. I agree that my child will be transported both to and from the field trip by the Webutuck School District Transportation Department, or other conveyance that the school so chooses, and (if appropriate) that I am responsible for meeting the bus at the designated time and place.
4. I understand that my child's participation in this field trip is voluntary. I have the right, as a parent, to deny my child's involvement in this field trip for any reason. If I elect to deny permission, my child will not attend the field trip and he/she shall suffer no academic penalty resulting from his/her lack of involvement in this field trip.
5. I understand that, as the parent, I am primarily responsible for the welfare of my son/daughter. Therefore, accidents or injuries to my child while on this field trip, that are not a result of gross negligence, are my responsibility.
6. I give permission for the field trip sponsor to take reasonable steps in the event of accident, illness or injury to my child while on this trip. I understand that the costs for any emergency and/or medical assistance necessary during this trip are my responsibility.
7. I have read the field trip itinerary and give the District my permission to have my child participate in all f the specified activities with the exception of \_\_\_\_\_

(none, unless so noted)

Field Trip Destination \_\_\_\_\_

Teacher/Sponsor \_\_\_\_\_

My signature denotes that I have read this form and agree to allow my child to participate in this field trip in compliance with the rules stated above.

Parent's Signature \_\_\_\_\_

Date \_\_\_\_\_

Student's Name \_\_\_\_\_

Birth Date \_\_\_\_\_

Phone Number where I can be reached during the field trip \_\_\_\_\_

Emergency Contact \_\_\_\_\_ Emergency Number \_\_\_\_\_

Field trip itinerary and specific field trip information and rules are to be attached to this form. **Students who do not have this parental permission form completed may not participate in the activity.**

**FOOD**

No student will be allowed to order or have delivered any food during the hours of 7:00 a.m. and 2:30 p.m. Beverage Containers (soda bottles, juice bottles, water bottles, etc) are permitted only in the cafeteria and may not be carried through out the school.

## **FIRE DRILLS**

Fire drills will be held during the school year. When the fire alarm rings, students are to follow the instructions of their teachers. Safety is the objective of this exercise. Students must walk in an orderly manner and may not talk or make any noise during the fire drill so the instructions can be heard in the event of an emergency. Students will wait in the designated areas outside of the building and are to return to the building only after the signal (a long bell) is given to do so.

## **CELL PHONES**

Cell phones are to be turned off and kept out of site during the school day. Cell phones in use or that are visible during normal school hours will be confiscated and returned only to the parent/guardian.

## **GRADES FOR REPEATED COURSES OR EXAMINATIONS**

A higher grade received for a class repeated in summer school or higher grade received on a retaken regent's examination will replace a former grade and will be calculated into your grade average and class rank if taken at the next available administration.

## **PROMOTION REQUIREMENTS**

9<sup>th</sup> grade to 10<sup>th</sup> grade – 4.5 credits including physical education (.5) and two of the following: English 9, Earth Science 9, Math Course 1A or A.

10<sup>th</sup> grade to 11<sup>th</sup> grade – 9.5 credits including physical education (.5) and the following: English 9, Earth Science 9 or Biology, Global History 1, Math Course 1A or A, English 10 or Global History 2, 2 Math units or 2 Science units.

11<sup>th</sup> grade to 12<sup>th</sup> grade – 14.0 credits including physical education (1.0) and the following: English 9 & 10, Social Studies 9 & 10, 2 Science units, 2 Math units, English 11 or Global History 1 & 2, Health or Art/Music requirement complete.

## **ADDING AND DROPPING COURSES**

Students have 2 weeks at the beginning of each semester to add or drop new elective courses. Courses added or dropped after that time will take place only with the approval of the Principal. Students who drop courses after the 2-week time period will receive either “WF” (Withdraw/Failing) or “WP” (Withdraw/Pass) on their school transcript.

## **HONORS CLASSES**

Students enrolled in high school honors classes must maintain an average of 85% or higher by the end of the school year. Students whose grade falls below 85% during the school year may be asked to meet with their guidance counselor and honors teacher(s) to discuss the appropriateness of this placement.

**GRADUATION/ PROMOTION REQUIREMENTS**

## **GUIDANCE SERVICES**

Students are encouraged to go to the guidance counselor to discuss academic and personal concerns. In addition, college and career information may be obtained in the guidance office. Any questions about student scheduling must be discussed with the guidance counselor. The Principal or the guidance staff, through established procedures, is the only ones who may change a student's schedule. Students requesting to change their schedule must have parental consent. Any students having a handicapping condition are to be referred to the Principal, Guidance Counselor, or the Chairperson of the Committee on Special Education.

Students and parents who wish to obtain help with a drug or alcohol problem may contact the Guidance Counselor, the Student Assistance Counselor, Social Worker or the Principal. Confidentiality is respected. There are many opportunities for assistance throughout the Harlem Valley.

## **HOMEWORK**

Homework provides excellent opportunities for developing good study habits, providing for individual differences and abilities and encouraging self-initiative on the part of the student. Parents and the school share the responsibility for student leaning. Parents can assist their child(ren) with homework by:

- Providing a study area free of distractions and with good lighting.
- Asking questions about the content of student homework.
- Giving requested assistance, but letting the student do his or her own work. Avoid undue pressure.
- Helping create a "homework habit," at the same time each night.

Webutuck Central School believes that parental involvement in students' homework is essential to making homework an integral part of the educational program. Parents should encourage and monitor homework assignments.

Students should have homework almost every night during the school year. Skill development and mastery of concepts demands that a student spend a great deal of time at home reading, writing and studying. When teachers give homework assignments, it is in the students' interest to cooperate as fully as possible in order to foster their own growth. All homework assignments count! Students who are absent from class are responsible for all worked missed. Students should contact other classmates to receive homework assignments and notes.

<p><b>Homework requests for extended absences should be referred to the Guidance Office by 10:00 A.M. on the day assignments are needed. Please call 373-4108</b></p>
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## **HONOR ROLL PROGRAM**

To attain High Honor Roll Status, a student must have at least an average of 90 with no grade below 80. To attain Honor Roll Status, a student must have at least an average of 85 with no grade below 75. To attain Merit Roll Status, a student must have at least an average of 80 with no grade below 70.

## **HONOR SOCIETY:**

### **THE NATIONAL JUNIOR HONOR SOCIETY**

National Junior Honor Society membership is based on Scholarship, Service, Leadership, and Character. Candidates eligible for election to the Webutuck Chapter must have a grade point average of 85% in their 7<sup>th</sup> and 8<sup>th</sup> grade years, and meet the criteria for Service, Leadership, and Character. A committee receives applications and recommendations for Junior Honor Society candidates and makes decisions based on the criteria mentioned above.

## **THE NATIONAL HONOR SOCIETY**

All students in grades 10 – 12 with 88+ averages are eligible. For admission into the National Honor Society the student must meet the following criteria: Scholarship, Service, Leadership and Character. A committee receives applications and recommendations for National Honor Society candidates and makes decisions based on the criteria mentioned above.

## **LIBRARY**

Students may use the library during study halls, following the correct procedure (see STUDY HALLS), and after school with advance permission from the Librarian.

The library is to be used for reference work and research. Students must go about their work quietly in the Library. It is not to be used as a place to visit with others. Damage to or loss of books will be charged to the borrower.

## **LOCKERS**

Each student will have a hall locker where personal belongings may be stored. Lockers are not to be shared. Students must use the lock provided by the school. The custodians will remove any other type of lock. Students are not to reveal their lock combination to any other students. Students may go to their lockers before school begins in the morning, between bells (provided they will not be tardy for their next class), before going to the cafeteria for lunch, before returning to class after lunch, and after the last period of the day. When a student loses a lock, the student is to report this to the Principal's office. The student will be required to pay \$5.00 for the lock. Only after payment is made will the student be able to borrow another lock.

## **NURSE**

**DIRECT PHONE LINE WITH FAX (845) 373-4113.** Please call the school nurse daily when your child is out sick. Please provide an absentee note upon returning to school as per New York State requirement.

**IMMUNIZATIONS:** New state law effective September 2004, **ALL STUDENTS ENROLLED IN SCHOOL MUST HAVE – HEPATITIS B VACCINE SERIES.** Please provide Nurse with proof of vaccination from Physician or Department of Health.

**PHYSICAL EXAMS:** New York State Law requires all students entering 7<sup>th</sup> and 10<sup>th</sup> grades, all Special Ed students, and all new students within 90 days of entry and all sports participants to have a physical exam during the school year. Our school physician will be performing the exams periodically throughout the school year. A Parent/Guardian may request their child see their own private physician. They should obtain the appropriate forms from the nurse and return them to the nurse or your child will have a school physical.

## **YEARBOOK**

Assistants, photographers, and promotions staff all work diligently together to create a yearbook to capture the memories of the Webutuck School District. Every page of the yearbook is designed and produced by students guided by a faculty advisor. Students are not permitted to include material in the yearbook that condones the use of drugs/alcohol or suggests sexual innuendoes in any way.

## SENIORS

### EDUCATIONAL OPTIONS FOR SENIORS

Seniors must take at least 5 credits in subject areas geared to their abilities and aspirations. Seniors must be present during first block if scheduled. Seniors may earn their credits in a variety of ways. Options available include but are not limited to: traditional Webutuck offered courses, courses offered at a local college such as Dutchess or Columbia Greene, Advanced Placement courses, Distance Learning courses, or through independent study approved in advance by the Guidance Counselor and Principal.

### SENIOR PRIVILIGES

**SENIORS WILL ONLY RECEIVE SENIOR PRIVILIGES THE SCHOOL YEAR THEY ARE SCHEDULED TO GRADUATE OF IF THEY ARE A MEMBER OF THE NATIONAL HONOR SOCIETY.**

Seniors in good academic/behavioral standing will be extended the following privileges.

1. Senior may receive permission from the Principal to leave school after their last scheduled class each day. Seniors wishing to exercise this privilege must sign out after their last class, They **MAY NOT** return until after the close of school at 2:11 p.m. Seniors who sign out after the last scheduled class may not return until their co-curricular/extracurricular activity scheduled time.
2. Seniors will be permitted to park a car in the school parking lot provided they understand and follow the student driving and parking regulations, have completed the appropriate application, and have received a parking sticker from the Principal's office.
3. Senior Trip: Should the Board of Education approve a senior trip, only seniors (students eligible to graduate in June of the current year) may attend. The Principal will decide which seniors may attend this trip based on assessment of each student's behavior during his/her senior year.

### SENIORS RULES AND RESPONSIBILITIES

1. **Seniors may not be in the halls during class time without a pass.**
2. **Seniors failing any course will lose the privilege of early release.**
3. Teachers and any other staff members may confront a senior at any time when the senior appears to be abusing his/her privileges. Seniors are accountable to the staff of the High School during the regular school day and at all school functions.
4. Seniors found abusing their privileges or by their behavior are determined not to deserve such privileges will have part or all of their privileges suspended for a period of time to be determined by the Principal.

### STUDENT ACADEMIC ELIGIBILITY

#### **EXTRA-CURRICULAR ELIGIBILITY POLICY (Grade 7–12 only)**

**Goal:** *To ensure academic success and extra-curricular participation for all students.*

**Step 1: Probation** – At the report period (progress report, intermediary report, or grade report period) each student will have their academic progress/status reviewed. If the student is failing one or two classes,

the student will be allowed to participate 100% and will be mandated to receive academic support for the failing class(es). The student must meet with the teacher(s), agree to the details of the contract and return the signed contract to the Eligibility Program Coordinator within three days. If the student is failing three or more classes, they immediately begin at **Step 2** of this process.

\* The requirements of this step are in place until the next report period (10 weeks).

**Step 2: Ineligible** – At the next report period (progress report, intermediary report, or grade report period), if the student is still failing they will be allowed to practice, but not compete or participate in any extracurricular events. The student will be mandated to continue the academic support plan. The student must meet with the teacher(s), agree to the details of the contract and return the signed contract to the Eligibility Program Coordinator within three days.

\* The requirements of this step are in place until the next report period (10 weeks).

**Step 3: Removal from a team or activity** – At the next report period (progress report, intermediary report, or grade report period), if the student is still failing they will be removed from the team or activity.

#### **NOTES:**

- Student grades at the semester and end of year will be based upon the Final Grade, not the last report period grade.
- If a student fails, but attends summer school his/her eligibility will be reevaluated based upon summer school achievement.
- If a student fails two or more classes and does not attend summer school, they begin the Fall Season at **Step 2** of the policy.
- If a student fails three or more classes and does not attend summer school, they begin the Fall Season at Step 3.
- All students failing three or more classes are ineligible to attend ALL extra-curricular events.
- Extra-curricular events include: all athletic contests/practices, all activities or events not directly linked to the student's regular academic responsibilities (i.e.: dances, school play).

#### **APPEAL PROCESS:**

- A written appeal to the Principal may be initiated within two school days following notification of status.
- During the appeal process the student remains at the same step of the procedure.
- The Principal will meet independently with the student and teacher to attempt to resolve the issue.
- If the appeal issue cannot be resolved among the parties listed above, the Principal will convene a committee consisting of the Assistant Principal, Guidance Counselor, Parent Representative and the Athletic Director to act on the appeal. The decision of the committee will be final.

#### **SPORTS PHYSICALS:**

**SIGN-UP SHEETS AT THE NURSE'S OFFICE PRIOR TO EACH SEASON.** Before participation in each sports season, the school nurse will review each sports participant's health record. A sports physical is needed each year and is valid for 12 months. A **30-day UPDATE** must be filled out and signed by a parent/guardian prior to each sports season unless your yearly physical is within 30 days of the sports season. The purpose of the **30-day UPDATE** is to ensure that any health problems occurring since the last physical are identified and considered. **PLEASE REMEMBER THAT THE SPORTS SEASON INCLUDES TRYOUTS. ALL 30-DAY UPDATE FORMS ARE RETURNED TO THE**

**NURSE. THE SCHOOL NURSE MUST APPROVE ALL STUDENTS BEFORE THEY MAY PARTICIPATE IN THE SPORTS PROGRAM.**

**MEDICATIONS: New York State Law:** If your child needs medication during the school day, please obtain appropriate forms from the school nurse. **All over-the-counter drugs such as, (Tylenol, Advil or cough drops), or prescription drugs need a doctor's order and written permission with a signature from a parent/guardian.** Medications need to be brought to the school by a parent or guardian and given to the nurse in the original labeled container with the student's name, directions, etc.

**RELIGIOUS INSTRUCTION**

Students are given release time for religious education and observance upon the written request of his or her parents or guardians.

**SEXUAL HARASSMENT OF STUDENTS**

The Board of Education is committed to safeguarding the right of all students within the school district to learn in an environment that is free from all forms of sexual harassment. Therefore, the Board, consistent with State and Federal law, condemns all unwelcome and/or warranted behavior of a sexual nature which may impose a requirement of sexual cooperation as a condition of academic advancement, or which has the purpose or effect of creating an intimidating, hostile or offensive learning environment. The Board specifically prohibits all student-employee relationships of a sexual or quasi-sexual nature, whether or not consensual.

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

1. Submission to such conduct is made, either explicitly or implicitly, a condition for evaluating the student's academic progress or the student's successful completion of any course of study, educational or extra-curricular activity, including the acceptance into or rejection from such course or activity;
2. Submission to or rejection of such conduct by a student is used as the basis for academic or extra-curricular decisions affecting such student, including the acceptance into or rejection from a course or activity;
3. Such conduct has the purpose or effect of unreasonably interfering with a student's academic performance, evaluation of a student's academic progress or participation in an educational or extra-curricular activity, or creating an intimidating, hostile or offensive learning environment.
4. Conditions exist within the school environment that allow or foster harassing activities of a sexual nature, including but not limited to obscene pictures, lewd jokes, sexual comments and innuendo, sexual advances.

The Board recognizes that sexual harassment of students can originate from a person of either sex against a person of the opposite or same sex; from peers, employees, officers, agents or any individual who might foreseeably come into contact with students on school grounds or at school-sponsored activities.

The Board acknowledges that in determining whether sexual harassment has occurred, the perspective of the complaint and/or victim shall be considered. While the accuser's conduct and/or intention may be considered, sexual harassment may be found even where the accused has no intent to sexually harass another individual.

## **Complaint Procedure:**

Any student who believes that he or she has been subjected to sexual harassment or any person who believes that she/he has witnessed an incident(s) of sexual harassment shall report all incidents of such conduct to any staff member with whom the complainant feels comfortable (e.g., a teacher, the building Principal, school nurse, guidance counselor or the District's designated Title IX Complaint Officer[s]). The staff member to whom the complaint is made shall promptly report the complaint to the Title IX Complaint Officer(s), who shall make a determination as to who will investigate the complaint (e.g., building Principal in the case of an elementary student, high school Principal in the case of a high school student, or outside investigator) through informal and/or formal complaint procedures developed by the District. Any staff member who fails to report a sexual harassment complaint may be subject to disciplinary action in accordance with law and any applicable collectively negotiated agreements.

All complaints of sexual harassment will be held in confidence to the extent possible to enable the District to conduct a thorough investigation and as permitted by law. While the District respects the privacy and anonymity of all parties and witnesses to complaints brought under this policy, it cannot guarantee absolute confidentiality. At the conclusion of the investigation and at such time when the written report is issued and becomes a final agency determination (30 days after the issuance of the report if no appeal is made or after issuance of the appeal (determination), the report may become public.

If the District has knowledge of or reason to know of the occurrence of any alleged sexual harassment, the District shall, even in the absence of a complaint, cause a prompt and thorough investigation of any such incident to be made.

Upon receipt of any complaint of sexual harassment, the District will cause a thorough, prompt and impartial investigation of the charges to be conducted within 30 calendar days of receipt of a complaint. It is the policy of the District that all complaints of sexual harassment shall be taken seriously and that an investigation shall be conducted to the extent possible. The investigator shall prepare a written report of the investigation. The report shall be filed with the Title IX Complaint Officer(s). The outcome of any investigation of a sexual harassment complaint shall be relayed to the student and his/her parent/guardian, as well as to the accused.

If the result of the District's investigation indicates that sexual harassment or other inappropriate behavior has occurred, immediate and appropriate corrective action will be taken. It is the policy of the District to appropriately discipline the offending individual in accordance with law, District policy and any applicable collectively negotiated agreements. If the alleged behavior constitutes or may constitute a crime, the police authorities or District Attorney's office shall be notified immediately.

If the student, or his/her/parent/guardian, or the accused is not satisfied with the results of the investigation, an appeal of the findings may be made to the Board of Education within 30 calendar days from receipt of the investigation report, for its review and action. Such review shall occur promptly, within 30 calendar days of the filing of the appeal.

The Board prohibits any retaliatory behavior directed against a complainant for the good faith reporting of an incident pursuant to this policy, as well as against any witness who testifies in a sexual harassment investigation. Follow-up inquiries by the Title IX Complaint Officer(s) shall be made to ensure that the complainant and/or witnesses have not suffered retaliation.

The District shall provide appropriate training to staff and students regarding awareness of sensitivity to issues involving sexual harassment, including condemnation of such conduct, the sanctions for harassment and preventive measures to help reduce incidents of sexual harassment.

The Superintendent of Schools is directed to develop and implement specific procedures for reporting, investigating and resolving sexual harassment complaints.

A copy of this policy and its accompanying regulations shall be distributed to all personnel, students and parents/guardians and posted in appropriate places within the District.

## **SEXUAL HARASSMENT OF STUDENT REGULATION**

### **DISTRICT COMPLAINT PROCEDURES:**

#### **I. Complaint Officer(s)**

The Board of Education shall appoint Title IX Complaint Officer(s) at its annual reorganization meeting, or as needed during the year. Reasonable attempts shall be made to appoint at least one male and one female Complaint Officer.

#### **II. Reporting of Complaints**

All complaints of sexual harassment must be reported to one of the Title IX Complaint Officers appointed by the Board of Education.

1. A student (or his/her parent/guardian who believes that s/he has been subjected to sexual harassment shall immediately consult with any staff member with whom the student (parent/guardian) feels comfortable (e.g., a teacher, guidance counselor, school nurse, building Principal, the Superintendent of Schools or a Title IX Complaint Officer).
2. Any staff member who is consulted with in accordance with paragraph "1" above, shall:
  - Provide a copy of the Student Sexual Harassment Policy and Regulations to the student or parent/guardian.
  - Promptly report the complaint or injury to one of the Title IX Complaint Officers.
  - Maintain complete confidentiality and secrecy that a complaint or inquiry has been made.
  - NOT attempt to influence any further actions on the part of the student, except to tell the student to talk to his/her parents/guardian.
3. Any staff member who becomes aware of a possible incident of sexual harassment shall promptly report it to a Title IX Complaint Officer.
4. Any staff member who fails to report a possible incident or complaint of sexual harassment may be subject to disciplinary action in accordance with law and any collectively negotiated agreement.

### III. Investigation of a Complaint

1. Upon receipt of a complaint, the Title IX Complaint Officer shall:
  - Conduct a preliminary investigation to determine whether to proceed personally or to designate or request a different investigator.
  - Determine whether or not the complaint can be handled in an informal manner with the Title IX Complaint Officer acting as a mediator.
  - Discuss the above actions with the Superintendent, unless the Superintendent is the subject of the complaint, in which the Title IX Complaint Officer should consult with the President of the Board of Education.
  - Report the incident to the police and/or to other appropriate authorities if the behavior constitutes or may constitute a crime.
  
1. Ensure that any investigation or mediation is conducted within 30 calendar days from receipt of the complaint.
  
2. If, after consultation, the Title IX Complaint Officer determines that a more formal investigation is warranted, any investigation must adhere to the following:
  - During the investigation, the investigator must protect the confidentiality of the complaint, the victim, the accused and all witnesses to the extent possible. The investigator shall inform all parties of the need for confidentiality.
  - The investigator must immediately notify the parents/guardian of any child, other than witnesses, that an investigation is taking place, the nature of the complaint and the nature of the child's involvement.
  - The investigator must conduct a thorough, prompt and impartial investigation.
  - The investigator must seek out relevant documents.
  - The investigator must interview any and all witnesses, including the accused, the victim and the complainant.
  - The investigator must keep accurate documentation and records.
  - The complaint, victim and accused may bring their attorney or union representative (if applicable) to any meetings, and children may also be accompanied by their parents/guardians.
  - The investigator must notify the accused that she/he is the subject of a sexual harassment complaint investigation when appropriate.
  
3. As soon as possible upon completion of any investigation, the investigator shall issue a written factual report containing:
  - A summary report for distribution to the parties and School District officials as needed.

This report shall contain:

  - A summary of the complaint and findings.
  - A determination of whether or not the behaviors constitute sexual harassment. (The investigator may find that the evidence is inconclusive).
  - Recommended action, if any.

- A. The investigative information shall be sealed and kept on file by a Title IX Complaint Officer so designated by the Superintendent to maintain such files, including:**
- a. Copies of all related written documents, including the summary report.
  - b. Copies of any handwritten notes taken during the investigation and interviews.
  - c. Any further written details deemed by the by the investigator to be informative or useful to a better understanding of his/her findings.

The following individuals shall be given a copy of the summary report:

- a. The victim
- b. The complainant (if applicable)
- c. The accused

If any of the above individuals is a minor, the summary report shall be sent to their parents/guardian.

The Superintendent (or President of the Board of Education, if the Superintendent is the subject of the investigation) shall review the summary report and shall determine whether or not disciplinary action is needed. Formal discipline of students or staff shall be in accordance with law, District Policy and any applicable collectively negotiated agreement.

#### **IV. Appeal Procedure**

The victim (or his/her parents/guardian if a minor) and/or the accused may appeal the findings and/or recommendations of the investigation, as contained in the summary report.

- A. The appeal must be in writing.
- B. The appeal must be made within 30 calendar days from the date of receipt of the written results of the investigation.
- C. The appeal is made to the Board of Education, who shall review all relevant information within 30 calendar days of the date of the filing of the appeal.
- D. The determination of the Board of Education is final in so far as the District Policy is concerned.

#### **V. District Training and Distribution of Policy**

A. The Superintendent of Schools shall implement specific and continuing actions to notify students, parents/guardians, employees and prospective students and employees that the District does not discriminate on the basis of sex in the educational program or activities that it operates, as required by Title IX. Such actions include, but are not limited to:

1. Annual publication in local newspapers and /or School District publications.
2. Announcements in school sponsored publications.
3. Memoranda or other written communications distributed to students and employees.

- B. The Superintendent shall provide for student and staff training in accordance with Policy.
- C. The Superintendent shall insure that all students, parents/guardians and staff are informed of the name, office address and office telephone numbers of any and all Title IX Complaint Officers and that such information is posted conspicuously and updated, as needed.
- D. The District Policies on sexual harassment of students/employees shall always be distributed with a copy of the application regulations.

**SEXUAL HARASSMENT OF STUDENTS REGULATION**

**UNACCEPTABLE CONDUCT:**

The following are examples of school-related conduct that the District considers to be unacceptable and which may constitute sexual harassment. The list is comprehensive but not all-inclusive.

1. rape, attempted rape, sexual assault, attempted sexual assault, hazing and other sexual and gender-based activity of a criminal nature as defined under the New York State Penal Law,
2. unwelcome sexual invitations or requests for sexual assault in exchange for grades, preferences, favors, selection for activities, homework, etc.;
3. unwelcome and offensive public displays of affection, including kissing, making out, groping, fondling, petting, inappropriate touching of oneself or others, sexually suggestive dancing, massages;
4. any unwelcome communication that is sexually suggestive, sexually degrading or implies sexual motives or intentions, such as sexual remarks, sexual innuendoes, sexual jokes, sexual gestures, public conversations about sexual activities or exploits, sexual rumors, howling, catcalls, and whistles; sexually graphic computer files, messages or games, etc.;
5. unwelcome and offensive name calling or profanity that is sexually suggestive, sexually degrading, implies sexual intentions, or that is based on sexual stereotypes or sexual preference;
6. unwelcome physical contact or closeness that is sexually suggestive, sexually degrading or sexually intimidating such as the unwelcome touching of another's body parts, cornering or blocking an individual, standing too close, spanking, pinching, following, stalking, frontal body hugs, etc.;
7. unwelcome and sexually offensive physical pranks or touching of an individual's clothing, such as hazing or initiation, streaking, mooning, snuggles or wedgies, bra-snapping, skirt flip-ups, spiking, pinching, placing hands inside and individual's pants, shirt, blouse, or dress, etc.;
8. unwelcome leers, stares, gestures, or slang that are sexually suggestive; sexually degrading or imply sexual motives or intentions;
9. clothing with sexually obscene or sexually explicit slogans or messages;
10. unwelcome and offensive skits, assemblies and productions that are sexually suggestive, sexually degrading, or that imply sexual motives or intentions, or that are based on sexual stereotypes.
11. unwelcome written or pictorial display or distribution of pornographic or other sexually explicit materials such as magazines, videos, films, Internet materials, etc.;
12. any unwelcome gender-based behavior that is offensive, degrading, intimidating, demeaning, or that is based on sexual stereotypes and attitudes.

**Sexual Harassment Formal Complaint Form**

Date: \_\_\_\_\_

Name of Complainant: \_\_\_\_\_

Check one:    Student \_\_\_\_\_ Teacher \_\_\_\_\_ Staff \_\_\_\_\_ Other \_\_\_\_\_

Date of incident: \_\_\_\_\_

Place of incident: \_\_\_\_\_

Description of incident: (Description in full detail; attach additional sheets if necessary)

\_\_\_\_\_

Name of witness(es), if any: \_\_\_\_\_

Has the incident been reported before? (if so, how)

\_\_\_\_\_

If yes, when? to whom?

\_\_\_\_\_

What was the outcome? \_\_\_\_\_

Additional comments: \_\_\_\_\_

Signature of Complainant: \_\_\_\_\_

Signature of Person Receiving Complaint: \_\_\_\_\_

## **THE APPEAL PROCESS**

Appeals may be filed with:

1. Superintendent of School
2. The Board of Education
3. The New York State Commissioner of Education  
New York State Education Department  
Washington Avenue  
Albany, NY 12234
4. New York State Division of Human Rights  
90 Washington Avenue  
Albany, NY 12210
5. Federal Office of Civil Rights  
26 Federal Plaza  
New York, NY 10278

### **Title IX Compliance Officers**

Mr. Jack C. Biasotti  
Webutuck High School  
PO Box N - 194 Haight Road  
Amenia, New York 12501  
(845) 373-4106/7 or (518) 789-4672

## **STUDENT COUNCIL**

The Student Council consists of a President and Vice President; each elected by the student body of the School. The balance of the Student Council consists of representatives elected by each class.

### **The Student Council is responsible for:**

- Suggesting and carrying out programs to benefit the school;
- Representing the student body relative to school-wide concerns; bring these concerns to the Principal, Assistant Principal or Faculty member;
- Coordinating the fund raising activities of student organizations.

## **STUDY HALLS**

Students must bring books to study hall, and, in addition to their regular schoolbooks, they are to bring an outside reading book to be used when then they have completed any assigned work. Talking or visiting with other students is not acceptable in study hall.

Students wishing to use the library for research are to sign the library list when asked to do so by the study hall teacher after attendance has been taken. The study hall teacher will then send students to the library. Attendance will be taken again in the library.

## **TEXTBOOKS**

Textbooks are loaned free of charge to the student. Each student issued a textbook has the responsibility to return it in the same condition, as it was issued, less normal wear. Students are to cover each textbook they are issued. Reimbursement for lost or damaged textbooks or library books will be charged according to the current replacement cost. If textbooks are not returned or reimbursement is not provided, report cards will be withheld.

## **WHERE TO GO FOR HELP**

AWARDS AND SCHOLARSHIPS  
COLLEGE AND CAREER INFORMATION  
GRADUATION REQUIREMENTS  
HEALTH INFORMATION  
LATENESS TO SCHOOL  
LEAVING SCHOOL DURING THE DAY  
LOCKER INFORMATION  
LOST AND FOUND  
PUBLIC TELEPHONE  
SPORTS  
TELEPHONING THE SCHOOL  
WORKING PAPERS  
CHANGE OF ADDRESS/TELEPHONE

GUIDANCE OFFICE  
GUIDANCE OFFICE  
GUIDANCE OFFICE  
NURSE'S OFFICE  
PRINCIPAL'S OFFICE  
PRINCIPAL'S OFFICE  
GUIDANCE OFFICE  
NURSE'S OFFICE  
MAIN HALL  
ATHLETIC DIRECTOR  
(845)373-4106,7 or (518) 789-4672  
PRINCIPAL'S OFFICE  
GUIDANCE OFFICE

## **WEBUTUCK CENTRAL SCHOOLS PUBLIC NOTIFICATION**

The Webutuck Central School hereby advises students, parents, employees and the general public that it offers employment and educational opportunities, without regard to sex, race, color, national origin or handicap. Inquiries regarding this non-discrimination policy may be directed to: BUSINESS MANAGER, WEBUTUCK DISTRICT OFFICE (845) 373-4100. Location: Webutuck High School, PO Box N, 194 Haight Road, Amenia, NY, 12501.