



**Annual Notices  
To  
All District Employees  
2015 – 2016**

All BOE policies can be found at  
<http://www.newpaltz.k12.ny.us/cms/lib/NY01000611/Centricity/Domain/9/Current%20Policy%20Manual.pdf>

## *Leadership Team*

*Maria C. Rice, Superintendent*

*Michelle Martoni  
Assistant Superintendent For  
Educational Services & Personnel*

*Richard Linden  
Assistant Superintendent  
For Business*

*Meghan Febbie  
Director of Pupil Personnel Services*

*Kathleen Coughlin  
Coord. of Special Education, 6-12*

*Kathleen Clark  
Coord. of Special Education, PreK-5*

*Debra Hogencamp  
Duzine Principal*

*Audrey Wood  
Lenape Principal*

*Richard Wiesenthal  
Middle School Principal*

*Barbara Clinton  
High School Principal*

*Nicole Vitale  
MS Assistant Principal*

*Dennis DiBari  
HS Assistant Principal*

*Maureen Ryan  
Director of Transportation*

*Stephen Callahan  
Director of Facilities and Operations-*

*Michael Robinson  
Director of Food Service*

*Antonia Woody  
Director of Health, PE, Athletics & Health Services*

## *Board of Education*

*Brian Cournoyer  
President*

*Anne Hemminger  
Vice-President*

*Alison Easton, Steven Greenfield, ,  
Michael O'Donnell, Dominick Profaci, Julie Fresco*

# NEW PALTZ

## our mission

The New Paltz Central School District exists for the children of the community. The focus of its programs and activities is the commitment to measured excellence and continuous growth and development for all.

**Our school community** – students, staff, families and community members are *citizens of the world, passionate about learning and empowered to achieve their dreams.*

## our vision

**Citizens of the world:** responsible, ethical, contributing, participating members of local, national and global communities who value all peoples and care about each other; we respect the environment, work to improve the society in which we live, and understand our role in it.

**Passionate about learning:** confident and reflective, curious, nimble thinkers whose knowledge of the past makes them capable of questioning, analyzing, and assimilating new information. They are technologically creative and able to imagine alternatives to what is and what is yet to be. They also dare to be risk takers in crafting their futures.

**Empowered:** they are well prepared to be self-directed and expressive, to develop and use their personal skills and abilities, to be comfortable with change, achieve deep understanding, make informed and wise decisions, and to cooperate, collaborate, and compete. They live a healthy life style, are creative, and are empowered to achieve their dreams.



## educational standards

These standards are the scaffolding upon which the educational master plan is built:

### Core Intelligence:

**Standard 1.0:** All policies, decisions, agreements, and procedures developed and implemented by policy makers and leadership in the New Paltz Central School District are compatible with the mission, vision and guiding principles, and enhance and assure the learning and success for all students.

### Program Coherence:

**Standard 2.0:** All programs, curriculum, and instructional strategies developed within the district are coherent and provide the learners with the knowledge, skills, and dispositions that are expected of the citizens of the future; are founded on strategies that lead learners to the highest levels of understanding, empathy and self-knowledge; and empower learners to be curious, self-directed, responsible, ethical, confident and reflective who have a love of learning.

### Teacher Skill and Competency:

**Standard 3.0:** All teachers in the district demonstrate a thorough knowledge and understanding of the content area they teach, knowledge and application of current learning theories and principles, and proficiency in conducting, guiding, and assessing the teaching and learning process.

### Learning Environment:

**Standard 4.0:** A safe and supportive learning environment is sustained throughout the district to promote inquiry and learning for all.

### Leadership Capacity:

**Standard 5.0:** Leadership within the district is collaborative, aligned with the district mission and vision, invites staff input in collegial inquiry and decision making, and promotes excellence, to enhance and to improve student learning.

### Resources:

**Standard 6.0:** The District assures that all resources (human, physical, and financial) are allocated and provided equitably, efficiently, and in a timely fashion, to support and enhance student learning.

**Standard 7.0:** The District is a valued resource within the community.

## our guiding principles

- ★ To maintain a focus on learning and success for all.
- ★ To create a cohesive and inclusive culture PK-12, across buildings and departments.
- ★ To empower and create success for disengaged and disenfranchised students.

## CORE INTELLIGENCE

### Our Mission...

*The New Paltz Central School District exists for the children of the community. The focus of its programs and activities is the commitment to measured excellence and continuous growth and development for all.*

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### Our Guiding Principles...

1. To maintain a focus on learning and success for all.
2. To create a cohesive and inclusive culture PK-12, across buildings and departments.
3. To empower and create success for disengaged and disenfranchised students.

## Educational Master Plan

### Introduction and Rationale:

This *Educational Master Plan* is a shared and collaborative endeavor built around the concept of a “Transformational School Model.” This is an amalgamation of several pertinent concepts and models, including systems theory, professional learning communities, 21<sup>st</sup> century schools, transformational leadership, cognitive learning theory, and standards-based instruction.

Organizational research and education literature are quite clear about what these various models look and act like. The *Educational Master Plan* has incorporated all of these models into a framework to provide focus and direction for our decisions, actions, and programs for the future. The six areas of focus within the Plan and for our planning endeavors are:

- A Core Intelligence: the shared vision and mission developed from staff's steadfast commitment to students' learning and are consistently articulated and referenced for the staff's work. This area also includes the policies, regulations, beliefs and philosophical frameworks we hold as a school and a learning community.
- Leadership Capacity: effective schools require leaders who can guide and direct the learning process and empower all to excellence. This requires collegial and facilitative participation by school administrators, who share leadership through inviting staff input in decision making and learning.
- Learning Environment: incorporates collegial inquiry and collaborative learning among all staff, and the application of that learning to solutions that address students' diverse needs and improve student learning.

- Teaching Skills and Abilities: incorporates an instructional staff with an understanding of the curriculum content, learning theory, and teaching process, and who continuously seek to improve and learn.
- Resources: the appropriate and necessary facilities, instructional resources, materials, physical conditions, and the human capital that support an effective learning community, and
- Program Coherence: a comprehensive, coherent, standards-based curriculum.

Transformational schools are comprised of these six interacting elements which must be understood and considered together – holistically. An important point to emphasize is that **none of these elements stands alone and separate**. Because of the nature of systems, all of the parts and elements interact and these interrelationships often cause new elements to form and new phenomena, new structures, and new rules of behavior to occur. For example, the *learning environment* interacts with and alters the *program* which influences the leadership capacity which can influence the teacher capacity, etc. The relationships and the interactions become more important than the structures and activities.

Therefore, a school should not be perceived, as a machine comprised of parts and pieces which can be changed and altered from outside, or which can be “repaired” one part at a time. **It must be seen as a living organism with each component a vital and contributing member of the system.** We cannot change or tinker with one part without influencing the other parts or the whole system. In this way, the whole is greater than the sum of the component parts.

Achieving the concepts and ideals contained within this Plan will require a paradigm shift by the public, the administration, and by teachers themselves about the role of the teacher, the school, and the teaching and learning process. However, research demonstrates that this model does make a difference and produces the kind of learning outcomes and climate that we envision. For example, for staff the following results have already been observed in various research studies:

- A reduction in the isolation of teachers.
- An increased commitment to the mission and goals of the school and increased vigor in working to strengthen the mission and vision [core intelligence].
- A shared responsibility for the total development of students and collective responsibility for students' success.
- Powerful learning that defines good teaching and classroom practice and creates new knowledge and beliefs about teaching and learners.
- Increased meaning and understanding of the content that teachers teach and the roles they play in helping **all** students learn and achieve expectations.
- Higher likelihood that teachers are well-informed, professionally renewed, and motivated to inspire students.
- More satisfaction, higher morale, and lower rates of absenteeism.
- Significant advances in adapting teaching to the students, accomplished more quickly than in traditional schools.
- Commitment to making significant and lasting changes.
- Higher likelihood of undertaking fundamental systemic change.

As a result of the changes and learning for the teachers, the research shows the results of students’ participation include:

- Decreased dropout rate and fewer classes “skipped.”
- Lower rates of absenteeism.
- Increased learning that is distributed more equitably in the smaller high schools.
- Greater academic gains in math, science, history, and reading than in traditional schools.
- Smaller achievement gaps between students from different and diverse backgrounds.<sup>1</sup>

All of these outcomes are within our vision and goals, and within our grasp. It will require dedication, good planning, and lots and lots of communication and work. However, it is also important to note that, despite our greatest intentions, foresight, training, and knowledge, the future is impossible to predict. Change and growth in any human organization is not linear. One can only build a structure or scaffolding and a guide for the organization to “grow” upon.

The standards provided in this *Educational Master Plan* are the scaffolding for the district’s growth. If all proceeds as hoped, then, in the words of Michael Fullan, “More good things will result than bad things.”

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<sup>1</sup> Hord, S. ( 1997) Professional Learning Communities: Communities of continuous inquiry and improvement, Southwest Development Laboratory: Austin TX. (p. 27. 28).

## **Educational Standards**

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#### **Standard 7.0**

*The District is a valued resource within the community.*

The NYSED requires annual review and distribution of the following polices to all staff. Please read and retain this booklet for future reference.

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- **Dignity for All Students: Prohibiting Discrimination and Harassment of Students (7370)...**page 8
- **Policy On Harassment/Hazing/Bullying (Policy 6190).....** page 12
- **Code of Conduct (Policy 3410, 7310) .....** page 13,14
- **Complaints and Grievances (Policy 3230) .....**page 15
- **Americans with Disabilities Act (ADA)/Section 504 Rehabilitation Act (Policy 3231).....**page 16
- **Policy on Sexual Harassment (Policy 3421).....** page 17
- **Child Abuse and Neglect/Maltreatment (Policy 7530).....** page 19
- **Conflict of Interest (Policy 5420) .....** page 21
- **Drug-Free Workplace (Policy 6151).....** page 23
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- **Exposure Control Program (Policy 5690) .....** page 32
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- **Confidentiality of Computerized Information (Policy 3320) .....** page 37
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- **Pesticide Notification Form .....** page 39
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- **New Paltz Safety Plans .....** page 64

The District’s Asbestos Management Plan, Chemical Hygiene Plan, Respiratory Protection Plan, Hazardous Communications Plan, Energy Control Plans & Exposure Control Plan are available to all employees (as required under 40 CJR 763.84) from Stephen Callahan, Director of Facilities and Operations, at 256-4090 or from Antonia Woody, Director H, PE, Athletics and School Health Services. 256-4151.

**Dignity Act  
Intent**

The goal of the Dignity Act is to create a safe and supportive school climate where students can learn and focus, rather than fear being discriminated against and/or verbally and/or physically harassed.

All public elementary and secondary school students have the right to attend school in a safe, welcoming, considerate, and caring environment.



New York State Education Department  
Office of Curriculum, Instruction and Field Services  
Student Support Services  
Room 318-M Education Building  
Albany, New York 12234

518-486-6090  
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**The  
New York State  
Dignity for All  
Students Act  
(Dignity Act)**

Effective July 1, 2012

DASA@MAIL.NYSED.GOV

**Dignity For All Students Act Overview**

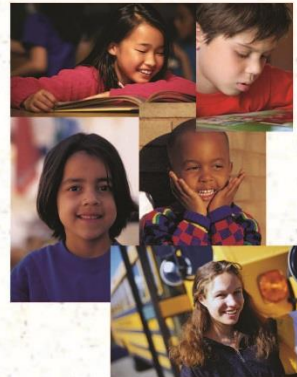
**The Dignity Act takes effect on July 1, 2012.**

- The New York State Dignity For All Students Act (Dignity Act) was signed into law on September 13, 2010. This legislation amended State Education Law by creating a new Article 2 - *Dignity for All Students*.
- The Dignity Act states that **NO** student shall be subjected to harassment or discrimination by employees or students on school property or at a school function based on their **actual or perceived race**, color, weight, national origin, **ethnic group**, **religion**, **religious practice**, disability, sexual orientation, **gender**, or sex.
- The Dignity Act amended Section 801-a of New York State Education Law regarding instruction in civility, citizenship and character education by expanding the concepts of tolerance, respect for others, and dignity.
- The Dignity Act also amended Section 2801 of the Education Law, instructing Boards of Education to include language in the codes of conduct to comply with the Dignity Act.

**Highlights**

- Q: Who is protected by the Dignity Act?**  
**A: All** public elementary and secondary school students are protected by the Dignity Act.
- Q: What does the Dignity Act prohibit?**  
**A: The Dignity Act prohibits the harassment and discrimination of students by students and by school personnel.**
- Q: How does the Dignity Act relate to bullying and hazing?**  
**A: Bullying and hazing are forms of harassment and discrimination.**
- Q: What physical spaces are covered by the Dignity Act?**  
**A: The Dignity Act applies to behavior on school property (including athletic fields, playgrounds, and parking lots), in school buildings, on a school bus/vehicle, as well as at school-sponsored events or activities.**
- Q: How does the Dignity Act relate to the school's Code of Conduct?**  
**A: The Code of Conduct must be amended to reflect the prohibition of discrimination and harassment of students by students or staff — in age appropriate plain language.**

To learn more about the Dignity for All Students Act, visit:  
[www.p12.nysed.gov/dignityact](http://www.p12.nysed.gov/dignityact)



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## **SUBJECT: DIGNITY FOR ALL STUDENTS: PROHIBITING DISCRIMINATION AND HARASSMENT OF STUDENTS**

The Board of Education (“Board”) is committed to providing a safe and productive learning environment within its schools. In accordance with New York State’s “Dignity for All Students Act” (“DASA”) the Board is committed to promptly addressing incidents of harassment and/or discrimination of students that impede students’ ability to learn. This includes bullying, taunting or intimidation in all their myriad forms.

To this end, the Board condemns and strictly prohibits all forms of discrimination, such as harassment, hazing and bullying on school grounds, school buses and at all school-sponsored activities, programs and events. No student shall be subjected to harassment by employees or students on school property or at a school function. Nor shall any student be subjected to discrimination based on the student’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex, by school employees or students on school property or at a school function. The Board also prohibits discrimination, harassment, hazing or bullying that takes place at locations outside of school grounds, including cyberbullying, which creates or would foreseeably create a risk of substantial disruption within the school environment where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. Consequences for a student who commits an act of bullying shall be unique to the individual incident and will vary in method and severity according to the nature of the behavior, the developmental age of the student, and the student’s history of problem behaviors, and must be consistent with the district’s Code of Conduct.

In addition, the District reserves the right to discipline students who engage in harassment of students off school property under circumstances where such off-campus conduct would be violative of the student code of conduct.

### **Policy Definitions:**

- *School Property* means in or within any building, structure, athletic playing field, playground, parking lot, or land contained within the real property boundary line of a public elementary or secondary school; or in or on a school bus (Education Law §11[1]).
- *School Bus* means every motor vehicle owned by a public or governmental agency or private school and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities, or, privately owned and operated for compensation for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities (Education Law §11[1] and Vehicle and Traffic Law §142).
- *School Function* means a school sponsored extracurricular event or activity (Education §11[2]).
- *Disability* means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment, provided, however, that in all provisions of this article dealing with employment, the term must be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held (Education Law §11[4] and Executive Law §292[21]).
- *Employee* means any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title nine(B) of article five of the Social Services Law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact (Education Law §§11[4] and 1125[3]).
- *Sexual Orientation* means actual or perceived heterosexuality, homosexuality, or bisexuality (Education Law §11[5]).
- *Gender* means actual or perceived sex and includes a person’s gender identity or expression (Education Law §11[6]).
- *Harassment* means the creation of a hostile environment by conduct or by threats, intimidation or abuse, whether verbal or non-verbal, including cyberbullying, that (a) has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities or benefits, or mental, emotional or physical well-being; (b) reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; (c) reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or (d) occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.

Discrimination or harassment within the meaning of this policy shall include a single severe incident or multiple incidents that are pervasive in nature that creates a hostile environment or reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety.

The discriminating behavior or harassing behavior may be based on any characteristic, including but not limited to a person's actual or perceived:

- race
- color
- weight
- national origin
- ethnic group
- religion
- religious practice
- disability
- sex
- sexual orientation; or
- gender (including gender identity and expression).

In order to streamline the wording of this policy and regulation the terms bullying and harassment will be used interchangeable and will also be used throughout to encompass intimidation, cyberbullying and hazing behaviors.

- *Hazing* is an induction, initiation or membership process involving harassment which produces public humiliation, physical or emotional discomfort, bodily injury or public ridicule or creates a situation where public humiliation, physical or emotional discomfort, bodily injury or public ridicule is likely to occur.
- *Bullying* has the same meaning as harassment under the amended Dignity for All Students Act (see above).
- *Cyberbullying* is defined as harassment or bullying through any form of electronic communication. In order to be actionable under this Policy, cyberbullying that occurs off campus must create or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.

### **Reporting and Investigation:**

Any student who believes that s/he is being subjected to harassment, as well as any other person who has knowledge of or witnesses any possible occurrence of harassment, shall report the harassment to any staff member or to the Building Principal. Staff who observe or learn of incident(s) of bullying are required, in accordance with State law, to make an oral report to the building principal within one school day and to fill out the district reporting form within two school days. A district employee may be deemed to have permitted unlawful discrimination or harassment if he/she fails to report an observed incident, whether or not the target complains. The Building Principal to whom the report is made must immediately notify the same to the Superintendent of Schools in writing of such report and unless otherwise stated in the policy shall promptly investigate the complaint and take appropriate action to include, as necessary, referral to the next level of supervisory authority and/or other official designated by the District to investigate allegations of harassment.

The Building Principal shall maintain a log of bullying incidents as a record for the purpose of tracking repeat offenders, as well as identifying trends. The Building Principal shall report their findings periodically, but no less than quarterly, to the Superintendent of Schools or designee, who shall report to the Board annually regarding bullying incidents on a building-wide and district-wide basis. All reported incidents of bullying must be documented in the file of a student being accused of the conduct, unless said student was found to be innocent of the bullying allegation. Written records should also capture what action, if any, was taken, or why no action was taken. These reports shall remain in the student's file and will travel with the student from elementary school to high school. If a staff person is unsure of the reporting procedure, he/she is expected to inquire about how to proceed by speaking with their supervisor. Incidents will be included in the Violent and Disruptive Incident Reporting (VADIR) system when applicable. The results of the investigation shall be reported back to both the target and the accused in accordance with the accompanying regulation. If either of the parties disagrees with the results of the investigation, they can appeal the findings in accordance with the regulations. The Superintendent shall designate one or more staff members in each school building to be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender and sex. Where there are separate policies covering forms of discrimination as referred above, the investigating of alleged harassment of such nature shall be conducted solely pursuant to those policies (i.e.: Title VI, Title IX, Disability Discrimination). In furtherance of this Policy, the Superintendent is authorized and directed to prepare guidelines that shall be approved by the Board:

1. To be used in school training programs to discourage the development of discrimination or harassment, and that are designed to:

- a. raise the awareness and sensitivity of school employees to potential discrimination or harassment, and
- b. enable employees to prevent and respond to discrimination or harassment.

2. Relating to the development of nondiscriminatory instructional and counseling methods.

Verified bullying incidents that meet the criteria established by the state will be included in the statewide reporting system when applicable, in accordance with law and regulation.

The Board will receive the annual VADIR report, as well as any other state-required report relevant to bullying and/or school climate, for each building and for the district as whole.

### **Prevention**

In order to implement this program the Board will designate at its annual organizational meeting a Dignity for All Students Act (DASA) Coordinator for each school in the district. In addition, the Board shall appoint a district-wide DASA coordinator. The role of each DASA coordinator is to oversee and enforce this policy.

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

- Learning about and identifying the early warning signs and precursor behaviors that may lead to bullying.
- Gathering information about bullying at school directly from students.
- Establishing clear school wide and classroom rules about bullying.
- Training adults in the school to respond sensitively and consistently to bullying.
- Providing adequate adult supervision, particularly in less structured areas such as in the hallways, cafeteria and playground.
- Raising parental awareness and involvement in addressing problems.
- Providing instruction in civility, citizenship and character education that emphasizes tolerance and respect for others.

### **Retaliation**

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participate in the investigation of allegations of harassment. Follow-up inquiries and/or appropriate monitoring of the alleged harasser and victim shall be made to ensure that harassment has not resumed and that those involved in the investigation of allegations of harassment have not suffered retaliation. Furthermore, any person having reasonable cause to suspect that a student has been subjected to discrimination or harassment by an employee or another student, on school grounds or at a school function who reasonably and in good faith reports such information to school officials, to the Commissioner of Education, to law enforcement officials, shall be free from retaliation of any kind.

### **Dissemination, Monitoring, Review, and Reporting**

This policy, or a plain language summary, shall be published in the District Code of Conduct, and other information sent to students, parents and employees, as well as posted on the district's website. A bullying complaint form will be available on the district's website. The district will ensure that the process of reporting bullying is clearly explained. Each year, as part of the annual review of the Code of Conduct, this policy will be reviewed to assess its effectiveness and compliance with state and federal law and changes will be made, as needed. The annual VADIR report will be available online for each building and for the district as whole, with particular attention to the trends in the incidence of bullying. In addition, the Board will receive on an annual basis a more detailed report of the number of bullying incidents that occur, disaggregated by school, student demographic information and type of incident. Based on the review of the data, the Board may consider further action, including but not limited to modification of this policy and additional training. The district will ensure that reporting of information to the public will be in a manner that complies with student privacy rights under the Family Educational Rights and Privacy Act (FERPA). Cross-ref: 3421 - Sexual Harassment 7222 - Credential Options for Students with Disabilities 7310 - Code of Conduct 3430 - Uniform Violent and Disruptive Incident Reporting System 6160 - Professional Growth/Staff Development , Ref: Dignity for All Students Act, Education Law, §§10 – 18 , Americans with Disabilities Act, 42 U.S.C. §12101 *et seq.* , Title VI, Civil Rights Act of 1964, 42 U.S.C. §2000d *et seq.* , Title VII, Civil Rights Act of 1964, 42 U.S.C. §2000e *et seq.*; 34 CFR §100 *et seq.* , Title IX, Education Amendments of 1972, 20 U.S.C. §1681 *et seq.* , §504, Rehabilitation Act of 1973, 29 U.S.C. §794 , Individuals with Disabilities Education Law, 20 U.S.C §§1400 *et seq.* , Executive Law §290 *et seq.* (New York State Human Rights Law) , Education Law §§313(3), 3201, 3201-a , *Tinker v. Des Moines Independent Community School Dist.*, 393 US 503, (1969) ,*Doninger v. Niehoff*, 527 F.3d

41 (2d. Cir. 2008) , *Pollnow v. Glennon*, 594 F.Supp. 220, 224 aff'd 757 F.2d. 496 , *Davis v. Monroe County Board of Education*, 526 U.S. 629 (1999) , *Gebser v. Lago Vista Independent School District*, 524 U.S. 274 (1998) , *Faragher v. City of Boca Raton*, 524 U.S. 775 (1998) , *Burlington Industries v. Ellerth*, 524 U.S. 742 (1998) , *Oncala v. Sundowner Offshore Services, Inc.*, 523 U.S. 75 (1998) , *Franklin v. Gwinnett County Public Schools*, 503 U.S. 60 (1992), *Meritor Savings Bank, FSB v. Vinson*, 477 U.S. 57 (1986) , *Appeal of K.S. 43 Ed. Dept. Rep. 492* , *Appeal of Ravick 40 Ed. Dept. Rep. 262* , *Appeal of Orman 39 Ed. Dept. Rep. 811* , Adopted: 7/11/12 , Revised: 12/19/12 , 11/06/13

2014  
Personnel 6190

## **SUBJECT: POLICY ON HARASSMENT/HAZING/BULLYING**

The Board of Education is committed to providing a safe, productive and positive learning environment, free of harassment and intimidation. The Board condemns all forms of harassment on the basis of race, color, creed, religion, national origin, political affiliation, sex, sexual orientation, gender identity, age, marital status, military status, veteran status, disability, weight, or the use of a recognized service animal. The Board condemns all forms of hazing and bullying. The Board specifically prohibits harassment, hazing, and bullying on school grounds and at all school-sponsored events, programs and activities, including those that take place at locations off school premises. It is the policy of the New Paltz Central School District that no member of the school community – board members, - students, faculty, administrators, or staff, parents/guardians, vendors/contractors and others who do business with the School District, as well as school district volunteers, visitors, guests and other third parties - may harass or intimidate any other member of the community.

### **What is Harassment?**

Verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of that person's race, color, creed, religion, national origin, political affiliation, sex, sexual orientation, gender identity, age, marital status, military status, veteran status, disability, weight, or use of a recognized service animal. Harassment can also occur if conduct is directed toward a person's relatives, friends, or associates. Harassment does one or more of the following:

- a) Has the purpose or effect of unreasonably interfering with an individual's work performance or is used as a basis for employment decisions (including terms and conditions of employment) affecting such individual and/or creates an intimidating, hostile or offensive work environment;
- b) Has the purpose or effect of unreasonably interfering with a student's academic performance or participation in an educational or extracurricular activity; and/or creates an intimidating, hostile or offensive academic environment; and/or effectively bars the student's access to an educational opportunity or benefit; or
- c) Otherwise adversely affects the employment and/or educational opportunities and benefits provided by the District.

### **Examples Of Harassment Include But Are Not Limited To:**

- a) Epithets, slurs, negative stereotyping or threatening, intimidating, or hostile acts that relate to race, color, creed, religion, national origin, political affiliation, sex, sexual orientation, gender identity, age, marital status, military status, veteran status, disability, weight, or use of a recognized service animal (including jokes or pranks that are hostile or demeaning).
- b) Written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of race, color, creed, religion, national origin, political affiliation, sex, sexual orientation, gender identity, age, marital status, military status, veteran status, disability, weight, or use of a recognized service animal and that is displayed on walls, bulletin boards or other locations the adversely affect the school community environment.
- c) E-mail, Internet, and other electronic communications use that violate this policy.

### **What is Hazing?**

Hazing refers to soliciting, encouraging, aiding, or engaging in "hazing" behavior. "Hazing" is defined as any humiliating or dangerous activity expected of another to join or maintain membership in a group, regardless of their willingness to participate. Hazing behaviors include, but are not limited to:

- a) Humiliation: socially offensive, isolating or uncooperative behaviors.
- b) Substance abuse: abuse of tobacco, alcohol or drugs.
- c) Hurtful, aggressive, destructive and disruptive behaviors.
- d) Various forms of physical, emotional and/or sexual abuse which may range in severity from teasing/embarrassing activities to life threatening actions.

### **What is Bullying?**

Bullying is the process of one individual knowingly abusing the rights of others to gain control of the situation and the individuals involved. A bully deliberately and persistently uses intimidation and manipulation to get his/her way. Bullying can take these forms:

- a) Physical, including, but not limited to, hitting, kicking, spitting, pushing, taking personal belongings;
- b) Verbal, including, but not limited to, taunting, malicious teasing, name calling, making threats;

- c) Psychological, including, but not limited to, spreading rumors; manipulating social relationships, or engaging in social exclusion, extortion, or intimidation; and
- d) Cyber-bullying, including, but not limited to, the use of instant messaging, email, websites, social networking sites, text messaging or use of any electronic communication when such use infringes upon the general health, safety and welfare of District students and employees.

**Complaint Procedure**

- a) Students may report alleged incidents to any staff member with whom he/she feels comfortable, for example, a teacher, the Building Principal, school nurse, guidance counselor or the District's designated Complaint Officer.
- b) Adults shall report alleged incidents to the Building Principal, the Superintendent of Schools, or the District's designated Complaint Officer.
- c) The contact information of the District's designated Complaint Officer can be found in the annual school calendar, in student and staff handbooks, and on the District's website.
- d) Allegations are recommended to be submitted in writing, although verbal complaints will also be investigated.
- e) All allegations will be quickly, thoroughly and fairly investigated in accordance with written investigation procedures developed by the Superintendent of Schools.
- f) To the extent possible, the complainant's confidentiality and that of any witnesses and the alleged harasser will be protected against unnecessary disclosure. When the investigation is completed, the complainant will be informed of the outcome of that investigation.

**You Have Responsibilities Under This Policy**

All members of the school community are responsible for creating a working and learning environment that is free of harassment, hazing and bullying. It is important to contact one of the individuals listed under "Complaint Procedure," if any of the following occurs:

- a) You believe you have been subjected to conduct that may violate this policy.
- b) You believe you have been retaliated against in violation of this policy.
- c) You have been told about or witnessed conduct that you think may violate this policy.

Special note: Knowingly making false accusations against another individual is wrong and will result in appropriate disciplinary action.

**Retaliation Prohibited**

The Board of Education prohibits retaliation against anyone for registering a complaint pursuant to this policy, assisting another in making a complaint, or participating in an investigation under the policy. Anyone experiencing any conduct that he/she believes to be retaliatory should immediately report it to one of the individuals listed under "Complaint Procedure."

**Penalties**

Harassment, hazing and bullying will not be tolerated in the New Paltz Central School District. If an investigation of any allegation of such conduct shows that the behavior has taken place, the harasser(s) will be subject to disciplinary action.

**Regulations, Appeals, Education**

Regulations for reporting, investigating, remedying allegations, penalties, appeals, dissemination and education are included in the Administrative Handbook, 3420R.

NOTE: Refer also to Policy #3421 -- Policy on Sexual Harassment , Adopted: 7/16/08 , Revised: 5/20/09 10/20/10 4/23/14

2008 3410  
Community Relations

**SUBJECT: CODE OF CONDUCT ON SCHOOL PROPERTY**

The Board of Education ("Board") is committed to providing a safe and orderly school environment where all participants in the educational process may focus on continuous growth and development. Responsible behavior by students, teachers, other District personnel, parents, guardians, 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 mutual respect, citizenship, character, tolerance, civility, 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.

**Unless otherwise indicated, the Code of Conduct applies to all students, school personnel, parents and other visitors when on school property or attending a school function.**

For purposes of this policy, and the implemented Code of Conduct, 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 the District's elementary or secondary schools, or in or on a school bus; and a school function shall mean a school-

sponsored extracurricular event or activity regardless of where such event or activity takes place, including those that take place in another state.

The District Code of Conduct shall be developed in collaboration with student, teacher, administrator, and parent organizations, school safety personnel and other school and community personnel.

The Code of Conduct shall include, at a minimum, the following:

- a) The role of non-students.
- b) Dress, language and behavior.
- c) Procedures for detention, removal, and suspension of students, including providing for their continued educational programming.
- d) Responses to violations of the code.
- e) Security and safety of all members of the school community.
- f) Disciplining students, students with disabilities, staff and non-staff.
- g) Notifying law enforcement and parents when students commit violations.
- h) Filing PINS (Persons in need of supervision) petitions.
- i) Referring students to juvenile delinquency proceedings.
- j) Referring students to human service agencies.
- k) A "Bill of Rights and Responsibilities" for students which focuses upon positive student behavior.
- l) Guidelines and programs for in-service education programs for all students and District staff members to ensure effective implementation of school policy on school conduct and discipline.
- m) Provide as part of the "signature" form required of parents or guardians, an invitation, with space provided, for comments by students, parents and guardians regarding the code of conduct.

The Code of Conduct may be adopted by the Board of Education only after at least one public hearing that provided for the participation of school personnel, parents/persons in parental relation, students, and any other interested parties. Copies of the Code of Conduct shall be disseminated pursuant to law and Commissioner's Regulation's.

The District's Code of Conduct shall be reviewed on an annual basis, and updated as necessary in accordance with educationally sound practices and with law.

The District shall file a copy of its Code of Conduct and all amendments to the Code with the Commissioner of Education no later than thirty (30) days after their respective adoptions. Education Law Sections 2801 and 3214, Family Court Act Articles 3 and 7, Vehicle and Traffic Law Section 142, 8 New York Code of Rules and Regulations (NYCRR) Section 100.2(1)(2)

NOTE: Refer also to Policy #7310 -- Conduct of Conduct, *District Code of Conduct on School Property*  
Adopted: 7/16/08

2008                      7310  
Students

## **SUBJECT: CODE OF CONDUCT**

The Board of Education is committed to providing a safe, supportive, nurturing and fulfilling school environment where all members of the school community can learn and grow socially, emotionally and educationally. In accordance with law, the Board of Education will annually adopt a Code of Conduct. The District's Code of Conduct is applicable to all members of the school community - students, staff and guests - on school property and/or at school functions

By highlighting positive behaviors and recognizing the importance of sustaining students' connections to the classroom and by involving staff, parents and community, we can support the learning process and strengthen school-community-family bonds.

The Code of Conduct shall take a systemic and comprehensive approach to developing a learning environment built on the principles of mutual respect, citizenship, character, tolerance, civility, honesty and integrity.

The Code of Conduct will promote a system-wide school ethos that violence is not acceptable and is not tolerated in our school community.

The Code of Conduct will be based on the principle that everyone has an obligation to respect and protect the rights of others.

The Code of Conduct will focus on prevention and intervention, but will also include a bill of rights and responsibilities for students, penalties for code violations, alternative educational programs appropriate to individual student needs and other elements as required by law.

For purposes of this policy and for the Code of Conduct, the following definitions apply:

- a) "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 Section 142.
- b) "School Function" means any school-sponsored extra-curricular event or activity whether on or off school property.
- c) "School Community" consists of students, parents/guardians, school personnel including administrators, teachers and non-instructional staff, involved members of the community and the Board of Education. All are essential partners in the education of the District's students. All are expected to cooperate and contribute to a safe, orderly, respectful, tolerant and effective educational environment in which children can learn and grow.
- d) "Violence" occurs whenever anyone inflicts or threatens to inflict physical or emotional injury or discomfort upon another person's body feelings, or possessions.

**Dress Code**

Healthy and respectful attention to personal cleanliness and dress is expected. The Code of Conduct shall provide direction as may be necessary to assure that dress does not adversely impact on the educational environment and well-being of others. While all members of the school community are responsible for compliance with the dress code, adults should exemplify and reinforce acceptable dress as role models for students.

The school administration may require students and teachers participating in specialized classes (i.e., physical education) to wear certain types of clothing, but they may not prescribe a specific brand.

**Annual Review and Public Comment**

The Board of Education will review, and when necessary, update the Code of Conduct annually. To fulfill, in part, the Board's legal responsibility to assess whether the code has been effective and whether it has been applied fairly and consistently, the Code of Conduct will be disseminated to students, staff and parents at the beginning of the school year or upon the registration of a student or hiring of staff. In each instance an invitation to comment on the Code of Conduct shall be included on the acknowledgement form to be returned to the District.

The Board welcomes comment, advice, and research on the topic of school safety throughout the year. Each year before the Board adopts the Code of Conduct for the ensuing year, at least one public hearing shall be held for the purposes of seeking input from the school community

Education Law Sections 2801 and 3214, 8 New York Code of Rules and Regulations (NYCRR) Section 100.2(l)(2)

NOTE: Refer also to Policy #3410 -- Code of Conduct on School Property, *District Code of Conduct on School Property*

Adopted: 7/16/08

2008                    3230  
Community Relations

**SUBJECT: COMPLAINTS AND GRIEVANCES**

Complaints by students, employees and member of the school community regarding any facet of school operation often can be handled most satisfactorily when addressed directly to the person(s) involved. If appropriate, given the circumstances of a situation, the Board of Education encourages individuals to first seek to understand each other through dialog as a means to resolve complaints and grievances. If the matter cannot be resolved at the individual level, complaints should be made in accordance with standards below identified. All members of the school community have the right to participate in the educational environment as lifelong learners and each has the responsibility to abide by the policies and regulations of the District. Each shall also be afforded opportunity to present complaints and grievances free from interference, coercion, restraint, discrimination or reprisal.

**Complaints and Grievances Coordinator**

To ensure compliance with Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973 and the Americans With Disabilities Act (ADA), the Board of Education delegates to the Superintendent the responsibility to recommend, for Board approval, a District employee as the Title IX/Section 504/ADA Coordinator; and regulations and procedures shall be implemented to resolve complaints of discrimination based on sex or disability. Prior to the beginning of each school year, the District shall issue an appropriate public announcement which advises students, parents/guardians, employees and the general public of the District's established grievance procedures for resolving complaints of discrimination based on sex or disability. Included in such announcement will be the name, address and telephone number of the Title IX/Section 504/ADA Coordinator. The Title IX/Section 504/ADA Coordinator shall also be responsible for handling complaints and grievances regarding discrimination based on race, color, creed, religion, national origin, political affiliation, sexual orientation, age, military status, or marital status.

### **Complaints by Students**

If the matter cannot be resolved at the individual level, students are encouraged to speak with the supervisory administrator (i.e., Building Principal, School Nurse, Athletic Director, etc) **OR** any adult whom they trust. Such adult shall bring the matter to the attention of proper individuals as identified herein.

### **Complaints by Employees**

Complaints or grievances not covered under employee contracts shall be handled and resolved, whenever possible, as close to their origin as possible. The Superintendent is responsible for implementing regulations for the redress of complaints or grievances through proper administrative channels. In accordance with provisions of General Municipal Law and the collective bargaining agreements, all District personnel shall have the opportunity to present their complaints or grievances free from interference, coercion, restraint, discrimination, or reprisal. The District shall provide at least two (2) procedural stages and an appellate stage for the settlement of any grievance.

### **Complaints by Members of the School Community**

If the complaint and related concerns are not resolved at the individual level to the satisfaction of the complainant, the complainant is encouraged to speak with the supervisory administrator (i.e. Building Principal, School Nurse, Athletic Nurse, Athletic Director, etc.).

### **Unresolved Complaints**

Notwithstanding any overriding contractual requirements and/or legal/regulatory obligations, complaints and related concerns not resolved at the individual or supervisory level may be carried to the Superintendent of Schools and/or one of his/her assistants. The Superintendent may require the statement of the complainant in writing.

Unresolved complaints at the Superintendent level must be reported to the Board of Education by the Superintendent. The Board of Education reserves the right to require prior written reports from appropriate parties. The Board will then consider the concern/complaint and dispose of the matter according to its judgment.

Title VI of the Civil Rights Act of 1964, 42 United States Code (USC) Section 2000d et. seq. ,Prohibits discrimination on the basis of race, color or national origin. Title VII of the Civil Rights Act of 1964, 42 United States Code (USC) Section 2000e et. seq., Prohibits discrimination on the basis of race, color, religion, sex or national origin. Title IX of the Education Amendments of 1972, 20 United States Code (USC) Section 1681 et. seq. ,Prohibits discrimination on the basis of sex. Civil Rights Law Section 40-c Prohibits discrimination on the basis of race, creed, color, national origin, sex, marital status, sexual orientation or disability. Executive Law Section 290 et. seq. Prohibits discrimination on the basis of age, race, creed,

color, national origin, sex, sexual orientation, disability, military status, or marital status.

NOTE: Refer also to Policies #3421 -- Policy on Sexual Harassment

Adopted: 7/16/08 , Revised: 12/3/08

2008 3231  
Community Relations

### **SUBJECT: AMERICANS WITH DISABILITIES ACT (ADA)/SECTION 504 REHABILITATION ACT**

The Board recognizes that qualified individuals with disabilities, with records of disabilities, as well as those regarded as having disabilities, are entitled to enjoy equal access to School District programs and activities. It is the policy of the School District to comply with the requirements of Section 504 of the Rehabilitation Act of 1973 (29 USC Section 794) [hereinafter "Section 504), the Americans with Disabilities Act [hereinafter "ADA"] and their implementing regulations (34 CFR Part 104) in affording the rights and benefits called for in accordance with the law.

The Board hereby designates the Director of Pupil Personnel Services as the responsible person {or you can call the individual the Compliance Officer or Complaint Officer) to coordinate compliance efforts under the law, and regulations cited above. Said Responsible Person shall cause notices to be issued periodically, but at least twice each school year, stating that the School District does not discriminate on the basis of disability, as set forth in Section 504 and Title II of ADA, and provides equal access to programs and activities of the School District to qualified individuals with disabilities. The notice shall also state the name or office title of the employee designated by the Board to serve as the Responsible Person. Such notice shall be posted conspicuously in each school building, in student handbooks and publications issued to parents, if any. The School District shall conduct and/or maintain evidence of a previously conducted self-evaluation, as prescribed in the regulations (34 CFR Part 104.6[6]).

### **Due Process Procedure**



In the event that a qualified individual with a disability believes that there has been a violation of this Policy, Section 504, Title II of the ADA or the regulations (34 CFR Section 194) affecting his/her rights, such grievance may be placed in writing and investigated by the School District's Responsible Person who shall report his/her findings within twenty (20) days to the grievant, referencing a personal interview where appropriate. In the event of a finding of one or more violations, the report will be forwarded to the Board for its consideration and action.

If the qualified individual with a disability is not satisfied, in whole or in part, with the findings of the Responsible Person, an appeal, in writing, shall lie to the Board of Education, who may designate a hearing officer to make findings of fact regarding substantial factual disputes, or shall otherwise rule upon the matter within thirty (30) days of receipt of an appeal. If the qualified individual with a disability is not satisfied with the Board's response, recourse may be had pursuant to procedures available through the New York State Education Department, Office for the Education of Children with Handicapping Conditions, the U.S. Department of Education, or the courts having jurisdiction over such matters. Notwithstanding the above, where the complaint is in the nature of the identification, evaluation, or educational placement of a student as required by IDEA and/or Article 89 of the Education Law, the Commissioner's Regulations (Part 200.5) shall serve as the due process procedure for challenging alleged violations of Section 504 and its implementing regulations. Persons who file a complaint pursuant to this policy shall not be discriminated against for such filing or for any appeal therefrom.

NOTE: Refer also to Policy #7621 -- Section 504 of the Rehabilitation Act of 1973

Adopted: 7/16/08

2011                      3421  
Community Relations

#### **SUBJECT: POLICY ON SEXUAL HARASSMENT**

It is the policy of the New Paltz Central School District that no member of the school community - students, faculty, administrators, or staff, vendors/contractors and other who do business with the School District, as well as school volunteers, visitors, guests and other third parties - may sexually harass any other member of the community . The Board of Education condemns all forms of sexual harassment and specifically prohibits such conduct on school grounds and at all school-sponsored events, programs and activities, including those that take place at locations off school premises.

#### **What is Sexual Harassment?**

Sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute harassment when:

- a) Submission to such conduct is made or threatened to be made, either explicitly or implicitly, a term or condition of an individual's employment or education; or
- b) Submission to or rejection of such conduct is used or threatened to be used as the basis for academic or employment decisions affecting that individual; or
- c) Such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance or creating what a reasonable person would sense as an intimidating, hostile, or offensive employment or educational; or
- d) 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.

#### **Sexual Violence**

Sexual violence is defined by New York Penal Law as physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. Sexual violence includes but is not limited to acts such as:

- a) Rape;
- b) Sexual assault;
- c) Sexual battery;
- d) Sexual coercion.

A person may be unable to consent to a sexual act due to his/her age, use of drugs or alcohol or due to intellectual or other disability. In order to encourage victims of sexual violence to come forward, a District must inform students that the District's primary concern is with their safety. The school should assure victims that any broken rules or violations made by them will be addressed separately from the sexual harassment allegation. For example, victims need to know that their use of alcohol or drugs never makes them at fault for sexual violence.

The Board acknowledges that in determining whether sexual harassment has occurred the totality of the circumstances, expectations, and relationships should be evaluated including, but not limited to, the ages of the offender and the victim; the number of individuals involved; and the type, frequency and duration of the conduct. A single incident of sexual

harassment may be sufficiently severe to create a hostile environment in the school and a person may experience the continuing effects from off-campus sexual harassment when in the school setting. The Board recognizes that sexual harassment can originate from a person of either sex against a person of the opposite or same sex, and from a third party such as a school visitor, volunteer, or vendor, or any other individual associated with the School District. Sexual harassment may occur from student-to-student, from staff-to-student, from student-to-staff, as well as staff-to-staff. The District will designate, at a minimum, two (2) Compliance Officers, one (1) of each gender.

In order for the Board to enforce this policy, and to take corrective measures as may be necessary, it is essential that any person who believes he/she has been a victim of sexual harassment, as well as any other person who is aware of and/or who has knowledge of or witnesses any possible occurrence of sexual harassment, should immediately report such alleged harassment. Such report shall be directed to or forwarded to the District's designated Compliance Officers through informal and/or formal complaint procedures as developed by the District. Such complaints are recommended to be in writing, although verbal complaints of alleged sexual harassment will also be promptly investigated in accordance with the terms of this policy. In the event that the Compliance Officer is the alleged offender, the report will be directed to the next level of supervisory authority.

Upon receipt of an informal/formal complaint (even an anonymous complaint), the District will conduct a prompt, equitable, and thorough investigation of the charges. However, even in the absence of a complaint, if the District has knowledge of or has reason to know of or suspect any occurrence of sexual harassment, the District will investigate such conduct promptly, equitably, and thoroughly. To the extent possible, within legal constraints, all complaints will be treated as confidentially and privately as possible. However, disclosure may be necessary to complete a thorough investigation of the charges, and any disclosure will be provided on a "need to know" basis. The Superintendent will inform the Board of Education of investigations involving findings of harassment.

Based upon the results of the investigation, if the District determines that an employee and/or student has violated the terms of this policy and/or accompanying regulations, immediate corrective action will be taken as warranted. Should the offending individual be a student, appropriate disciplinary measures will be applied, up to and including suspension, in accordance with District policy and regulation, the Code of Conduct, and applicable laws and/or regulations. Should the offending individual be a school employee, appropriate disciplinary measures will be applied, up to and including termination of the offender's employment, in accordance with legal guidelines, District policy and regulation, the Code of Conduct and the applicable collective bargaining agreement(s). Third parties (such as school volunteers, vendors, etc.) who are found to have violated this policy and/or accompanying regulations will be subject to appropriate sanctions as warranted and in compliance with law.

**Examples of Sexual Harassment Include but are not limited to:**

- a) Unusual or unwelcome pressure for a dating, romantic, or intimate relationship.
- b) Unwelcome touching, patting, or hugging.
- c) Pressure for or forced sexual activity.
- d) Unnecessary and unwelcome references to various parts of the body.
- e) Belittling remarks about a person's gender or sexual orientation.
- f) Inappropriate sexual innuendoes or humor.
- g) Obscene gestures.
- h) Offensive sexual graffiti, pictures, or posters.
- i) E-mail, Internet, and other electronic communications use that violates this policy.

**What is Not Sexual Harassment?**

Sexual harassment does not refer to occasional compliments of a socially acceptable nature. It refers to behavior that is not welcome, that is personally offensive, that debilitates morale, and that, therefore, interferes with employment or educational effectiveness.

**Complaint Procedure**

- a) Students may report alleged incidents of harassment or discrimination to any staff member with whom he/she feels comfortable (for example, a teacher, the Building Principal, school nurse, guidance counselor or the District's designated Complaint Officer).
- b) Adults shall report alleged incidents harassment or discrimination to the Building Principal, the Superintendent of Schools, or the District's designated Complaint Officer.
- c) The names and contact information of the District's designated Complaint Officer can be found in the annual school calendar, in student and staff handbooks, on the District's web site and other readily accessible places.
- d) Allegations are recommended to be submitted in writing, although verbal complaints will also be investigated.
- e) All allegations will be quickly, thoroughly and fairly investigated in accordance with written investigation procedures developed by the Superintendent of Schools.

f) To the extent possible, your confidentiality and that of any witnesses and the alleged harasser will be protected against unnecessary disclosure. When the investigation is completed, you will be informed of the outcome of that investigation.

### **You Have Responsibilities Under This Policy**

All members of the school community are responsible for creating a working and learning environment that is free of discrimination and harassment, including sexual harassment. It is important to contact one of the individuals listed under "Complaint Procedure," if any of the following occurs:

- a) You believe you have been subjected to conduct that may violate this policy.
- b) You believe you have been retaliated against in violation of this policy.
- c) You have been told about or witnessed conduct that you think may violate this policy

Special note: Knowingly making false accusations against another individual is wrong and will result in appropriate disciplinary action.

### **Retaliation Prohibited**

The Board of Education prohibits retaliation against anyone for registering a complaint pursuant to these policies, assisting another in making a complaint, or participating in an investigation under the policies. Anyone experiencing any conduct that he/she believes to be retaliatory should immediately report it to one of the individuals listed under "Complaint Procedure."

### **Penalties**

Sexual harassment will not be tolerated in the New Paltz Central School District. If an investigation of any allegation of sexual harassment shows that harassing behavior has taken place, the harasser will be subject to disciplinary action, up to and including dismissal or expulsion.

### **Regulations, Appeals, Education**

Regulations will be developed for reporting, investigating, remedying allegations, appeals, dissemination and education shall be developed by the Superintendent of Schools.

Adopted: 7/16/08 , Revised: 5/20/09

2008

7530

Students

## **SUBJECT: CHILD ABUSE AND NEGLECT/MALTREATMENT**

### **Familial Child Abuse**

The School District subscribes to all of the provisions of Title 6 - Child Protective Services of the Social Services Law Sections 411-428. Our purpose is to provide protective services to abused and neglected/maltreated children as described by the law, and to make all school personnel within the District aware of our legal responsibilities under this law.

Regulations shall be developed, maintained and disseminated by administration regarding the:

- a) Mandatory reporting of suspected child abuse or neglect/maltreatment;
- b) Reporting procedures and obligations of persons required to report;
- c) Provisions for taking a child into protective custody;
- d) Mandatory reporting of deaths;
- e) Immunity from liability and penalties for failure to report;
- f) Obligations for provision of services and procedures necessary to safeguard the life of a child; and
- g) Provision of information in recognizing signs of unlawful methamphetamine laboratories for all current and new school officials (i.e., "mandated reporters") who, as part of their usual responsibilities, visit children's homes.

Additionally, an ongoing training program for all current and new school officials shall be established and implemented to enable such staff to carry out their reporting responsibilities.

### School Officials Required to Report

The definition of a "school official" who is mandated to report cases of child abuse or neglect/maltreatment to the State Central Register (SCR) pursuant to Social Services Law Section 413(1) includes, but is not limited to, school teachers, school guidance counselors, school psychologists, school social workers, school nurses, school administrators or other school personnel required to hold a teaching or administrative license or certificate.

All mandated reporters shall make the report themselves and then immediately notify the Building Principal or his/her designee. The Building Principal or his/her designee shall be responsible for all subsequent administration necessitated by the report. Any report shall include the name, title and contact information for every staff member who is believed to have direct knowledge of the allegations in the report.

### Prohibition of Retaliatory Personnel Action

Social Services Law Section 413(1) also prohibits a school from taking any retaliatory personnel action against an employee because such employee believes that he/she has reasonable cause to suspect that a child is an abused or neglected/maltreated child and that employee makes a report to SCR pursuant to Social Services Law. Further, no school or school official shall impose any conditions, including prior approval or prior notification, upon any staff member specifically designated a mandated reporter.

Pursuant to Labor Law Section 740(1)(e), "retaliatory personnel action" means the discharge, suspension or demotion of an employee, or other adverse employment action taken against an employee in the terms and conditions of employment.

### Report Form

The Revised May 2007 New York State Office of Children and Family Services "**Report of Suspected Child Abuse or Maltreatment**" Form LDSS-2221A may be accessed at website:<http://www.ocfs.state.ny.us/main/cps/>

Education Law Section 3209-a, Family Court Act Section 1012, Labor Law Section 740(1)(e) Social Services Law Sections 411-428

### **Child Abuse in an Educational Setting**

The School District is committed to the protection of students in educational settings from abuse and maltreatment by employees or volunteers as enumerated in law.

"Child abuse" shall mean any of the following acts committed in an educational setting by an employee or volunteer against a child:

- a) Intentionally or recklessly inflicting physical injury, serious physical injury or death; or
- b) Intentionally or recklessly engaging in conduct which creates a substantial risk of such physical injury, serious physical injury or death; or
- c) Any child sexual abuse, defined as conduct prohibited by Penal Law Articles 130 or 263; or
- d) The commission or attempted commission against a child of the crime of disseminating indecent materials to minors pursuant to Penal Law Article 235.

"Educational setting" shall mean the building(s) and grounds of the School District; the vehicles provided by the School District for the transportation of students to and from school buildings, field trips, co-curricular and extracurricular activities both on and off School District grounds; all co-curricular and extracurricular activity sites; and any other location where direct contact between an employee or volunteer and a child has allegedly occurred.

In any case where an oral or written allegation is made to a teacher, school's registered professional nurse, school guidance counselor, school psychologist, school social worker, school administrator, school Board member, or other school personnel required to hold a teaching or administrative license or certificate, that a child (defined in the law as a person under the age of twenty-one (21) years enrolled in a school district in this state) has been subjected to child abuse by an employee or volunteer in an educational setting, that person shall upon receipt of such allegation:

- a) Promptly complete a written report of such allegation including the full name of the child alleged to be abused; the name of the child's parent; the identity of the person making the allegation and their relationship to the alleged child victim; the name of the employee or volunteer against whom the allegation was made; and a listing of the specific allegations of child abuse in an educational setting. Such written report shall be completed on a form as prescribed by the Commissioner of Education.
- b) Except where the school administrator is the person receiving such an oral or written allegation, the employee completing the written report must promptly *personally deliver* a copy of that written report to the school administrator of the school in which the child abuse allegedly occurred (subject to the following paragraph).

In any case where it is alleged the child was abused by an employee or volunteer of a school other than a school within the school district of the child's attendance, the report of such allegations shall be promptly forwarded to the Superintendent of Schools of the school district of the child's attendance and the school district where the abuse allegedly occurred.

Any employee or volunteer who reasonably and in good faith makes a report of allegations of child abuse in an educational setting in accordance with the reporting requirements of the law shall have immunity from civil liability which might otherwise result by reason of such actions.

Upon receipt of a written report alleging child abuse in an educational setting, the school administrator or Superintendent must then determine whether there is "reasonable suspicion" to believe that such an act of child abuse has occurred. Where there has been a determination as to the existence of such reasonable suspicion, the school administrator or Superintendent must follow the notification/reporting procedures mandated in law and further enumerated in administrative regulations including parental notification. When the school administrator receives a written report, he/she shall promptly provide a copy of such report to the Superintendent.

Where the school administrator or Superintendent has forwarded a written report of child abuse in an educational setting to law enforcement authorities, the Superintendent shall also refer such report to the Commissioner of Education where the employee or volunteer alleged to have committed such an act of child abuse holds a certification or license issued by the State Education Department.

Any school administrator or Superintendent who reasonably and in good faith makes a report of allegations of child abuse in an educational setting, or reasonably and in good faith transmits such a report to a person or agency as required by law, shall have immunity from civil liability which might otherwise result by reason of such actions.

Reports and other written material submitted pursuant to law with regard to allegations of child abuse in an educational setting, and photographs taken concerning such reports that are in the possession of any person legally authorized to receive such information, *shall be confidential and shall not be re-disclosed except* to law enforcement authorities involved in an investigation of child abuse in an educational setting or as expressly authorized by law or pursuant to a court-ordered subpoena. School administrators and the Superintendent shall exercise reasonable care in preventing such unauthorized disclosure.

Additionally, teachers and all other school officials shall be provided an annual written explanation concerning the reporting of child abuse in an educational setting, including the immunity provisions as enumerated in law. Further, the Commissioner of Education shall furnish the District with required information, including rules and regulations for training necessary to implement District/staff responsibilities under the law.

#### **Prohibition of "Silent" (Unreported) Resignations**

The Superintendent and other school administrators are prohibited from withholding from law enforcement authorities, the Superintendent or the Commissioner of Education, where appropriate, information concerning allegations of child abuse in an educational setting against an employee or volunteer in exchange for that individual's resignation or voluntary suspension from his/her position.

Superintendents (or a designated administrator) who reasonably and in good faith report to law enforcement officials information regarding allegations of child abuse or a resignation as required pursuant to the law shall have immunity from any liability, civil or criminal, which might otherwise result by reason of such actions.

Education Law Article 23-B and Sections 902(b) and 3028-b, Penal Law Articles 130, 235 and 263, Social Services Law Section 413, 8 New York Code of Rules and Regulations (NYCRR) , Part 83 Adopted: 7/16/08

2008 5420  
Non-Instructional/Business  
Operations

#### **SUBJECT: CONFLICT OF INTEREST**

All elected officers, appointed officers and employees of the School District are subject to the Conflict of Interest provision of Article 18 of the General Municipal Law. That law prohibits certain interests in contracts with the School District and requires the disclosure of certain interests in such contracts.

A **contract** is any claim, account or demand against or an agreement, express or implied, with this School District. A contract also means the designation of a newspaper, including an official newspaper, and the designation of a depository of public funds.

An **interest** is a direct or indirect pecuniary or material benefit as a result of a contract with the school District. Officers and employees of the School District are also deemed to have an interest in a contract of:

- a) His/her spouse, minor children or dependents, except for an employment contract with the School District (e.g., teaching position or civil service position);
- b) A firm, partnership or association of which s/he or his/her spouse, minor child or dependent is a member or employee;
- c) A corporation of which s/he or his/her spouse, minor child or dependent is an officer, director, or employee, or directly owns or controls any stock.

An officer or employee has a **prohibited interest** (subject to exceptions listed below) where the officer or employee (his/her spouse, minor child or dependent, where applicable) has an interest and the power or duty to:

- a) Negotiate, prepare, authorize or approve the contract;
- b) Authorize or approve payment under the contract;
- c) Audit bills or claims under the contract; or
- d) Appoint an officer or employee having those powers (e.g., internal claims auditor).

#### **Exceptions to Prohibited Interest and Disclosure Requirement**

- a) Where the salary or compensation from the private employment of the officer or employee (his/her spouse, minor child or dependent, where applicable) is not directly affected as a result of the contract and the private employment duties do not include procurement, preparation or performance of the contract. Disclosure of the interest is required;
- b) Where the sole interest involves a contract with a corporation where the officer or employee (his/her spouse, minor child or dependent, where applicable) directly or indirectly owns or controls less than five percent (5%) of the outstanding stock. Disclosure of the interest is not required;
- c) Contracts with membership corporations or other voluntary not-for-profit corporations. Disclosure of the interest is required;
- d) Contracts entered into prior to the time the officer or employee is elected or appointed, but not renewal contracts;
- e) Contracts which aggregate to not more than seven hundred fifty dollars (\$750) in any school year. Disclosure of the interest is not required;
- f) Purchase of real property where the purchase and consideration are approved by order of the Supreme Court. Disclosure of the interest is required;
- g) Acquisition of real property or an interest therein through condemnation proceedings. Disclosure of the interest is required;
- h) Employment of a school physician (by 2/3 vote). Disclosure of the interest is required;
- i) Sale of bonds or note pursuant to Local Finance Law Section 60.10. Disclosure of the interest is required;
- j) Designation of a bank or trust company where the officer or employee (his/her spouse, minor child or dependent, where applicable) is employed, as a depository, paying agent, registration agent or for the investment of funds. This exception does not apply to the School District's chief fiscal officer (Board President), the treasurer or Business Office staff. Otherwise, disclosure of the interest is required.

#### **Disclosure Procedure**

An officer or employee who has an interest in any actual or proposed contract with the School District shall immediately disclose the nature and extent of such interest, in writing, to the Board of Education Clerk. The disclosure shall be recorded in the minutes of the next meeting of the Board of Education. Once disclosure is made, no further disclosure shall be required with respect to additional contracts with the same party that maybe entered into during the remainder of the school year.

#### **Exceptions to Interest or Disclosure Requirements**

- a) Voting to employ a Board member's spouse as a teacher (requires 2/3 vote) or civil service employee (quorum vote). In neither case is abstention from voting required.
- b) Voting upon collectively Negotiated Agreements governed by the Taylor Law.

#### **Distribution of this Policy**

This policy shall be presented and explained to all candidates for the Board of Education, Board members (upon assuming office), to all central office administrators, building administrators, and central office support personnel.

**Violation of Conflict of Interest Law**

Any contract willfully entered into by or with the School District in which there is a prohibited interest shall be null, void and wholly unenforceable. Any School District officer or employee who willfully and knowingly violates this policy, which embodies Article 18 General Municipal Law, shall be guilty of a misdemeanor (Section 806 General Municipal Law). Adopted: 7/16/08

2014 6151  
Personnel

**SUBJECT: DRUG-FREE WORKPLACE**

It shall be the general policy of the Board of Education to affirm that all programs in the District that receive Federal funds shall guarantee that their workplaces are free of controlled substances. "Controlled substance" means a controlled substance in schedules I through V of Section 202 of the Controlled Substances Act (21 USC 812) and as further defined in regulation at 21 Code of Federal Regulations (CFR) Sections 1308.11-1308.15. Workplaces shall also be free from electronic smoking devices. An acknowledgment form shall be signed by the Superintendent indicating that the District is in full compliance with the Drug-Free Workplace Act.

"Workplace" is defined as a school building or other school premises; any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities; off school property during any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the School District.

The Board of Education directs the administration to develop regulations to comply with this policy, and further supports such actions and activities of the administration as shall be required to maintain a drug-free workplace.

Drug-Free Workplace Act

20 United States Code (USC) Section 7101 et seq. , 21 United States Code (USC) Section 812

21 Code of Federal Regulations (CFR) Sections 1308.11-1308.15, 34 Code of Federal Regulations (CFR) Part 85 . NOTE: Refer also to Policies #3410 -- Code of Conduct on School Property, #6150 -- Alcohol, Drugs and Other Substances (School Personnel) , #7320 -- Alcohol, Tobacco, Drugs and Other Substances (Students) *District Code of Conduct on School Property*

Adopted: 7/16/08

Revised: 11/19/14

2014 5640  
Non-Instructional/Business Operations

**SUBJECT: SMOKING, TOBACCO USE, AND USE OF ELECTRONIC SMOKING DEVICES**

**School Grounds**

Smoking and the use of tobacco and electronic smoking devices shall not be permitted on school grounds at any time. For purposes of this policy, "school grounds" means any building, structure, and surrounding outdoor grounds, including parking lot contained within the District's preschool, nursery school, elementary or secondary school's legally defined property boundaries as registered in the County Clerk's Office; as well as all District vehicles, including vehicles used to transport children or school personnel. Further, smoking and tobacco use is prohibited within any indoor facility owned or leased or contracted for, and utilized, by such person for provision of routine or regular kindergarten, elementary, or secondary education or library services to children.

For purposes of this policy, tobacco is defined to include any cigarette, cigar, cigarillo, pipe, bidi, clove cigarette, and any other smoking product, and spit tobacco (smokeless, dip, chew and/or snuff) in any form. Electronic smoking devices, for purposes of this policy are defined as an **electronic cigarette (e-cig or e-cigarette)**, **personal vaporizer (PV)** or **electronic nicotine delivery system (ENDS)**. These devices are electronic battery-powered vaporizers which has the feel of tobacco smoking. They produce a mist rather than cigarette smoke. Electronic smoking devices where a heating element vaporizes a liquid solution known as e-liquid (E-liquids usually contain a mixture of propylene glycol, glycerin, nicotine, and flavorings. Others have similar ingredients but without nicotine) are prohibited.

**Posting/Notification of Policy**

In compliance with the New York State Clean Indoor Air Act, the District will prominently post its Smoking/Tobacco Use policy and signs prohibiting **all** forms of tobacco use in District buildings and other appropriate locations; and will supply a copy upon request to any current or prospective employee. The District will also designate a school official to tell

individuals who smokes or uses tobacco that they are in violation of the New York State Public Health Law, Education Law, the federal Pro-Children Act of 1994 and District policy.

The District shall also ensure that this policy is communicated to staff, students, parents/guardians, volunteers, and visitors as deemed appropriate in order to orient all persons to the District's "No Smoking" Policy and environment.

**Prohibition of Tobacco Promotional Items/Tobacco Advertising**

Tobacco promotional items (e.g., brand names, logos and other identifiers) are prohibited:

- a) On school grounds;
- b) In school vehicles;
- c) At school-sponsored events, including those that take place off school premises and in another state;
- d) In school publications;
- e) On clothing, shoes, accessories, gear, and school supplies in accordance with the District Code of Conduct and applicable collective bargaining agreements.

This prohibition of tobacco promotional items shall be implemented in accordance with the Code of Conduct and applicable collective bargaining agreements. In addition, tobacco advertising is also prohibited in all school-sponsored publications and at all school sponsored events.

Safe and Drug-Free Schools and Communities Act, 20 United States Code (USC) Section 7101 et seq. Pro-Children Act of 2001, as amended by the No Child Left Behind Act of 2001, 20 United States Code (USC) Sections 7181-7184, Education Law Sections 409, 2801(1) and 3020-a , Public Health Law Article 13-E

NOTE: Refer also to Policies #3280 -- Community Use of School Facilities, Materials and Equipment

#3410 -- Code of Conduct on School Property , #7310 -- School Conduct and Discipline

#7320 -- Alcohol, Tobacco, Drugs, and Other Substances (Students). #8210 -- Prevention Instruction

*District Code of Conduct on School Property*

Adopted: 7/16/08 Revised: 10/20/10 Revised: 11/19/14

2008 6150  
Personnel

**SUBJECT: ALCOHOL, DRUGS AND OTHER SUBSTANCES (SCHOOL PERSONNEL)**

The Board of Education, recognizing that students are often influenced by teachers and other members of a school's staff, impresses upon staff members the importance of maintaining a high level of professionalism appropriate to their position, which, in turn, shall set a positive example for students.

The Board, therefore, prohibits the consumption, sharing and/or selling, use and/or possession of illegal drugs, counterfeit and designer drugs or alcoholic beverages in the workplace, or when the effects of such drugs and/or alcohol use may impair an employee's job performance.

Information about any drug and alcohol counseling and/or rehabilitation programs shall be made available to employees.

Data will also include the range of penalties (consistent with local, state and federal law) up to and including termination of employment and referral for prosecution that will be imposed on employees who have transgressed the terms of this policy. Additionally, confidentiality shall be ensured as required by state and federal law.

The Superintendent/designee shall periodically review the drug and alcohol abuse prevention program to determine its effectiveness and support appropriate modifications, as needed.

Safe and Drug-Free Schools and Communities Act, as reauthorized by the No Child Left Behind Act of 2001 20 United States Code (USC) Section 7101 et seq., Civil Service Law Section 75 , Education Law Sections 913, 1711(2)(e), 2508(5) , and 3020-a

NOTE: Refer also to Policies #3410 -- Code of Conduct on School Property, #7320 -- Alcohol, Tobacco, Drugs and Other Substances (Students) .*District Code of Conduct on School Property*

Adopted: 7/16/08

2014 6471  
Personnel

**SUBJECT: COMPUTER NETWORK AND INTERNET ACCEPTABLE USE POLICY (AUP)**

The Network/Internet is provided for students and staff for educational purposes. Access to Network/Internet services will be provided to users who act in accordance with this policy. Access is a privilege, not a right. The smooth operation of the Network/Internet relies upon the proper conduct of the end users and requires efficient, ethical, and legal utilization of the Network/Internet resources.

**Responsibilities**

- a) Users must use the school Network/Internet for educational purposes.



- b) A user is responsible for all material received via the Internet.
- c) A user may NOT:

1. Attempt to circumvent Network/Internet security measures
2. Tamper with or in any way adjust default or teacher-created settings
3. Create and/or place a computer virus onto any computer
4. Trespass in another's folder, work, or files
5. Share his/her own ID Password with others
6. Log in under another person's account
7. Access personal e-mail accounts using the District's Internet connections without teacher consent
8. Reveal personal information about themselves or others on websites, including last names, addresses and/or phone numbers
9. Complete and/or submit forms found on websites without permission
10. Receive or transmit information pertaining to dangerous instrumentalities such as bombs, automatic weapons, or other illicit firearms, weaponry, or explosive devices
11. Create, send, display, or receive anti-social, harassing or threatening messages, pictures, or other media, including that which is defamatory, abusive, obscene, profane, racially offensive, or offensive to human dignity
12. Create, send, display, or receive hate mail, discriminatory or other antisocial remarks, or information which is intended to harass
13. Damage, dismantle, detach, or remove computers, computer systems, computer networks, computer mice, printers, scanners, or cameras
14. Remove keys from the keyboard
15. Disconnect or alter any computer cables
16. Intentionally waste limited resources (paper, connect time, student and teacher searching time, ink cartridges, laser jet tones, printer ribbons, diskettes, storage space, etc.)
17. Employ the Network/Internet for commercial purposes
18. Bring gum, food or drink into computer/electronic equipment areas
19. Access the Network to play non-educational games or for other non-academic activities
20. Participate in any type of newsgroups or "chat" rooms
21. Delete, rename, move, copy, any file or its properties, other than his/her personally owned data files
22. Violate the federal copyright laws and/or software license agreements
23. Load software or executable files of any kind onto any of the District's computers or network server
24. Run or copy executable programs for any drive on any of the District's computers
25. Have directories on any stand-alone computers
26. Send messages from one computer to another via the LAN or WAN

- d) Only with permission from a system administrator may files be transferred to the user's account.
- e) All disks must be scanned for viruses before being used in any school computer.
- f) There may not be privacy on files stored in District Network servers and local hard drives. With probable cause, the network administrator and system operator may monitor any account at any time for subject, content, and appropriateness of the files and remove any file as warranted, reporting any violation of the rules to a school administrator. It is the users' responsibility to inform anyone with whom they correspond that the school account is open.
- g) The user will have only those access and system rights assigned by the network administrator.
- h) The user will be responsible for any cost to the District due to user negligence or misuse.

*Users must also conform to any additional site restrictions that may be in effect. All Board policies and school regulations apply to the use of the Network/Internet.*

#### **Consequences**

*It is the user's responsibility to abide by the rules set forth in this policy. Violations will result in the user's account being removed from the Network/Internet for a period of one week, one month, one semester, or one year depending on the gravity of the offense.*

Depending on the gravity of the offense, other administrative and/or legal action may occur.

Attempts to log in to the system as a system administrator will result in immediate cancellation of user privileges.

The network administrator, school administrators, Superintendent, and/or the School Board may request specific accounts to be denied, revoked, or suspended.

Adopted: 7/16/08

Revised: 11/19/14

**SUBJECT: CHILDREN'S INTERNET PROTECTION ACT: INTERNET CONTENT  
FILTERING/SAFETY POLICY**

In compliance with the Children's Internet Protection Act (CIPA) and Regulations of the Federal Communications Commission (FCC), the District has adopted and will enforce this Internet safety policy that ensures the use of technology protection measures (i.e., filtering or blocking of access to certain material on the Internet) on all District computers with Internet access. Such technology protection measures apply to Internet access by both adults and minors with regard to visual depictions that are obscene, child pornography, or, with respect to the use of computers by minors, considered harmful to such students. The District will provide for the education of students regarding appropriate online behavior including interacting with other individuals on social networking websites and regarding cyberbullying awareness and response. Further, appropriate monitoring of online activities of minors, as determined by the building/program supervisor, will also be enforced to ensure the safety of students when accessing the Internet.

Further, the Board of Education's decision to utilize technology protection measures and other safety procedures for staff and students when accessing the Internet fosters the educational mission of the schools including the selection of appropriate teaching/instructional materials and activities to enhance the schools' programs; and to help ensure the safety of personnel and students while online.

However, no filtering technology can guarantee that staff and students will be prevented from accessing all inappropriate locations. Proper safety procedures, as deemed appropriate by the applicable administrator/program supervisor, will be provided to ensure compliance with the CIPA.

In addition to the use of technology protection measures, the monitoring of online activities and access by minors to inappropriate matter on the Internet and World Wide Web *may* include, but shall not be limited to, the following guidelines:

- a) Ensuring the presence of a teacher and/or other appropriate District personnel when students are accessing the Internet including, but not limited to, the supervision of minors when using electronic mail, chat rooms, instant messaging and other forms of direct electronic communications. As determined by the appropriate building administrator, the use of e-mail, and social networking websites, may be blocked as deemed necessary to ensure the safety of such students;
- b) Monitoring logs of access in order to keep track of the web sites visited by students as a measure to restrict access to materials harmful to minors;
- c) In compliance with this Internet Safety Policy as well as the District's Responsible Use Policy, unauthorized access (including so-called "hacking") and other unlawful activities by minors are prohibited by the District; and student violations of such policies may result in disciplinary action; and
- d) Appropriate supervision and notification to minors regarding the prohibition as to unauthorized disclosure, use and dissemination of personal identification information regarding such students.

The determination of what is "inappropriate" for minors shall be determined by the District and/or designated school official(s). It is acknowledged that the determination of such "inappropriate" material may vary depending upon the circumstances of the situation and the age of the students involved in online research.

The terms "minor," "child pornography," "harmful to minors," "obscene," "technology protection measure," "sexual act," and "sexual contact" will be as defined in accordance with CIPA and other applicable laws/regulations as may be appropriate and implemented pursuant to the District's educational mission.

Under certain specified circumstances, the blocking or filtering technology measure(s) may be disabled for adults engaged in bona fide research or other lawful purposes. The power to disable can only be exercised by an administrator, supervisor, or other person authorized by the School District.

The School District shall provide certification, pursuant to the requirements of CIPA, to document the District's adoption and enforcement of its Internet Safety Policy, including the operation and enforcement of technology protection measures (i.e., blocking/filtering of access to certain material on the Internet) for all School District computers with Internet access.

**Internet Safety Instruction**

In accordance with New York State Education Law, the School District may provide, to students in grades K through 12, instruction designed to promote the proper and safe use of the Internet. The Commissioner shall provide technical assistance to assist in the development of curricula for such course of study which shall be age appropriate and developed according to the needs and abilities of students at successive grade levels in order to provide awareness, skills, information and support to aid in the safe usage of the Internet.

Under the *Protecting Children in the 21st Century Act*, students will also be educated on appropriate interactions with other individuals on social networking websites and cyberbullying awareness and response.

The District shall also provide age appropriate instruction to students regarding appropriate online behavior including but not limited to interacting on social networks, websites and instant messaging, and cyberbullying awareness and response. Such instruction will be provided even if the District prohibits students from accessing social networking sites and instant messaging on District technology.

**Access to Inappropriate Content/Material and Use of Personal Technology or Electronic Devices**

Despite the existence of District policy, regulations and guidelines, it is impossible to completely prevent access to content or material that may be considered inappropriate for students. Students may have the ability to access such content or material from their home, other locations off school premises and/or with a student's own personal technology or electronic device on school grounds or at school events.

The District is not responsible for inappropriate content or material accessed via a student's own personal technology or electronic device or via an unfiltered Internet connection received through a student's own personal technology or electronic device.

Student use of the District's computer system (DCS) is conditioned upon written agreement by all students and their parents/guardians that student use of the DCS will conform to the requirements of this policy and any regulations adopted to ensure responsible use of the DCS. All such agreements shall be kept on file in the District Office.

**Notification/Authorization**

The District's Responsible Use Policy and accompanying Regulations will be disseminated to parents and students in order to provide notice of the school's requirements, expectations, and student's obligations when accessing the Internet.

The District's Internet Safety/Internet Content Filtering Policy must be made available to the FCC upon request.

Furthermore, appropriate actions will be taken to ensure the ready availability to the public of this policy as well as any other District policies relating to the use of technology.

47 United States Code (USC) Sections 254(h) and 254(l) , 47 Code of Federal Regulations (CFR) Part 54

Education Law Section 814 , NOTE: Refer also to Policy #7315 -- Student Use of Computerized Information Resources ( Responsible Use Policy) *District Code of Conduct on School Property*

Adopted: 7/16/08 Revised: 2/01/12 Revised: 7/11/12 Revised: 12/19/12

2010

6551

Personnel

**SUBJECT: FAMILY AND MEDICAL LEAVE ACT**

The Board of Education, in accordance with the Family and Medical Leave Act of 1993 (as amended) (FMLA), gives "eligible" employees of the District the right to take unpaid leave for a period of up to twelve (12) workweeks in a twelve-month period as determined by the District. The District designates a twelve (12) month period measured forward from the date of the employee's first FMLA leave usage as the applicable twelve-month period.

Employees are "eligible" if they have been employed by the District for at least twelve (12) months and for at least 1,250 hours of service during the previous twelve-month period. Full-time teachers are deemed to meet the 1,250 hour test. However, a break in employment for military service (i.e., call to active duty) will not interrupt the twelve (12) month/1,250 hours of employment requirement and should be counted toward fulfilling this prerequisite. The law covers both full-time and part-time employees.

Qualified employees may be granted leave for one (1) or more of the following reasons:

- a) The birth of a child and care for the infant;
- b) Adoption of a child and care for the infant;
- c) The placement with the employee of a child in foster care;
- d) To care for a spouse, child or parent who has a "serious health condition" as defined by the FMLA; and/or
- e) A "serious health condition" of the employee, as defined by the FMLA, that prevents the employee from performing his/her job. A "serious health condition" is defined as an illness, injury, impairment or physical or mental condition that involves inpatient care or continuing treatment by a health care provider that renders the employee incapacitated for more than three (3) consecutive calendar days and where the employee is required to see the health care provider at least twice. A "serious health condition" is also defined as any period of incapacity related to pregnancy or for prenatal care.

**Medical Treatment for Serious Health Conditions**

The first visit to a health care provider for an employee claiming a "serious health condition" under FMLA must occur within seven (7) days of the aforementioned incapacity with the second required visit occurring within thirty (30) of the incapacitating event.

If the employee claiming FMLA under the "serious health condition" rationale is sustaining continuous treatment, their first visit to a health care provider must take place within seven (7) days of the claimed incapacitating event.

Chronic "serious health conditions" require periodic visits; the employee must see a health care provider a minimum of two (2) times per year.

### **Implementation/Benefits/Medical Certification**

At the District's or employee's option, certain types of paid leave may be substituted for unpaid leave.

An employee on FMLA leave is entitled to have health benefits maintained while on leave. If an employee was paying all or part of the premium payments prior to leave, the employee will continue to pay his/her share during the leave period. In most instances, an employee has a right to return to the same position or an equivalent position with equivalent pay, benefits and working conditions at the conclusion of the leave.

The District has a right to thirty (30) days advance written notice of the FMLA leave from the employee where practicable. In addition, the District may require an employee to submit certification from a health care provider to substantiate that the leave is due to the "serious health condition" of the employee or the employee's immediate family member. Under no circumstance should the employee's direct supervisor or a human resource professional contact any health care provider regarding the employee's condition without the employee's written consent; all contact in this manner must be made by a health care provider (employed at the District such as the School Physician), or the designated leave administrator. If the medical certification requested by the employer is found to be deficient, the District must indicate where the errors are, in writing, and give the employee seven (7) days to provide corrected materials to cure any deficiency prior to any action being taken.

### **Military Family Leave Entitlements**

#### **A. Military Caregiver Leave**

An eligible employee who is the spouse, son, daughter, parent, or next of kin (defined as the nearest blood relative of that individual) of a "covered service member" (the Armed Forces including a member of the National Guard or Reserves) who is recovering from a serious illness or injury sustained in the line of duty while on active duty is entitled to up to 26 weeks of leave in a single 12-month period to care for the service member. This military caregiver leave is available during a single 12-month period during which an eligible employee is entitled to a combined total of 26 weeks of all types of FMLA leave. Military Caregiver Leave may be combined with other forms of FMLA-related leave providing a combined total of twenty-six (26) weeks of possible leave for any single twelve (12) month period; however, the other form of FMLA leave when combined cannot exceed twelve (12) of the twenty-six (26) weeks of combined leave. Military Caregiver Leave has a set "clock" for calculating the twelve (12) month period for when FMLA leave begins and tolling starts at the first day of leave taken.

#### **B. "Qualifying Exigency" Leave/Call to Active Duty**

An "eligible" employee is entitled to FMLA leave because of "a qualifying exigency" arising out of circumstances where the spouse, son, daughter, or parent of the employee is serving in either the National Guard or the Reserves and is on active duty during a war or national emergency called for by the President of the United States or Congress, or has been notified of an impending call to active duty status, in support of a contingency operation.

A "qualifying exigency" related to families of the Army National Guard of the United States, Army Reserve, Navy Reserve, Marine Corps Reserve, Air National Guard of the United States, Air Force Reserve and Coast Guard Reserve personnel on (or called to) active duty to take FMLA protected leave to manage their affairs is defined as any one of the following reasons:

- a) Short-notice deployment;
- b) Military events and related activities;
- c) Childcare and school activities;
- d) Financial and legal arrangements;
- e) Counseling;
- f) Rest and recuperation;
- g) Post-deployment activities; and
- h) Any additional activities where the employer and employee agree to the leave.

In any case in which the necessity for leave due to a qualifying exigency is foreseeable, the employee shall provide such notice to the employer as is reasonable and practicable. This military-related leave is for up to twelve (12) weeks during a single 12-month period.

### **Special Provisions for School District Employees**

An instructional employee is an employee whose principal function is to teach and instruct students in a class, a small group, or an individual setting (e.g., teachers, certain teaching assistants, coaches, and special education assistants, etc.). The following employees are not considered instructional employees: guidance counselors, school psychologists, social workers, curriculum specialists, non-instructional personnel and certain teaching assistants or aides, unless their principal job is actually teaching or instructing. Periods of one or more weeks when school is closed and employees are not expected to report to work do not count toward FMLA leave. Examples include school recesses (e.g., winter recess, spring recess), summer vacation, or closings for maintenance and repairs. However, when a particular holiday falls during a week taken as FMLA leave, the entire week is counted as FMLA leave.

#### **Intermittent Leave Taken By Instructional Employees**

FMLA leave that is taken at the end of the school year and resumes at the beginning of the next school year is not regarded as intermittent leave but rather continuous leave. The period in the interim (i.e., summer vacation) is not counted as part of FMLA leave and the employee must continue to receive any benefits that are customarily given over the summer break.

Intermittent leave is defined as leave that is taken in separate blocks of time, rather than continuously, broken down to units upon the same basis as the breakdown employed for sick leave use (e.g., for medical appointments, chemotherapy, radiation, physical therapy for severe arthritis and dialysis). Intermittent leave must meet certain criteria. If the instructional employee requesting intermittent leave will be on that leave for more than twenty percent (20%) of the number of working days during the period for which the leave would extend, the following criteria may be required by the employer:

- a) Take leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or
- b) Transfer temporarily to an available alternative position for which the employee is qualified, which has equivalent pay and benefits and which better accommodates recurring periods of leave than does the employee's regular position.

Appropriate notice from the employee for foreseeable FMLA leave (30 days advance written notice) still applies and all employees must be returned to an equivalent position within the school district. Additional work-related certifications, requirements and/or training may not be required of the employee as a condition of their return to work.

There is no legal entitlement to intermittent leave for the purposes of child care, foster care and adoption.

**Leave Taken by Instructional Employees Near the End of the Instructional Year**

There are special requirements for instructional employees taking leave close to the end of a term.

1) If the instructional employee is taking leave more than five (5) weeks prior to the end of the term, the District may require that the employee take the leave until the end of the term if the leave lasts more than three (3) weeks and the employee was scheduled to return prior to three (3) weeks before the end of the term.

2) If the instructional employee is taking leave less than five (5) weeks prior to the end of the term for any of the FMLA-related reasons except qualifying exigency, the District may require that the employee remain out for the rest of the term if the leave lasts more than two (2) weeks and the employee would return to work during the two (2) week period at the end of the instructional term.

3) If the instructional employee begins taking leave during the three (3) weeks prior to the end of the term for any reason except qualifying exigency, the District may require that the employee continue leave until the end of the term if the leave is scheduled to last more than five (5) working days.

If FMLA leave is extended at the employer's option, the extension is considered to be FMLA leave time as well, including health benefits and restoration rights; however, such time will not be charged against the employee as FMLA leave because it was the employer who requested that the leave extend until the end of the term.

#### **FMLA Notice**

A notice which explains the FMLA's provisions and provides information concerning the procedures for filing complaints of violations of the FMLA shall be posted in each school building and a notice of an employee's FMLA rights and responsibilities shall be provided to employees with the required annual notices or furnished to each new employee within five days from the date of hire.

Family and Medical Leave Act of 1993 (as amended), Public Law 103-3 , National Defense Authorization Act of 2008, Public Law 110-181 , 10 United States Code (USC) 101(a) (13) , 29 Code of Federal Regulations (CFR) Part 825

NOTE: Refer also to Policy #6552 - Uniformed Services Employment and Reemployment Rights Act (USERRA)/Military Leaves of Absence. Adoption Date 11/17/10

2008            5681  
Non-Instructional/Business  
Operations

#### **SUBJECT:        SCHOOL SAFETY PLANS**

The District-wide and building-level school safety plans have been adopted by the School Board only after at least one (1) public hearing that provided for the participation of school personnel, parents, students, and any other interested parties. Each plan shall be reviewed by the appropriate school safety team on at least an annual basis, updated as needed by July 1 and recommended to the Board of Education for approval. These plans will be designed to prevent or minimize the effects of serious violent incidents and emergencies and to facilitate the coordination of schools and the School District with local and county resources in the event of such incidents or emergencies.

#### **District-Wide School Safety Plan**

*District-wide school safety plan* means a comprehensive, multi-hazard school safety plan that covers all school buildings of the School District, that addresses prevention and intervention strategies, emergency response and management at the District level and has the contents as prescribed in Education Law and Commissioner's Regulations.

The District-wide school safety plan shall be developed by the District-wide school safety team appointed by the Board of Education. The District-wide team shall include, but not be limited to, representatives of the School Board, student, teacher, administrator, and parent organizations, school safety personnel and other school personnel.

#### **Building-Level School Safety Plans**

*Building-level school safety plan* means a building-specific school emergency response plan that addresses prevention and

intervention strategies, emergency response and management at the building level and has the contents as prescribed in Education Law and Commissioner's Regulations. As part of this plan the District will define the chain of command in a manner consistent with the National Incident Management System (NIMS)/Incident Command System (ICS).

The building-level plan shall be developed by the building-level school safety team. The building-level school safety team means a building-specific team appointed by the Building Principal, in accordance with regulations or guidelines prescribed by the Board of Education. The building-level team shall include, but not be limited to, representatives of teacher, administrator, and parent organizations, school safety personnel, other school personnel, community members, local law enforcement officials, local ambulance or other emergency response agencies, and any other representatives the School Board deems appropriate.

If the District receives federal preparedness funds, the District requires appropriate personnel to complete the IS-700 NIMS (National Incident Management System) introductory course.

#### **Filing/Disclosure Requirements**

The District shall file a copy of its comprehensive District-wide school safety plan and any amendments thereto with the Commissioner of Education no later than thirty (30) days after their adoption. A copy of each building-level school safety plan and any amendments thereto shall be filed with the appropriate local law enforcement agency and with the state police within thirty (30) days of its adoption. Building-level emergency response plans shall be confidential and shall **not** be subject to disclosure under the Freedom of Information Law or any other provision of law.

Homeland Security Presidential Directives - HSPD-5, HSPD-8, Homeland Security Act of 2002, 6 United States Code (USC) Section 101, Education Law Section 2801-a, Public Officers Law Article 6, 8 New York Code of Rules and Regulations (NYCRR) Section 155.17, Adopted: 7/16/08

2008 5680  
Non-Instructional/Business Operations

#### **SUBJECT: SAFETY AND SECURITY**

The Board of Education of the New Paltz Central School District hereby declares that it is the policy of this School District to provide a safe and secure environment to all those persons, students, staff and visitors, who lawfully enter upon District property or who travel in District vehicles for the purposes of the District.

It shall be the responsibility of the Superintendent to establish and carry out written regulations that will:

- a) Identify those staff members who will be responsible for the effective administration of the regulations;
- b) Provide staff time and other necessary resources for the effective administration of the regulations;
- c) Establish periodic written review of the activities of the staff to ensure compliance with applicable laws and regulations;
- d) Provide an on-going mechanism for the effective review of safety and security concerns of the staff, students and affected public;
- e) Provide for reports to the Board of Education regarding the significant aspects of safety and security of the District.

#### **Student Safety**

All staff who are made aware of physical and/or verbal threats to students must immediately report these threats against students to the next level of supervisory authority for prompt action. The immediate supervisor must then inform the Superintendent/designee, including any action taken, after learning of such threats to students.

The District shall disseminate this policy to all employees in order to ensure staff awareness.

Occupational Safety and Health Administration (OSHA), 29 Code of Federal Regulations (CFR) Section 1910.1200, Labor Law Sections 27-a and 879, 12 New York Code of Rules and Regulations (NYCRR), Part 820, Article 28

NOTE: Refer also to Policies #5681 -- School Safety Plans, #5685 -- Hazardous Materials, Adopted: 7/16/08

2012 5685  
Non-Instructional/Business Operations

#### **SUBJECT: HAZARDOUS MATERIALS**

The Board of Education of the New Paltz Central School District hereby declares that it is the policy of this School District to provide a safe and secure environment to all those persons, students, staff and visitors, who lawfully enter upon District property or who travel in District vehicles for the purposes of the District. The Board, therefore, directs the Superintendent of Schools and all District personnel to comply with the following safety and health laws and regulations:

#### **Hazard Communication Standard**

The Superintendent will direct appropriate personnel (e.g., Director of Facilities and Operations or Director of Buildings and Grounds) to develop and oversee a written hazard communications program, which will include the following:

- a) Acquisition, maintenance and review of Material Safety Data Sheets (MSDS's) for all known hazardous materials on District property;
- b) Compilation of a hazardous materials inventory;
- c) Employee training in hazardous materials management and protection;
- d) Recording of all incidents involving exposure to known hazardous materials. Records of employees who have been exposed to known hazardous enforceable exposure standards shall be kept for 40 years; and
- e) Establishing procedures to maintain confidentiality of trade secret information.

It is the responsibility of the entire school community, including staff and students, to report any unsafe building or equipment conditions to a Building Administrator or Superintendent of Schools as soon as possible. In addition, designated administrators will provide notice of hazardous materials within 72 hours of an employee request.

All personnel shall be provided with applicable training to comply with the New York State "Right-to-Know" Law and the Hazard Communication Standard.

The Superintendent or designee shall maintain a current record of the name, address and social security numbers of every employee who handles or uses toxic substances and which substance(s) were handled or used by the employee.

Rules and regulations will be developed to insure District implementation of this policy.

The New Paltz Central School District recognizes its duty of ensuring the safety and welfare of all employees, students and visitors taking part in scientific laboratory activities. The Board of Education directs the Superintendent of Schools to develop regulations that meet or exceed the minimum standards required by the federal and state government, including a written program to provide direction for the safe use of any hazardous chemicals used in laboratories as part of the school curriculum or academic program and protection against occupational exposure to hazardous chemicals.

#### **Safe Use of Hazardous Chemicals**

All participants in any hazardous laboratory activity must wear an eye safety device and all schools must provide safe storage and protection of all chemicals and prepare annual inventory reports.

#### **Pest/Pesticide Management Plan**

Structural and landscape pests can pose significant problems for people and property. Weeds and infestations can destroy playing fields and playgrounds and more importantly, cause severe allergic reactions. Pesticides can pose risks to people, property, and the environment. It is therefore the policy of the School District to incorporate Integrated Pest Management (IPM) procedures for control of weeds, structural and landscape pests. The objective of this program is to provide necessary pest control while using the least toxic approach to all pests, weeds and infestations.

The District will manage weeds and pests to:

- a) Reduce any potential human health hazard or threat to public safety.
- b) Prevent loss or damage to school structures or property.
- c) Prevent pests from spreading into the community, or to plant and animal populations beyond the site.
- d) Enhance the quality of life for students, staff, and others.

#### **Integrated Pest Management (IPM) Coordinator**

An IPM Coordinator will be appointed by the Superintendent of schools. The Coordinator will be responsible for implementing the IPM policy and plan. The coordinator's responsibilities will include the following:

- a) Recording all pest sightings by school staff and students.
- b) Recording all pesticide use and utilizing the least toxic approach.
- c) Meeting with a local pest control expert, such as a pesticide contractor to share information on what pest problems are present in the school.
- d) Assuring that all of the expert's recommendations on maintenance and sanitation are carried out where feasible.
- e) Assuring that pesticide use is done when school is not in session or when the area can be completely secured against access by school staff and students for a standard seventy-two (72) hours, or as required by the pesticide being used.
- f) Evaluating the school's progress in the IPM plan.
- g) Notifying parents, staff and neighbors of any applications of pesticides forty-eight (48) hours before they occur. The IPM Coordinator will serve as the District's Pesticide Representative.

#### **Pesticide Use on Common Areas**

Pesticides will not be used on playgrounds, turf, athletic or playing fields, and all lawn areas of the schools, except in an emergency that threatens public health, as determined by the Board of Education. In these common areas where children gather and play, pesticide alternatives will be used whenever possible and effective. The prohibition does not apply to indoor use or the application to building structures.

An exception may be made for emergency applications of pesticide only when approved in advance by the School Board. The Board may consult with the local Health Department on public health related emergency determinations. They may also consult with the Department of Environmental Conservation (DEC) for environmental emergency determinations. Emergency determinations should only be sought for one-time pesticide application in a specific situation, which presents a true emergency. The guidance document from DEC provides clarification on emergency determinations. It can be found at

[http://www.dec.ny.gov/docs/materials\\_minerals\\_pdf/guidancech85.pdf](http://www.dec.ny.gov/docs/materials_minerals_pdf/guidancech85.pdf)

Some types of pesticides and alternatives, those deemed safe in federal regulation, may be allowable on playing fields and playgrounds in certain circumstances. The District will develop regulations governing the use of pesticides and their alternatives on school grounds.

#### **Fertilizer Use**

New requirements and restrictions regarding the use of phosphorus fertilizers on school grounds have been developed. Chapter 205 of the Laws of 2010 dictates the requirements which must be adhered to regarding grounds maintenance starting on January 1, 2012.

a) Fertilizer use is prohibited between December 1 and April 1 annually.

b) The use of fertilizers is prohibited within twenty (20) feet of any surface water except:

1. Where a continuous natural vegetation buffer, at least ten (10) feet wide, separates lawn and water.

2. Where a spreader guard, deflector shield or drop spreader is used, then the application may not occur within three feet of any surface water.

c) The use of phosphorus fertilizers are prohibited on lawns or other non-agricultural turf with the following exceptions:

(Continued)

1. The use of phosphorus fertilizers are needed to establish a new lawn; or

2. A soil test shows that phosphorus fertilizers are needed for growth.

d) Fertilizer cannot be used on any impervious surfaces and if such an application occurs, it must be cleaned immediately and legally applied or placed in an appropriate container.

#### **Notification**

The District's IPM Coordinator or designated Pesticide Representative will give prior written notice of all pesticide applications to anyone who has asked to receive such notice. The District will also notify parents, students and staff of periodic pesticide applications. The District will maintain a list of those people who wish to receive forty-eight (48) hour notice before pesticide applications and will ensure that a system is developed to deliver such notice in a timely fashion to all affected. The notification system may be by mail or email, and will ensure that a back-up method is available to notify those for whom the regular system is unworkable. The name and contact information for the District Pesticide Representative will be made available to all requesting it.

Sample forms for forty-eight (48) hour prior notification can be obtained at:

[http://www.emsc.nysed.gov/facplan/documents/PesticideNeighborNotificationGuidelineforSchools\\_091001.pdf](http://www.emsc.nysed.gov/facplan/documents/PesticideNeighborNotificationGuidelineforSchools_091001.pdf)

The District must also provide additional written notification to all parents and staff three (3) times per year to inform them of any pesticide applications that have occurred: within ten (10) days of the end of the school year, within two (2) school days of the end of winter recess and within two (2) days of the end of spring recess.

#### **Recordkeeping**

Records of pesticide use will be maintained on site for three (3) years. Records will be completed on the day of pesticide use. In addition, pest surveillance records will be maintained to help verify the need for pesticide treatments. Annual reports of any applications must be sent to DEC.

New York State Labor Law, Article 28, 12 New York Code of Rules and Regulations (NYCRR) , Part 820, and NYCRR Part 155.4(d)(2) , Occupational Safety and Health Administration (OSHA) , 29 Code of Federal Regulations (CFR) 1910.1200 40 Code of Federal Regulations (CFR) Part 152.25 , 7 United States Code Section 136(mm), 136q(h)(2) (FIFRA)New York State Education Law Section 409-h , Education Law Sections 409-k, 409-h , Environmental Conservation Law Sections 17-2103, 33-0303 Adopted: 07/16/08 , Revised: 07/11/12 Revised: 12/19/12 Adopted: 7/16/08

2008

5690

Non-Instructional/Business Operations

#### **SUBJECT: EXPOSURE CONTROL PROGRAM**

The District shall establish an exposure control program designed to prevent and control exposure to blood borne pathogens. According to the New York State Department of Labor's Division of Safety and Health and Occupational Safety and Health Administration (OSHA) standards, the program shall consist of:

- a) Guidelines for maintaining a safe, healthy school environment to be followed by staff and students alike.
- b) Written standard operating procedures for blood/body fluid clean-up.
- c) Appropriate staff education/training.
- d) Evaluation of training objectives.
- e) Documentation of training and any incident of exposure to blood/body fluids.
- f) A program of medical management to prevent or reduce the risk of pathogens, specifically hepatitis B and Human Immunodeficiency Virus (HIV).
- g) Written procedures for the disposal of medical waste.
- h) Provision of protective materials and equipment for all employees who perform job-related tasks involving exposure or potential exposure to blood, body fluids or tissues.

29 Code of Federal Regulations (CFR) Section 1910.10:30, Adopted: 7/16/08



**SUBJECT: FIRE DRILLS, BOMB THREATS AND BUS EMERGENCY DRILLS**

**Fire Drills**

The administration of each school building shall provide instruction for and training of students, through fire drills, in procedures for leaving the building in the shortest possible time and without confusion or panic.

Fire drills shall be held at least twelve (12) times in each school year; eight (8) of these shall be held between September 1 and December 1. At least one-third (1/3) of all such required drills shall be through use of the fire escapes on buildings where fire escapes are provided. At least one (1) of the twelve (12) drills shall be held during each of the regular lunch periods, or shall include special instruction on the procedures to be followed if a fire occurs during a student's lunch period.

At least two (2) additional drills shall be held during summer school in buildings where summer school is conducted and one (1) of these drills shall be held during the first week of summer school.

After-School Programs

The Building Principal or his/her designee shall require those in charge of after-school programs, attended by any individuals unfamiliar with the school building, to announce at the beginning of such programs the procedures to be followed in the event of an emergency.

**Bomb Threats**

School Bomb Threats

A bomb threat, even if later determined to be a hoax, is a criminal action. No bomb threat should be treated as a hoax when it is first received. The school has an obligation and responsibility to ensure the safety and protection of the students and other occupants upon the receipt of any bomb threat. This obligation must take precedence over a search for a suspect object. Prudent action is dependent upon known information about the bomb threat - location, if any; time of detonation; etc. If the bomb threat is targeted at the school parking lot or the front of the school, building evacuation may not be an appropriate response. If the bomb threat indicates that a bomb is in the school, then building evacuation is necessary unless the building has been previously inspected and secured in accordance with State Education Department Guidelines. Specific procedures can be found in the building level school plan, as required by Project SAVE.

The decision to evacuate a building or to take shelter is dependent upon information about where the bomb is placed and how much time there is to reach a place of safety. Prudent action dictates that students and other occupants be moved from a place of danger to a place of safety. Routes of egress and evacuation or sheltering areas must be thoroughly searched for suspicious objects before ordering an evacuation. Failure to properly search evacuation routes before an evacuation takes place can expose students and staff to more danger than remaining in place until the search has taken place. Assistance is available from local police agencies and the New York State Police to train staff to check evacuation routes.

Police Notification and Investigation

A bomb threat to a school is a criminal act, which is within the domain and responsibility of law enforcement officials. Appropriate State, county, and/or local law enforcement agencies must be notified of any bomb threat as soon as possible after the receipt of the threat. Law enforcement officials will contact, as the situation requires, fire and/or county emergency coordinators according to the county emergency plan.

Therefore, the building administrator or designee is to notify local law enforcement officials and follow established procedures to move all occupants out of harm's way.

Implementation

The Board of Education directs the Superintendent or his/her designee to develop administrative regulations to implement the terms of this policy. Additionally, such regulations are to be incorporated in the District-wide School Safety Plan and the building level school safety plan, with provisions to provide written information to all staff and students regarding emergency procedures by October 1 of each school year, an annual drill to test the emergency response procedures under each of its building level school safety plans; and the annual updating of the District-wide and building level school safety plans, by July 1, as mandated pursuant to law and/or regulation.

**Bus Emergency Drills**

The Board of Education directs the administration to conduct a minimum of three (3) emergency drills to be held on each school bus during the school year. The first drill is to be conducted during the first seven (7) days of school, the second drill between November 1 and December 31, and the third drill between March 1 and April 30. No drills shall be conducted when buses are on routes.

Students who ordinarily walk to school shall also be included in the drills. Students attending public and nonpublic schools who do not participate in regularly scheduled drills shall also be provided drills on school buses, or as an alternative, shall be provided classroom instruction covering the content of such drills.

Each drill shall include instruction in all topics mandated by the Education Law and the Commissioner's Regulations and shall include, but will not be limited to, the following:

- a) Safe boarding and exiting procedures with specific emphasis on when and how to approach, board, disembark, and move away from the bus after disembarking;
- b) The location, use and operation of the emergency door, fire extinguishers, first aid equipment and windows as a means of escape in case of fire or accident;
- c) Orderly conduct as bus passengers.

#### Instruction on Use of Seat Belts

When a school bus is equipped with seat safety belts, the District shall insure that all students who are transported on such school bus owned, leased or contracted for by the District or BOCES shall receive instruction on the use of seat safety belts. Such instruction shall be provided at least three (3) times each year to both public and nonpublic school students who are so transported and shall include, but not be limited to:

- a) Proper fastening and release of seat safety belts;
- b) Acceptable placement of seat safety belts on students;
- c) Times at which the seat safety belts should be fastened and released; and
- d) Acceptable placement of the seat safety belts when not in use.

Education Law Sections 807, 2801-a and 3623, Penal Law Sections 240.55, 240.60 and 240.62, 8 New York Code of Rules and Regulations (NYCRR), Sections 155.17, 156.3(f), 156.3(g) and 156.3(h)(2), Adopted: 7/16/08

2008            5684  
Non-Instructional/Business Operations

#### **SUBJECT:        ANTHRAX AND OTHER BIOLOGICAL TERRORISM: PREVENTION PROTOCOLS/PROTOCOLS FOR MAIL HANDLING**

The School District shall assess and review their protocols for handling mail or packages. Common sense and care should be used in inspecting and opening mail or packages. Whenever feasible, the opening of mail should be limited to one (1) individual staff member in an area that is separate from other accessible areas within the school building, including the Main Office.

Additionally, precautions will be taken for those staff members responsible for handling letters or packages such as making available protective gloves to be worn when handling mail and providing appropriate training and protocols for the handling of mail and identifying suspicious envelopes or packages.

The building administrator should limit the area and persons exposed to the threat. Immediately after identifying the threat, the building administrator/designee shall notify the Superintendent/designee, dial 911 and/or the local law enforcement authorities according to the procedures identified in the applicable School Safety Plan (whether District-wide or building-level plans). The local Federal Bureau of Investigation (FBI) field office and the county health department will also be notified, if not otherwise provided for in the applicable School Safety Plan.

As far as possible, the school will attempt to limit the area and the persons exposed to the threat and will not allow anyone other than qualified emergency personnel to enter. Custodial and maintenance personnel will follow established procedures for quickly shutting down the building(s) heating/air conditioning/and ventilation systems if possible and as may be deemed necessary.

Furthermore, the building administrator/designee shall, as soon as possible, make a list of all persons who have been identified as having actual contact with the powder or other suspicious element, such as anthrax, for investigating authorities.

Administration shall review and revise, as appropriate, their school safety plans; and provide information regarding applicable safety prevention and response procedures to all staff.

All threats to school buildings and/or its occupants shall be treated seriously. All threats shall be treated as criminal actions and measures shall be taken to preserve the evidence. Adopted: 7/16/08

**SUBJECT: STUDENT PRIVACY PROTECTION UNDER NCLB AND PPRA AND FERPA**

In compliance with the Protection of Pupil Rights Amendment (PPRA), the No Child Left Behind Act (NCLB), the Family Educational Rights and Privacy Act (FERPA) and any and all other such state and federal mandates concerning student privacy, the School District is committed to protecting the rights and privacy interests of parents/guardians and students to the fullest extent possible.

The Superintendent of Schools is charged with administering such mandates in a manner that achieves compliance while fully empowering parents/guardians and students to protect their privacy and in a manner least disruptive or burdensome to effective administration of District schools.

**Military Recruitment and Institutions of Higher Education**

Pursuant to mandates of the No Child Left Behind (NCLB) Act, the School District is required, under penalty of losing federal aid, to disclose to Military Recruiters and institutions of higher learning, upon request, the names, addresses, and telephone numbers of high school students. The mandate requires the District to notify parents of their right and the right of their child to request that the District not release such information without prior written consent.

It is the objective of the Board of Education to ensure that the parents and students fully understand the responsibility placed upon them to affirmatively act, in a timely fashion, to protect their right to privacy, if they so choose.

The Superintendent of Schools is charged with the responsibility to comply with this mandate in a manner designed to fully empower parents/guardians and students. Such compliance program shall be designed to:

- a) Clearly articulate that personal information will be released to Military Recruiters and/or institutions of higher education unless parents and/or students affirmatively choose to "opt out" in writing;
- b) Clearly articulate that privacy protection require timely action and highlight language which informs that private information will be shared unless the form is returned by the stated date;
- c) Provide specific check-off opportunities for opting out (personal information will NOT be shared) in each category of (1) institutions of higher education of higher learning and (2) Military Recruiters;
- d) Provide for both parent and student signatures;
- e) Include a copy of this policy with notice.

**Surveys, Physical Exams, and other Disclosure Options**

The Superintendent of School shall establish regulations consistent with PPRA and this policy for the administration of surveys funded by the USDOE and other sources.

Unless mandated/authorized in accordance with Federal or State law and/or regulations, it is policy of the Board of Education, to **not permit** the collection, disclosure, or use of personal information (the term "*personal information*" is defined as individually identifiable information including a student's or parent/guardian's first and last name; home address; telephone number; or social security number) collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose), *unless otherwise exempted pursuant to law*. Questions regarding the collection, disclosure, or use of personal information collected from students for such marketing purposes may be referred to the school attorney as deemed necessary by the Superintendent/designee.

The Protections of Pupil Rights Amendment (PPRA) governs the administration to students for a survey, analysis, or evaluation that concerns one or more of the following **eight protected areas**:

- a) Political affiliations or beliefs of the student or the student's parent/guardian;
- b) Mental or psychological problems of the student or the student's family;
- c) Sex behavior or attitudes;
- d) Illegal, anti-social, self-incriminating or demeaning behavior;
- e) Critical appraisals of other individuals with whom respondents have close family relationships;
- f) Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
- g) Religious practices, affiliations, or beliefs of the student or student's parent/guardian; or
- h) Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

Parental Authorization Required for Participation PPRA also concerns marketing surveys and other areas of student privacy, parental access to information, and the administration of certain physical examinations to minors.

If a child's participation is sought in any of these activities, the District shall "directly" notify the parents/guardians and obtain written authorization for each such participation in the eight protected areas listed above.

### **Annual Parental Notification of Policies**

The School District shall provide for reasonable notice of the adoption or continued use of this policy directly to the parents/guardians of students enrolled in the District. At a minimum, the District shall provide such notice at least annually, at the beginning of the school year, and within a reasonable period of time after any substantive change in this policy.

These requirements do not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating or providing educational products or services for, or to, students or educational institutions, such as the following:

- a) Book clubs, magazines, and programs providing access to low-cost literary products;
- b) Curriculum and instructional materials used by elementary schools and secondary schools;
- c) Tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;
- d) The sale by students of products or services to raise funds for school-related educational related activities;
- e) Student recognition programs.

### **Student Directory Information**

The District shall publish an annual public notice informing parents or eligible students of their right to refuse the release of student directory information and indicating a time period for their response. Following such public notice and a reasonable response period, the District may release such information to an outside group without individual consent.

In accordance with the Family Educational Rights and Privacy Act (FERPA), the District defines student directory information as the following: name; address; telephone listing; date and place of birth, enrollment status; major field of study; grade level; participation in officially recognized

activities and sports; weight and height (if members of athletic teams), dates of attendance; honors, degrees and awards received; electronic mail address; photograph; and the name of the education agency or institution most recently previously attended by the student.

Family Educational Rights and Privacy Act of 1974, 20 United States Code USC Section 1232 (g), 34 Code of Federal Regulations (CFR) Part 99, NOTE: Refer also to Policies #7121 -- Diagnostic Screening of Students, #7243 -- Student Privacy #7511 -- Immunization of Students, #7512 -- Student Physicals, #7513 -- Administration of Medication, Adopted: 7/16/08

2008  
Students 7240

### **SUBJECT: STUDENT RECORDS: ACCESS AND CHALLENGE**

#### **Student Records**

The School District shall comply with the provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA). Under its provisions, "parents/guardians and noncustodial parent(s), whose rights are not limited by court order or formal agreement, of a student under eighteen (18), or a student who is eighteen (18) years of age or older or who is attending an institution of post-secondary education, have a right to inspect and review any and all official records, files, and data, including all material that is incorporated into each student's cumulative record folder and intended for school use or to be available to parties outside the school or School System and specifically including, but not necessarily limited to, identifying data; academic work completed; level of achievement (grades, standardized achievement test scores); attendance data; scores on standardized intelligence, aptitude, and psychological tests; interest inventory results; health data; family background information; teacher or counselor ratings and observations; and verified reports of serious or recurrent behavior patterns."

#### **Access to Student Records**

The Board directs that administrative regulations and procedures be formulated to comply with the provisions of federal law relating to the availability of student records. The purpose of such regulations and procedures shall be to make available to the parents/guardians of students and noncustodial parent(s) whose rights are not limited by court order or formal agreement, or students who are eighteen (18) years of age or older or who are attending an institution of post-secondary education, student records, and files on students, and to ensure the confidentiality of such records with respect to third parties.

Under FERPA, unless otherwise exempted in accordance with law and regulation, the District may release personally identifiable information contained in student records only if it has received a "signed and dated written consent" from a parent or eligible student. Signed and dated written consent may include a record and signature in electronic form provided that such signature:

- a) Identifies and authenticates a particular person as the source of the electronic consent; and
- b) Indicates such person's approval of the information contained in the electronic consent.

### **Challenge to Student Records**

Parents/guardians of a student under the age of eighteen (18), or a student who is eighteen (18) years of age or older or who is attending an institution of post-secondary education, shall have an opportunity for a hearing to challenge the content of the school records, to ensure that the records are not inaccurate, misleading, or otherwise in violation of the privacy or other rights of students, and to provide an opportunity for the correction or deletion of any such inaccurate, misleading, or otherwise inappropriate data contained therein.

### **Education Records**

The term "education records" is defined as all records, files, documents and other materials containing information directly related to a student; and maintained by the education agency or institution, or by a person acting for such agency or institution (34 Code of Federal Regulations (CFR) Section 99.3). This includes all records regardless of medium, including, but not limited to, handwriting, videotape or audiotape, electronic or computer files, film, print, microfilm, and microfiche.

In addition, for students who attend a public school district, all records pertaining to services provided under the Individuals with Disabilities Education Act (IDEA) are considered "education records" under FERPA. As such, they are subject to the confidentiality provisions of both Acts.

Personal notes made by teachers or other staff, on the other hand, are not considered education records if they are:

- a) Kept in the sole possession of the maker;
- b) Not accessible or revealed to any other person except a temporary substitute, and
- c) Use only as a memory aid.

Records created and maintained by a law enforcement unit for law enforcement purposes are also excluded.

### **Release of Information to Another Educational Institution**

The District may disclose any and all educational records, including disciplinary records and records that were created as a result of a student receiving special education services under Part B of IDEA, to another school or postsecondary institution at which the student seeks or intends to enroll. Parental consent is not required for transferring education records; however, the school's annual FERPA notification should indicate that such disclosures have been made. In the absence of information about disclosures in the annual FERPA notification, school officials must make a reasonable attempt to notify the parent about the disclosure, unless the parent initiated the disclosure. Additionally, upon request, schools must provide a copy of the information disclosed and an opportunity for a hearing.

Family Educational Rights and Privacy Act of 1974, 20 United States Code, (USC) Section 1232g, 34 Code of Federal Regulations (CFR) Part 99, Adopted: 7/16/08

NOTE: Refer also to Policy #7643 -- Transfer Students with Disabilities

2008 3320  
Community Relations

### **SUBJECT: CONFIDENTIALITY OF COMPUTERIZED INFORMATION**

The development of centralized computer banks of educational data gives rise to the question of the maintenance of confidentiality of such data while still conforming to the New York State Freedom of Information Law. The safeguarding of confidential data from inappropriate use is essential to the success of the District's operation. Access to confidential computerized data shall be limited only to authorized personnel of the School District.

It shall be a violation of the District's policy to release confidential computerized data to any unauthorized person or agency. Any employee who releases or otherwise makes improper use of such computerized data shall be subject to disciplinary action.

However, if the computerized information sought is available under the Freedom of Information Law and can be retrieved by means of existing computer programs, the District is required to disclose such information.

Family Educational Rights and Privacy Act of 1974, 20 United States Code (USC) 1232(g), 34 Code of Federal Regulations (CFR) Part 99, Public Officers Law Section 84 et seq., Adopted: 7/16/08

**SUBJECT: RELEASE OF INFORMATION TO THE NONCUSTODIAL PARENT**

The District may presume that the noncustodial parent has the authority to request information concerning his/her child and release such information upon request. If the custodial parent wishes to limit the noncustodial parent's access to the records, it would be his/her responsibility to obtain and present to the school a legally binding instrument that prevents the release of said information. Family Educational Rights and Privacy Act of 1974, 20 United States Code (USC) 1232(g)(b)(4)(A), 34 Code of Federal Regulations (CFR) Part 99, Adopted: 7/16/08

**SUBJECT: CONCUSSION MANAGEMENT POLICY**

New Paltz Central School District has always taken the approach that student safety is of the highest priority.

The Board of Education and the New Paltz School District recognizes that concussions and head injuries are commonly reported injuries in children and adolescents who participate in sports and recreational activities and can have serious consequences if not managed carefully. Therefore, the District adopts the following policy to support the proper evaluation and management of head injuries.

Concussion is a mild traumatic brain injury. Concussion occurs when normal brain functioning is disrupted by a blow or jolt to the head. Recovery from a concussion will vary. Avoiding re-injury until fully recovered are the cornerstones of proper concussion management.

While district staff will exercise reasonable care to protect students, head injuries may still occur. Physical education teachers, coaches, nurses, and other appropriate staff will receive training to recognize the signs, symptoms and behaviors consistent with a concussion. Any student exhibiting those signs, symptoms, or behaviors while participating in a school sponsored class, recess, extracurricular activity, or intramural/interscholastic athletic activity **shall be immediately removed** from the game or activity and be evaluated as soon as possible by an appropriate health care professional. The coach, school nurse, or other District employee in charge of or supervising the activity will notify the student's parents or guardians.

If a student sustains a concussion at a time other than when engaged in a school-sponsored activity, the district requires the parent/legal guardian to report the condition to the appropriate school nurse so that the district can support the proper management of the condition.

In the event of any concussion, regardless of where it was sustained, **the student shall not return to school or activity until he/she is symptom free for at least 24 hours**, has been evaluated by and provides written authorization from an appropriate health care professional. The school's chief medical officer or their designee will have the final decision on return to activity including recess, physical education class and after-school sports. Any student who continues to exhibit signs or symptoms upon return to activity must be removed from play and reevaluated by his/her health care provider.

The district will establish a concussion management team which may consist of, but not be limited to the Athletic Director, School Physician, School Nurse, and representatives from the administration, faculty and coaching staff. Any changes or modifications to the policy and procedures will be reviewed with the athletic department staff and appropriate school personnel verbally and in writing.

Those who come in contact with our students including but not limited to school nurses, physical education teachers, coaches, and athletic trainers will be required to complete biennially a course related to recognizing the symptoms of a mild traumatic brain injury, and monitoring and seeking proper medical treatment for pupils who suffer one. The school district will provide education to the public on mild traumatic brain injury in student handbooks, athletic codes of conduct and on the website.

The Superintendent, in consultation with appropriate district staff, including the chief school medical officer, will develop regulations and protocols to guide the return to activity.

Approved: 7/11/12

**Stephen J. Callahan**

*Director of School Facilities and Operations*

196 Main Street, New Paltz, New York 12561

Phone: (845) 256-4095 • Fax: (845)256-4089

Email: [scallahan@newpaltz.k12.ny.us](mailto:scallahan@newpaltz.k12.ny.us)

[www.newpaltz.k12.ny.us](http://www.newpaltz.k12.ny.us)



**Pesticide Notification**

New York State Education Law Section 409-H, effective July 1, 2001, requires all public and nonpublic elementary and secondary schools to provide written notification to all persons in parental relation, faculty, and staff regarding the potential use of pesticides periodically throughout the school year.

The New Paltz Central School District is required to maintain a list of persons in parental relation, faculty, and staff who wish to receive 48-hour prior written notification of certain pesticide applications. The following pesticide applications are not subject to prior notification requirements:

- A school remains unoccupied for a continuous 72-hours following an application;
- anti-microbial products;
- nonvolatile rodenticides in tamper resistant bait stations in areas inaccessible to children;
- nonvolatile insecticidal baits in tamper resistant bait stations in areas inaccessible to children;
- silica gels and other nonvolatile ready-to-use pastes, foams, or gels in areas inaccessible to children;
- boric acid and disodium octaborate tetrahydrate: the application of EPA designated biopesticides;
- the application of EPA designated exempt materials under 40CFR 152.25;
- the use of aerosol products with a directed spray in containers of 18 fluid ounces or less when used to protect individuals from an imminent threat from stinging and biting insects including venomous spiders, bees, wasps, and hornets;
- In the event of an emergency application necessary to protect against an imminent threat to human health, a good faith effort will be made to supply written notification to those on the 48-hour prior notification list.

If you would like to receive 48-hour prior notification of pesticide applications that are scheduled to occur in your school please complete the attached. If you have previously completed an application for a particular student, that notification will be in effect through the student's graduation. For new students this form will need to be completed. For further information please contact:

Stephen J. Callahan  
New Paltz Central School District Pesticide Representative  
196 Main Street  
New Paltz, NY 12561  
Phone: (845) 256-4095  
E-Mail: [scallahan@newpaltz.k12.ny.us](mailto:scallahan@newpaltz.k12.ny.us)

Written notification must be provided to all persons in parental relation, faculty and staff at the following intervals throughout the school year: at the beginning of the school year; within two school days of the end of winter recess; within two school days with the end of spring recess; and within ten days of the end of the school year.

**New Paltz Central School District**

**Request for 48 - Hour Notification of Pesticide Application**

*Please complete the following for each individual (student/staff) and return to:*

Mr. Stephen J. Callahan, Pesticide Representative  
New Paltz Central School District  
196 Main Street  
New Paltz, NY 12561

**( PLEASE PRINT )**

Please Circle Building :					
DUZINE	LENAPE	MIDDLE	HIGH	BUS G	DO
Student Name:					
Parent/Guardian for Student:					
Address :					
Daytime Phone #	Evening Phone #	E-Mail Address :			



# The New Paltz Central School District Code of Conduct

**Approved by the Board of Education 5/20/15**

## I. INTRODUCTION

The New Paltz Board of Education hopes that our students will become passionate learners who are empowered to achieve their dreams and act as good citizens of the world.

To achieve that goal, the Board strives to provide safe schools for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex and where all members of the school community behave with personal responsibility and mutual respect. The Board recognizes that to maintain such an environment, we must all live within certain boundaries and that inappropriate action by one person can infringe upon the rights of another. When conflicts arise, we are committed to nonviolent resolutions that encourage personal growth, responsibility and that treat each individual with respect and dignity.

This Code of Conduct describes the behavior that the Board expects from all members of the school community, identifies consequences if those standards are not met, and establishes procedures to ensure that discipline, when necessary, is prompt, fair and effective.

**Attachment A** defines the terms used in this Code.

## II. STUDENT RIGHTS AND RESPONSIBILITIES

<b>Students have a right to:</b>	<b>Students have the responsibility to:</b>
A free education that will prepare them for active citizenship in a democracy.	Attend classes, observe school rules and work for satisfactory achievement.
A safe and secure environment that promotes learning.	Refrain from violence. Notify an adult of the presence of drugs, alcohol, weapons, harassment and other violent acts or threats of violence.
Speak and be heard.	Listen to others.
Take part in any school activity on an equal basis.	Participate and support others in school events.
Be treated with courtesy and respect.	Be courteous and respectful.
Freedom from bullying, harassment and other abuse based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.	Speak up about and refrain from bullying, harassment and other abuse based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
Academic and emotional support.	Ask for help when it is needed, and offer help to peers when needed
Express themselves through their choices in clothing.	Adhere to the school dress code.
Communicate thoughts and beliefs that do not interfere with the rights of others or school operations.	Show consideration for people whose beliefs differ from their own.

Assemble peacefully.	Get permission from appropriate school personnel before assembling.
Learn strategies that develop cooperation, tolerance, and conflict resolution.	Use cooperative solutions.
Be informed of school policies and rules.	Abide by the Code of Conduct.

### III. EXPECTED BEHAVIOR

All members of the school community should respect the rights and welfare of others, act ethically, and care for school facilities and equipment. The Board expects respectful behavior and civil conduct on all school property, including buses, and at all school functions, whether on or off school property.

The Board will not tolerate:

- Possession or use of weapons or illegal materials.
- Possession, distribution, use, or being under the influence of alcohol or illegal substances (including synthetic drugs).
- Behaviors that infringe on the physical, mental or emotional well-being of others, or that disrupt the safe and supportive educational environment.
- Intimidation, harassment or discrimination on the basis of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, or for any other reason.
- Academic misconduct (e.g., plagiarism, cheating, copying, altering records, assisting another student in any of these actions).
- Damage to school property, including busses, or the property of others.
- The distribution of materials that are obscene, advocate illegal action or appear libelous.
- Entering or remaining on school property without authorization.
- Violation of any federal, state or local law, or Board policy.

**Attachment B** describes the specific expectations for staff, parents and visitors. **Attachment C** describes the specific expectations for students. **Attachment D** describes consequences for infractions of the Code.

### IV. DIGNITY FOR ALL STUDENTS ACT

The Board of Education recognizes that a learning environment that is safe and supportive can increase student attendance and improve academic achievement. A student’s ability to learn and achieve high academic standards, and a school’s ability to educate students, is compromised by incidents of discrimination or harassment, including but not limited to bullying, taunting, hazing and intimidation. The District will strive to create an environment free of discrimination and harassment and will foster civility in the schools to prevent and prohibit conduct which is inconsistent with the District’s educational mission.

The District condemns and prohibits all forms of discrimination and harassment of students based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex by school employees or students on school property or at school-sponsored events and activities that take place on or off of school property. In addition, any act of discrimination or harassment outside of school-sponsored events which can reasonably be expected to materially and substantially disrupt the educational process may be subject to discipline. **see Attachment E - DASA Policy**

### V. DRESS CODE

All students and staff should show healthy and respectful attention to their personal cleanliness and clothing. Adults should model and reinforce acceptable dress for students. **Attachment F** lists the specific dress code rules.

### VI. REPORTING CODE VIOLATIONS

Each individual in the school community has the responsibility to report code violations that he or she witnesses. Violations involving weapons, alcohol or illegal substances (including synthetic drugs such as synthetic cannabinoids) must be reported immediately. Students should report violations to the building principal or a guidance counselor, social worker, teacher or any adult they trust. Adults should report violations in accordance with district policy. When code violations break not only school policy but the law, the school principal or designee must promptly notify the appropriate law enforcement agency.

## VII. DISCIPLINE

The Board believes that the best discipline is self-imposed. Adults should model self-discipline and help students accept responsibility for their actions.

Disciplinary action should be used only when necessary and in accordance with applicable contracts, laws, regulations and policies. Such actions should not just punish, but encourage personal growth and individual responsibility. Staff members authorized to impose discipline should act in a prompt, fair and problem-solving manner.

School personnel administering student discipline should consider:

- The student's age, learning style, and prior disciplinary record.
- The nature and circumstances of the offense.
- The effectiveness of any prior discipline.
- Information from parents, teachers or others, as appropriate.
- Other extenuating circumstances.

**Consequences.** For students, these can range from an oral warning to permanent school suspension. Disciplinary action against staff will conform to law and applicable contracts. Visitors will be asked to leave the building. **Attachment D** more fully describes the possible consequences.

**Procedures.** All disciplinary action should adhere to District contracts, regulations and policies. Students accused of misconduct should be told by authorized personnel of the nature of the accusation. If necessary, authorized school staff should investigate the facts surrounding the alleged misconduct. Students will have an opportunity to tell their version of the events. Students subject to penalties other than an oral or written warning or a written notification to their parents are entitled to additional rights before the penalty is imposed. **Attachment G** more fully describes disciplinary procedures.

**Minimum suspensions.** A student who brings a weapon to school (including but not limited to a weapon upon the Gun Free Schools Act) will be suspended for at least one calendar year, unless the Superintendent modifies the penalty based upon the student's age, grades, prior disciplinary record, the belief that other forms of discipline may be more effective, other relevant information from parent(s), teacher(s) or others, or other extenuating circumstances. A student who commits any other violent act or who repeatedly and substantially disrupts the educational process could be suspended for at least five days, unless the Superintendent modifies the penalty. **Attachment H** more fully describes minimum suspensions.

**Alternative instruction for disciplined students.** The district will provide immediate, alternative instruction to all students removed from classes by teachers or suspended from school.

**Referrals.** Students may be referred for counseling, a Person in Need of Supervision petition through Family Court, or juvenile delinquency proceedings. **Attachment I** describes when students may be referred to such counseling or proceedings.

**Disciplining students with disabilities.** Students with known or suspected disabilities who are determined to have committed an act of misconduct will be referred to the District's Committee on Special Education (CSE). A student will not be punished if the CSE determines that the conduct stems from the student's disability. But when the CSE determines that discipline is warranted, it will conform to the federal and state laws and regulations governing the discipline of students with disabilities. Such students will not receive harsher punishments than students who are not disabled. **Attachment J** describes the specific policies for disciplining students with disabilities.

**Use of physical force.** Corporal, or physical punishment, is strictly forbidden. However, reasonable physical force may be used to:

- Protect yourself or others from physical injury.
- Protect school or personal property.
- Restrain or remove a disruptive or violent student who refuses to refrain from disruptive or violent acts.

The district will file reports on incidents of the use of physical force with the Commissioner of Education in accordance with Commissioner's Regulations. The Building Principal or designee is responsible for enforcing these rules, as described in **Attachment K**.

## VIII. STUDENT SEARCHES AND INTERROGATIONS

**Searches.** Police, as well as the superintendent, building principals and assistant principals, may search students and their possessions for illegal matter or matter that threatens the health, safety, welfare or morals of fellow students, if there is reasonable individualized suspicion.

School computers, desks, lockers and storage spaces are school property and may be opened and inspected by school officials from time to time without prior notice or student consent, but mindful of the student's rights and the nature of the school as an educational institution.

**Questioning.** School officials may question students about possible violations of school rules. The student's parents may be contacted depending upon the circumstances.

The police may enter the schools if a crime has been committed on school property, they have an arrest or search warrant, or if they have been invited by school officials. Prior to such questioning, police must give students their "Miranda rights" and school administrators or police must diligently try to notify the student's parents and give them the opportunity to be present.

Child Protective Services (CPS) may interview students on school property without notification to the parents regarding allegations of suspected child abuse, maltreatment or neglect (including educational neglect).

**Attachment L** more fully describes the rules governing student searches and questioning.

## IX. SCHOOL VISITORS

The Board encourages parents and other community members to visit our schools to observe the work of students, teachers and other staff. But all visitors must first report to the office and obtain authorization for being on school premises. The building principal or his or her designee is responsible for all persons in the building and on the grounds. **Attachment M** more fully describes the policy governing school visitors.

## X. PUBLIC CONDUCT ON SCHOOL PROPERTY

The district is committed to providing an orderly, respectful and safe environment that is conducive to learning. All persons on school property or attending a school function, whether on or off of school property, shall conduct themselves in a respectful and orderly manner.

No person, either alone or with others, while on school property or attending a school function, shall:

- Intentionally injure or threaten to injure any person.
- Intentionally damage or destroy school property or the property of others, or remove or use such property without authorization.
- Disrupt the orderly conduct of classes, school programs and activities.
- Distribute or wear materials that are obscene, advocate illegal action, appear libelous, obstruct the rights of others or are disruptive to the school program.
- Intimidate, harass or discriminate against any person on the basis of actual or perceived race, color, creed, weight, national origin, ethnic group, religion, religious practice, age, gender, sexual orientation or disability **or any other discriminatory reason.**
- Harass, which includes a sufficiently severe action or a persistent, pervasive pattern of actions or statements (verbal, by electronic or other means), directed at an identifiable individual or group which are intended to be, or which a reasonable person would perceive as ridiculing or demeaning.
- Intimidate, which includes engaging in actions or statements that put an individual in fear of bodily harm, including threats.
- Enter any school property without authorization or remain in any school premises after it is closed.
- Obstruct the free movement of any person.
- Violate traffic laws, parking regulations or other vehicle restrictions.
- Possess, consume, sell, distribute or exchange alcoholic beverages, **any form of tobacco including but not limited, smokeless tobacco, e-cigarettes and electronic smoking devices.**, or controlled substances (including synthetic drugs such as synthetic cannabinoids), or be under the influence of the above.
- Possess or use weapons (unless specifically authorized by the district).
- Loiter, gamble, litter or spit.

- Refuse to comply with reasonable directives of school officials while they are performing their duty.
- Willfully incite others to commit any acts prohibited by the Code of Conduct.
- Violate any federal or state law, local ordinance or Board policy.

## **XI. DISSEMINATION AND REVIEW OF CODE**

The school district will educate the community about this Code of Conduct by:

- Providing a summary of the code to all students and parents at the beginning of each school year, including a form encouraging comments on how to improve or change the code.
  - Providing copies of the code, including any amendments, to all school personnel as soon as practical after adoption.
- Providing new employees with a copy of the code when they are hired.
- Providing copies of the code to any student, parent or community member who asks for one.

Copies of the complete code are available on the District website. **Attachment N** more fully describes the district’s plan for educating the community about the Code of Conduct.

## **ATTACHMENT A: DEFINITIONS**

For the purposes of this code, the following definitions apply:

- **Bullying:** A form of harassment (see below) that consists of persistent or severe coercion, cruelty, insults, intimidation, or threats.
- **Cheating:** Using the ideas, works, creations or words of another in completing examinations, projects, reports (and includes Plagiarism, below).
- **Controlled substance:** A drug or other substance identified in certain provisions of the federal Controlled Substances Act specified in federal and state law and in regulations applicable to this policy (including synthetic drugs such as synthetic cannabinoids).
- **Disruptive person:** Anyone who substantially disrupts the educational process or substantially interferes with the teacher’s classroom authority.
- **Gender:** Actual or perceived sex and includes a person’s gender identity or expression.
  - **Gender Expression:** The manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyle, activities, voice or mannerisms.
  - **Gender Identity:** One’s self-concept as being male or female, as distinguished from actual biological sex or sex assigned at birth.
- **Harassment:** Any intentional written, verbal electronic, digital or other communication or physical act including, but not limited to, one shown to be motivated by actual or perceived age, color, creed, disability, marital status, national origin, race, ethnic group, religion, religious practice, sex, gender, sexual orientation, veteran status or other distinguishing characteristic when the conduct or communication:
  - Interferes with a student’s academic performance or participation in school-sponsored activities or an employee’s work.
  - Creates an intimidating, hostile or offensive educational or work environment. o Harms or damages the property of a student or employee.
  - Places a student or employee in reasonable fear of physical harm or damage to him/herself and/or his or her property.
  - Substantially disrupts the orderly operation of the school.
- **Hazing:** A form of harassment that occurs while initiating a student into a school organization or activity, which involves committing an act against the student or coercing the student into committing an act against someone else that risks emotional, physical or psychological harm to the student or another person. The fact that the victim may consent to the act does not excuse the behavior or lessen the offense.
- **Illegal substances:** These include but are not limited to amphetamines, cocaine, heroin, inhalants, LSD, lookalike drugs, synthetic drugs, marijuana, PCP, steroids, alcohol and any substances commonly referred to as “designer drugs.”
- **Parent:** Parent, guardian or person in parental relation to a student.

- **Plagiarism:** The use or close imitation of the language and ideas of another author and representation of them as one's own original work. This includes copying from electronic sources, the Internet, world wide web, even with minor alterations.
- **School Property:** The area 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:** Any school-sponsored extra-curricular event or activity whether on or off school property.
- **Sexual Orientation:** Actual or perceived heterosexuality, homosexuality or bisexuality.
- **Student:** Any child between the ages of 3 and 21 years of age enrolled in the New Paltz Central School District educational programs
- **Violent person:** Any person, while on school property or at a school function who:
  - Commits an act of violence upon a school employee, another student, or any other person or attempts to do so.
  - Possesses or threatens to use a weapon, or displays what appears to be a weapon.
  - Knowingly and intentionally damages or destroys the personal property of any school employee or any person lawfully on school property or at a school function.
  - Knowingly and intentionally damages or destroys school district property.
- **Weapon:** A firearm as defined in 18 USC §921 for purposes of the Gun-Free Schools Act or anything else that can cause physical injury or death when used to cause physical injury or death.
- **Visitor** – Any community member or other individual who comes to our schools, including but not limited to school buildings, school grounds and school events either on or off site.

### **ATTACHMENT B:**

#### **BOARD EXPECTATIONS FOR STAFF, PARENTS AND VISITORS**

**Parents and guardians** are expected to:

- Recognize that the education is a joint responsibility of parents and the school community.
- Send their children to school ready to participate and learn.
- Ensure their children attend school regularly and on time and that absences are excused.
- Ensure that their children are dressed and groomed in a manner consistent with the student dress code.
- Help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
- Know the District Code of Conduct and school rules and help their children understand them.
- Convey to their children a supportive attitude toward education and the school community.
- Build good relationships with teachers, other parents and their children's friends.
- Help their children deal effectively with peer pressure.
- Inform school officials of changes in the home situation that may affect student conduct or performance.
- Provide a place for study and ensure homework assignments are completed.
- Provide accurate and updated emergency information.

**All school personnel** are expected to:

- Promote a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, which will strengthen each student's positive self-image.
- Teach common courtesies by precept and example.
- Treat students in an ethical, responsible and nondiscriminatory manner.
- Help students to reach their maximum potential.
- Demonstrate desirable standards of behavior through personal example.
- Report violations of the Code of Conduct to the Building Principal or acting building principal.
- Immediately report and refer violent students to the Principal or Superintendent of Schools.
- Address issues of harassment (including bullying) or any situation that threatens the emotional or physical health or safety of any student, employee or other person lawfully on school property or at a school function.
- Address personal biases that may prevent equal treatment of all students and staff.
- Maintain confidentiality in accordance with federal and state law.

**Teachers** are also expected to:

- Be prepared to teach.
- Demonstrate interest in teaching and concern for student achievement.
- Know school policies and rules, and enforce them in a fair and consistent manner.
- Communicate to students and parents: o Course objectives and requirements. o Marking/grading procedures. o Assignment deadlines. o Expectations for students. o Classroom discipline plan.
- Communicate regularly with students, parents and other teachers concerning growth and achievement.
- Read, understand and comply with a student's IEP, §504 Plan and behavior improvement plan.
- Comply with state law and regulations regarding corporal punishment, mandated reporting of suspected child abuse in the domestic setting and in the educational setting.

**Dignity Act (or Bullying Prevention) Coordinators** are also expected to:

- Promote a safe, orderly and stimulating school environment supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex;
- Identify curricular resources that support infusing civility in classroom instruction and classroom management; and provide guidance to staff as to how to access and implement those resources;
- Coordinate training in support of the District's Bullying Prevention and Intervention Policy;
- Be responsible for monitoring and reporting on the effectiveness of the District's Bullying Prevention and Intervention Policy;

**Building administrators** are also expected to:

- Promote a safe, orderly and stimulating school environment, supporting active teaching and learning for all students.
- Ensure that students and staff have the opportunity to communicate regularly with the principal and approach the principal for redress of grievances.
- Ensure that students and staff receive training in the Code of Conduct and anti-harassment policies □ Support the development of student participation in appropriate extra-curricular activities.
- Be responsible for communicating expectations and for enforcing the code of conduct, ensuring that all cases are resolved promptly and fairly.
- Evaluate all instructional programs on a regular basis.
- Evaluate student attendance at least annually and make recommendations to the board and superintendent to increase attendance.
- Empower and create success for disenfranchised and disengaged students.

**The superintendent and district administrators** are also expected to:

- Promote a safe, orderly and stimulating school environment supporting active teaching and learning for all students.
- Review with district administrators the policies of the board of education and state and federal laws relating to school operations and management.
- Inform the board about educational trends relating to student discipline.
- Work to create instructional programs that maximize student learning and performance by engaging students and staff in meaningful academic exercises.
- Work with district administrators in enforcing the code of conduct, the Dignity for All Students Act, and ensuring that all cases are investigated properly and resolved promptly and fairly.

**Members of the Board of Education** are also expected to:

- 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 *individuals to create an invigorating learning community*.
- Adopt and review at least annually the district code of conduct to evaluate the code's effectiveness and the fairness and consistency of its implementation.
- Lead by example by conducting board meetings in a professional, respectful, courteous manner.

## **ATTACHMENT C: PROHIBITED CONDUCT**

(Numbers indicate the possible consequences, as defined in attachment D)

### **Disorderly or disruptive conduct, such as but not limited to:**

1. Running in hallways. (1)\*
2. Making unreasonable noise. (1,2)
3. Using language or gestures that are abusive, lewd, obscene, or profane. (All)
4. Obstructing vehicular or pedestrian traffic. (1,5)
5. 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. (All)
6. Unless authorized by a district administrator for use as academic technology, responding to pagers or using cell phones, using MP3 players or other personal entertainment devices is prohibited. Misusing computer or electronic devices, including unauthorized use of computers, software, or an internet or intranet account; accessing inappropriate websites, or any other violation of the district's acceptable use policy is prohibited. In addition, communication devices must be silenced and cannot be used at any time during an emergency situation to ensure the safety of all individuals in the school building, unless authorized to do so.(All)
7. Failing to comply with the reasonable directions of teachers, school administrators or other school employees.(All)
8. Trading or selling cards. (4,9,10)
9. Engaging in any willful act that disrupts the normal operation of the school community. (All)

### **B. Insubordinate conduct, such as but not limited to:**

1. Failing to comply with the reasonable directions of teachers, school administrators or other school employees. (All)
2. Showing disrespect to district employees. (All)
3. Arriving late, leaving early, or missing school without permission. (4,9)
4. Skipping detention. (9)

### **C. Violent conduct, such as but not limited to:**

1. Committing or attempting to commit an act of violence (such as hitting, biting, kicking, punching, spitting, or scratching) upon a student, any school employee, or any other person lawfully on school property. (11,12,13)
2. Possessing a weapon, unless express written permission is given by the Superintendent or designee. (12,13)
3. Possessing or displaying what appears to be a weapon (11,12)
4. Threatening to use a weapon. (12, 13)
5. Intentionally damaging or destroying school district property or the property of others. (3-13)
6. Conduct that intimidates, promotes or conspires to cause or causes physical or emotional injury to others (All).

### **D. Conduct that endangers the morals, health or welfare of others, such as but not limited to:**

1. Lying to school personnel. (All)
2. Littering or spitting on property. (1-11)
3. Stealing. (6>)
4. Defamation, which includes violating the privacy or making false statements or misrepresentations about an individual or group of individuals that harm the reputation of the person or group by demeaning them. (All)
5. Discrimination, or the negative or offensive treatment of an individual or group based on actual or perceived color, creed, disability status, gender, sex, sexual orientation, weight, race, national origin, ethnic group, religion, religious practice, or other discriminatory classification or using any of the above as a basis for treating another in a negative or offensive manner. (6>)
6. 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. (11>)
7. Sexual harassment, which includes unwelcome sexual advances, requests for sexual favors, taking, sending or retaining (unless for the purpose of reporting/evidence) sexually explicit videos, pictures or auditory recordings and other verbal or physical conduct or communication of a sexual nature. (All)
8. 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. (11-13)



9. Bullying, which consists of inappropriate persistent physical, verbal and/or nonverbal behavior including threats or intimidation of others treating others cruelly, terrorizing, coercing, or habitual put-downs.(11-13)
10. Cyber-bullying, including, but not limited to, the use of instant messaging, email, websites, social networking sites, text messaging or use of any electronic or digital communication when such use infringes upon the general health, safety and welfare of District students and employees. (11-13)
11. Selling, distributing, using or possessing obscene material.(11-13)
12. Using any form of tobacco including but not limited, smokeless tobacco, e-cigarettes and electronic smoking devices. (6-All)
13. Possessing, consuming, selling, distributing or exchanging *look- a- like drugs, synthetic drugs, drug paraphernalia*, alcoholic beverages or illegal substances, or being under the influence of either. Possessing, consuming, selling, distributing, exchanging or sharing prescription and nonprescription drugs. (All)
14. Gambling or extortion. (6>)
15. Exposure of the body's private parts. (11>)
16. Making a false alarm about a fire, bomb threat, or other emergency, or inappropriately calling 911 or discharging a fire extinguisher or an automatic external defibrillator. In addition, no communication devices can be used at any time during an emergency situation, to ensure the safety of all individuals in the school building In addition, communication devices must be silenced and cannot be used at any time during an emergency situation to ensure the safety of all individuals in the school building, unless authorized to do so. (AED). (12,13)
17. Reckless or unauthorized operation of a motor vehicle on and around school property. (All)
18. Engaging in or displaying unacceptable physical or sexual contact. (All)

**E . Misconduct on school busses, such as but not limited to:**

1. Any activity or conduct that distracts the bus driver. (All).
2. Any activity or conduct not allowed in school or at school functions. (All)

**F. Academic misconduct, such as but not limited to:**

1. Plagiarism. (14)
2. Cheating. (14)
3. Copying. (14)
4. Altering records. (14)
5. Assisting another student in any of the above actions. (14)
6. Failure to return documents or school property in a timely fashion (14)

**G. Off-campus misconduct:** A student may be subject to discipline for conduct constituting a crime which is committed off of school premises or at non-school sponsored activities to the extent that the Superintendent of Schools or Board of Education reasonably believes that the continued attendance in school of the student would adversely affect the educational process (e.g., disrupts the operation of the school) or constitutes an endangerment to the health, safety, welfare or morals of the student and/or others in our schools.

A student may be subject to discipline for off-campus misconduct that does not involve criminality that the Superintendent of Schools or Board of Education reasonably believes has a nexus to the educational process (i.e., student-student, student-personnel, interactions that foreseeably would have a detrimental or disruptive effect upon school programs or activities).

**Examples of off-campus misconduct that endangers students or staff on school ground or that substantially disrupts the educational process, such as but not limited to:**

1. Cyberbullying, or using the telephone, email or another form of electronic, digital or other communication to harass or threaten students or school staff on school property or to substantially interfere with school procedures. (All)
2. Harassment, bullying, or hazing.

Repeat infractions may lead to more severe consequences including, for chronic repeat serious infractions up to and including permanent suspension.

The Administration reserves the right to implement disciplinary action for incidents not specifically identified above.

## ATTACHMENT D: CONSEQUENCES

### **Students**

Students who violate the district's code of conduct are subject to the following consequences, either alone or in combination. The school personnel identified after each consequence are authorized to impose that consequence, consistent with the student's right to due process.

1. Oral warning: any member of the district staff
2. Written referral: bus drivers, coaches, guidance counselors, hall and lunch monitors, teachers, principals and assistant principals, and the superintendent
3. Written notification to parent, guardian: bus drivers, coaches, guidance counselors, hall and lunch monitors, teachers, principals and assistant principals, and the superintendent
4. Detention: teachers, principals, and the superintendent
5. Suspension from transportation: the director of transportation, principals, and the superintendent
6. Suspension from athletic participation: coaches, principals, athletic directors, and the superintendent
7. Suspension from social or extracurricular activities: activity director, principals, and the superintendent
8. Suspension of other privileges: principals and the superintendent
9. In-school suspension: principals and the superintendent
10. Removal from classroom: teachers
11. Short-term (five days or less) suspension from school: principal and acting principal
12. Long-term (more than five days) suspension from school: the superintendent, or designated hearing officer after a hearing
13. Placement in an interim alternative educational setting for a period of up to 45 school days, in the case of a student with a disability whose knowing possession or use of illegal drugs, or sale or solicitation of the sale of a controlled substance or inflicting a serious bodily injury to another person at school or a school function is determined not to be related to his/her disability.
14. Permanent suspension from school: superintendent or the Board of Education, after a hearing
15. All incidents of academic misconduct could result in a grade of zero and other academic consequences.

### **Staff**

Staff who violate this code will be subject to discipline consistent with board policy and applicable collectively negotiated agreements.

### **Visitors**

Parents, guardians and visitors who violate this code will be asked to leave the premises.

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

**Repeat infractions may lead to more severe consequences including, for chronic repeat serious infractions, up to and including permanent suspension.**

## **ATTACHMENT E – DASA POLICY 7370**

### **DIGNITY FOR ALL STUDENTS: PROHIBITING DISCRIMINATION AND HARASSMENT OF STUDENTS**

The Board of Education ("Board") is committed to providing a safe and productive learning environment within its schools. In accordance with New York State's "Dignity for All Students Act" ("DASA") the Board is committed to promptly addressing incidents of harassment and/or discrimination of students that impede students' ability to learn. This includes bullying, taunting or intimidation in all their myriad forms. To this end, the Board condemns and strictly prohibits all forms of discrimination, such as harassment, hazing and bullying on school grounds, school buses and at all school-sponsored activities, programs and events. No student shall be

subjected to harassment by employees or students on school property or at a school function. Nor shall any student be subjected to discrimination based on the student's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex, by school employees or students on school property or at a school function. The Board also prohibits discrimination, harassment, hazing or bullying that takes place at locations outside of school grounds, including cyberbullying, which creates or would foreseeably create a risk of substantial disruption within the school environment where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. Consequences for a student who commits an act of bullying shall be unique to the individual incident and will vary in method and severity according to the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors, and must be consistent with the district's Code of Conduct.

In addition, the District reserves the right to discipline students who engage in harassment of students off school property under circumstances where such off-campus conduct would be violative of the student code of conduct.

**Policy Definitions:**

- *School Property* means in or within any building, structure, athletic playing field, playground, parking lot, or land contained within the real property boundary line of a public elementary or secondary school; or in or on a school bus (Education Law §11[1]).
- *School Bus* means every motor vehicle owned by a public or governmental agency or private school and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities, or, privately owned and operated for compensation for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities (Education Law §11[1] and Vehicle and Traffic Law §142).
- *School Function* means a school sponsored extracurricular event or activity (Education §11[2]).
- *Disability* means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment, provided, however, that in all provisions of this article dealing with employment, the term must be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held (Education Law §11[4] and Executive Law §292[21]).
- *Employee* means any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title nine(B) of article five of the Social Services Law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact (Education Law §§11[4] and 1125[3]).
- *Sexual Orientation* means actual or perceived heterosexuality, homosexuality, or bisexuality (Education Law §11[5]).
- *Gender* means actual or perceived sex and includes a person's gender identity or expression (Education Law §11[6]).
- *Harassment* means the creation of a hostile environment by conduct or by threats, intimidation or abuse, whether verbal or non-verbal, including cyberbullying, that (a) has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical well-being; (b) reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; (c) reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or (d) occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.

Discrimination or harassment within the meaning of this policy shall include a single severe incident or multiple incidents that are pervasive in nature that creates a hostile environment or reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety.

The discriminating behavior or harassing behavior may be based on any characteristic, including but not limited to a person's actual or perceived:

- race
- color
- weight

- national origin
- ethnic group
- religion
- religious practice
- disability
- sex
- sexual orientation; or
- gender (including gender identity and expression).

In order to streamline the wording of this policy and regulation the terms bullying and harassment will be used interchangeable and will also be used throughout to encompass intimidation, cyberbullying and hazing behaviors.

- *Hazing* is an induction, initiation or membership process involving harassment which produces public humiliation, physical or emotional discomfort, bodily injury or public ridicule or creates a situation where public humiliation, physical or emotional discomfort, bodily injury or public ridicule is likely to occur.
- *Bullying* has the same meaning as harassment under the amended Dignity for All Students Act (see above).
- *Cyberbullying* is defined as harassment or bullying through any form of electronic communication. In order to be actionable under this Policy, cyberbullying that occurs off campus must create or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.

#### **Reporting and Investigation:**

Any student who believes that s/he is being subjected to harassment, as well as any other person who has knowledge of or witnesses any possible occurrence of harassment, shall report the harassment to any staff member or to the Building Principal. Staff who observe or learn of incident(s) of bullying are required, in accordance with State law, to make an oral report to the building principal within one school day and to fill out the district reporting form within two school days. A district employee may be deemed to have permitted unlawful discrimination or harassment if he/she fails to report an observed incident, whether or not the target complains.

The Building Principal to whom the report is made must immediately notify the same to the Superintendent of Schools in writing of such report and unless otherwise stated in the policy shall promptly investigate the complaint and take appropriate action to include, as necessary, referral to the next level of supervisory authority and/or other official designated by the District to investigate allegations of harassment.

The Building Principal shall maintain a log of bullying incidents as a record for the purpose of tracking repeat offenders, as well as identifying trends. The Building Principal shall report their findings periodically, but no less than quarterly, to the Superintendent of Schools or designee, who shall report to the Board annually regarding bullying incidents on a building-wide and district-wide basis. All reported incidents of bullying must be documented in the file of a student being accused of the conduct, unless said student was found to be innocent of the bullying allegation. Written records should also capture what action, if any, was taken, or why no action was taken. These reports shall remain in the student's file and will travel with the student from elementary school to high school. If a staff person is unsure of the reporting procedure, he/she is expected to inquire about how to proceed by speaking with their supervisor. Incidents will be included in the Violent and Disruptive Incident Reporting (VADIR) system when applicable.

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

The Superintendent shall designate one or more staff members in each school building to be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender and sex. Where there are separate policies covering forms of discrimination as referred above, the investigating of alleged harassment of such nature shall be conducted solely pursuant to those policies (i.e.: Title VI, Title IX, Disability Discrimination).

In furtherance of this Policy, the Superintendent is authorized and directed to prepare guidelines that shall be approved by the Board:

1. To be used in school training programs to discourage the development of discrimination or harassment, and that are designed to:
  - a. raise the awareness and sensitivity of school employees to potential discrimination or harassment, and
  - b. enable employees to prevent and respond to discrimination or harassment.
2. Relating to the development of nondiscriminatory instructional and counseling methods.

Verified bullying incidents that meet the criteria established by the state will be included in the statewide reporting system when applicable, in accordance with law and regulation.

The Board will receive the annual VADIR report, as well as any other state-required report relevant to bullying and/or school climate, for each building and for the district as whole.

#### **Prevention**

In order to implement this program the Board will designate at its annual organizational meeting a Dignity for All Students Act

(DASA) Coordinator for each school in the district. In addition, the Board shall appoint a district-wide DASA coordinator. The role of each DASA coordinator is to oversee and enforce this policy.

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

become actively involved in the prevention of bullying before overt acts occur. The components of such an effort involve the following:

- Learning about and identifying the early warning signs and precursor behaviors that may lead to bullying.
- Gathering information about bullying at school directly from students.
- Establishing clear school wide and classroom rules about bullying.
- Training adults in the school to respond sensitively and consistently to bullying.
- Providing adequate adult supervision, particularly in less structured areas such as in the hallways, cafeteria and playground.
- Raising parental awareness and involvement in addressing problems.
- Providing instruction in civility, citizenship and character education that emphasizes tolerance and respect for others.

### **Retaliation**

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participate in the investigation of allegations of harassment. Follow-up inquiries and/or appropriate monitoring of the alleged harasser and victim shall be made to ensure that harassment has not resumed and that those involved in the investigation of allegations of harassment have not suffered retaliation.

Furthermore, any person having reasonable cause to suspect that a student has been subjected to discrimination or harassment by an employee or another student, on school grounds or at a school function who reasonably and in good faith reports such information to school officials, to the Commissioner of Education, to law enforcement officials, shall be free from retaliation of any kind.

### **Dissemination, Monitoring, Review, and Reporting**

This policy, or a plain language summary, shall be published in the District Code of Conduct, and other information sent to students, parents and employees, as well as posted on the district's website. A bullying complaint form will be available on the district's website. The district will ensure that the process of reporting bullying is clearly explained. Each year, as part of the annual review of the Code of Conduct, this policy will be reviewed to assess its effectiveness and compliance with state and federal law and changes will be made, as needed.

The annual VADIR report will be available online for each building and for the district as whole, with particular attention to the trends in the incidence of bullying. In addition, the Board will receive on an annual basis a more detailed report of the number of bullying incidents that occur, disaggregated by school, student demographic information and type of incident. Based on the review of the data, the Board may consider further action, including but not limited to modification of this policy and additional training.

Cross-ref: 3421 - Sexual Harassment, 7222 - Credential Options for Students with Disabilities , 7310 - Code of Conduct , 3430 - Uniform Violent and Disruptive Incident Reporting System , 6160 - Professional Growth/Staff Development

Ref: Dignity for All Students Act, Education Law, §§10 – 18 , Americans with Disabilities Act, 42 U.S.C. §12101 *et seq.*, Title VI, Civil Rights Act of 1964, 42 U.S.C. §2000d *et seq.* , Title VII, Civil Rights Act of 1964, 42 U.S.C. §2000e *et seq.*; 34 CFR §100 *et seq.* , Title IX, Education Amendments of 1972, 20 U.S.C. §1681 *et seq.*

§504, Rehabilitation Act of 1973, 29 U.S.C. §794, Individuals with Disabilities Education Law, 20 U.S.C §§1400 *et seq.* , Executive Law §290 *et seq.* (New York State Human Rights Law) , Education Law §§313(3), 3201, 3201-a

*Tinker v. Des Moines Independent Community School Dist.*, 393 US 503, (1969) *Doninger v. Niehoff*, 527 F.3d 41 (2d. Cir. 2008)

*Pollnow v. Glennon*, 594 F.Supp. 220, 224 *aff'd* 757 F.2d. 496 , *Davis v. Monroe County Board of Education*, 526 U.S. 629 (1999) , *Gebser v. Lago Vista Independent School District*, 524 U.S. 274 (1998)

*Faragher v. City of Boca Raton*, 524 U.S. 775 (1998), *Burlington Industries v. Ellerth*, 524 U.S. 742 (1998)

*Oncale v. Sundowner Offshore Services, Inc.*, 523 U.S. 75 (1998) ,*Franklin v. Gwinnett County Public Schools*, 503 U.S. 60 (1992)

*Meritor Savings Bank, FSB v. Vinson*, 477 U.S. 57 (1986) *Appeal of K.S. 43 Ed. Dept. Rep. 492*

*Appeal of Ravick 40 Ed. Dept. Rep. 262*, *Appeal of Orman 39 Ed. Dept. Rep. 811*

Adopted: 7/11/12 ,Revised: 12/19/12 ,11/06/13

## ATTACHMENT F: DRESS CODE

All members of the school community should dress in appropriate clothing. Dress and grooming should be safe, appropriate and not disrupt or interfere with the educational process at school or at school functions, on or off school property. Each building principal or his or her designee will inform students and parents of the dress code at the beginning of the school year.

Specifically, the following clothing items are unacceptable:

- Clothing, jewelry, bags, backpacks, or accessories that endanger health or safety.
- Extremely brief garments (such as tube, net or halter tops), extremely plunging front or back necklines, see through garments, or any garment that exposes the body's private parts or undergarments.
- Footwear that is deemed hazardous by the administration, as well as bare or stocking feet.
- Hats or bandanas in school, except for medical or religious reasons.
- Items that are vulgar, obscene, or libelous or denigrate others on account of color, creed, disability, sex, gender, national origin, ethnic group, sexual orientation, race, religion, religious practice, socio-economic background.
- Items that promote or endorse the use of alcohol, tobacco or illegal drugs or encourage other illegal or violent activities.

Students must be dressed in appropriate clothing and protective equipment as required for physical education classes, participation in athletics, science laboratories and home and careers skills classes.

Students who violate the dress code will be asked to cover or remove the offending item and, if necessary or practical, replace it with an acceptable one. Parents will be notified of any offense and may be asked to bring replacement clothing to school. Any student who refuses to comply may be subject to discipline, up to and including in-school suspension for the day. Students who repeatedly violate the dress code may be subject to further discipline, up to and including out-of-school suspension.

Staff who violate the dress code will be subject to discipline consistent with board policy and contracts. Parents and visitors who violate this code will be asked to leave the premises.

All members of the school community are required to use proper equipment and/or dress for physical education classes, participation in athletics, science laboratories and home and careers skills classes.

## ATTACHMENT G: PROCEDURES

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

- 1) **Detention:** Teachers, building administrators, principals and the superintendent may impose after-school detention where removal from the classroom or suspension would be appropriate. Detention will be imposed only after the student's parent has been notified to confirm that there is no parental objection and the student has appropriate transportation home following detention.
- 2) **Suspension from Transportation<sup>2</sup>:** Bus drivers should inform building principals and the director of transportation about any serious behavior problems. In such circumstances, the principal or transportation director can suspend the student's bus privileges, and the student's parent will be responsible for providing or arranging timely and safe transportation to and from school. If the parent cannot provide such transportation, 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 but 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 from transportation to discuss the conduct and the consequence.
- 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 (including but not limited to class trip, prom, graduation) 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 *consequence* involved.

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<sup>2</sup> See Section X – Discipline of Students with Disabilities

- 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. Therefore, the Board authorizes building principals and the superintendent to place students, who would otherwise be suspended from school as the result of a code of conduct violation in, “in-school suspension.” The in-school suspension room will be under the supervision of a certified teacher.

A student subjected to an “in-school suspension” is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student’s parent 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 consequence involved.

- 5) **Teacher removal of disruptive students:** A student’s behavior can undermine a teacher’s ability to teach and other students’ ability to learn. Teachers can usually control behavior by using good classroom management including, in some cases, briefly removing the student from the classroom by, for example, giving the student a “time-out” in the hallway or with a school administrator, social worker or guidance counselor. Such techniques do not constitute disciplinary removals for purposes of this code.

However, when a student substantially disrupts the educational process or interferes with the teacher’s classroom authority by persistently refusing to comply with the teacher’s instructions or repeatedly violating classroom rules, the teacher may remove the student for longer periods of time.

Secondary students (grades 6 through 12) may be removed for the remainder of the class upon the first event and for two days of class upon the second or third event. **At the fourth or subsequent event of removal, a suspension is required by law.** Elementary students (kindergarten through grade 5) may be removed for a lesson not to exceed 45 minutes per incident for the first three events. For the fourth event **or subsequent event of removal, a suspension is required by law**

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

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

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

Within 24-hours after the student’s removal, the principal or another district administrator designated by the principal must notify in writing the student’s parents or guardians that the student has been removed from the 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 will also be provided by telephone if the school has been provided with a contact phone number.

The principal may require the teacher who ordered the removal to attend the informal conference. If 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 student’s classroom removal if he or she determines that:

- a. The charges against the student are not supported by substantial evidence.
- b. The student’s removal is otherwise in violation of law, including the district’s code of conduct.
- c. 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 teacher referral form 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 teacher will be permitted to return to the classroom until the principal makes a final determination or the period of removal expires, whichever comes first.

Any disruptive student removed from the classroom by the classroom teacher shall be offered continued educational programming and activities until he or she is permitted to return to the classroom.

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

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

6) **Suspension from School:** Suspension from school 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 recommendations and referrals shall be made in writing unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases the person recommending the suspension should write the referral as soon as possible.

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

**a. Short-term (5 days or less) Suspension from School:** When the superintendent or principal (the “suspending authority”) proposes to suspend 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 explain 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 contact phone number.

The notice shall provide a description of the alleged incident and the charges against the student and inform the parents of their right to hold an immediate informal conference with the principal. Both the notice and informal conference shall be in the dominant language or mode of communication used by the parents. At the conference, the parents shall be permitted to ask questions of complaining witnesses under procedures established by the principal. 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. If the parents wish to pursue the matter, they must file a written appeal to the superintendent within five business days, unless they can show extraordinary circumstances preventing 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 preventing them from doing so. Only final decisions of the Board may be appealed to the Commissioner of Education within 30 days of the decision.

b. **Long-term (more than 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, question witnesses against him or her, and present witnesses and other evidence on his or her behalf.

The superintendent shall personally hear and determine the proceeding or 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. If a hearing officer is designated, 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 or may reject or modify the decision of the superintendent. Final decisions of the board may be appealed to the Commissioner of Education within 30 days of the decision.

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

#### **ATTACHMENT H: 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 suspended for at least one calendar year, unless the superintendent modifies the suspension. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law §3214. In deciding whether to modify the suspension, the superintendent may consider the following:

A. The student’s age



- B. The student’s school grade.
- C. The student’s prior disciplinary record.
- D. The superintendent’s belief that other forms of discipline may be more effective.
- E. Input from parents, teachers, or others.
- F. Other extenuating circumstances.

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

2. **Students who commit violent acts other than bringing a 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, will be suspended from school for up to five days, unless the superintendent modifies the suspension. In addition, the student may be subject to a suspension for more than five days after a §3214 hearing is conducted. If the proposed suspension is for just five days, 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 suspension is for more than five days, the student and the student’s parents will be given the same notice and opportunity for a hearing given to all students subject to long-term suspension. In deciding whether to modify the consequence, 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 interfere with the teacher’s authority over the classroom:** Any student, other than a student with a disability, who repeatedly and substantially disrupts the educational process or substantially interferes with the teacher’s authority over the classroom, will be suspended from school for up to five days, unless the superintendent modifies the suspension. 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. If the proposed suspension is for just five days, 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 suspension is for longer than five days, 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. In deciding whether to modify the suspension, the superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

### **ATTACHMENT I: REFERRALS**

1. **Counseling:** The Social Worker, Guidance Counselor, Nurse, and/or School Psychologist shall handle referrals of students to appropriate human service agencies such as counseling and social services.
2. **PINS Petitions:** The district may file a PINS (person in need of supervision) petition in Family Court on any student under the age of 18 who demonstrates that he or she requires supervision and treatment by:
  - a. Being habitually truant and not attending school as required by part one of Article 65 of the Education Law.
  - b. Engaging in an ongoing or continual course of conduct which makes the student ungovernable, or habitually disobedient and beyond the lawful control of the school.
  - c. Knowingly and unlawfully possesses marijuana in violation of Penal Law §221.05. A single violation of §221.05 will be 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 students age 16 and older or any student 14 or 15 years old who qualifies for juvenile offender status to the appropriate law enforcement authorities.

### **ATTACHMENT J: DISCIPLINE OF STUDENTS WITH DISABILITIES**

It may sometimes be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior. Students with disabilities are entitled to certain procedural protections beyond those available to students without

disabilities whenever school authorities intend to impose discipline upon them. The school is committed to ensuring that the procedures for suspending, removing or otherwise disciplining students with disabilities are consistent with the procedural safeguards required by applicable laws and regulations.

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

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

- 1) For purposes of this section of the code of conduct, the following definitions apply.
  - a) A “suspension” means a suspension from school pursuant to Education Law §3214.
  - b) 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/herself or others or placement in an IAES for behavior involving serious bodily injury, weapons, illegal drugs or controlled substances.
  - c) An “IAES” means a temporary educational placement, other than the student’s current placement at the time the behavior precipitating the IAES placement occurred, that enables the student to continue to receive educational services so as to enable the student to continue to participate in the general curriculum, although in another setting, and to progress towards meeting the goals set out in such IEP, and receive, as appropriate, a functional behavioral assessment and intervention services and modifications that are designed to address the behavior violation so that it does not recur.
- 2) School personnel may, following the procedures set forth in Education Law Section 3214, order the suspension or removal of a student with a disability from his or her current educational placement as follows:
  - a) The school board, the district BOCES superintendent, 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 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 a non-disabled student 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 pattern which is equivalent to a change of placement when considering the proximity of time and duration of such suspension.
  - d) The superintendent may order the placement of a student with a disability in an IAES to be determined by the committee on special education (CSE), for the same amount of time that a student without a disability would be subject to discipline, but not more than 45 *school* days, even when it is a manifestation of the student's disability, if the student possesses or carries 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 ***or has inflicted serious bodily injury upon another person while at school, on school premises or at a school function.***
    1. “Weapon” means the same as “dangerous weapon” under 18U.S.C. §930 (g)(w) which includes “a weapon, device, instrument, materials 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.
    4. ***“Serious bodily injury” means bodily injury which involves a substantial risk of death, extreme physical pain, protracted or obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ or mental faculty.***
    5. Subject to specified conditions required by both federal and state law and regulations, an impartial hearing officer may order the placement of a student with a disability in an IAES setting for up to 45 *school* days at a time, if ***the IHO:***

a. *determines that the District has demonstrated by substantial evidence that maintaining the current placement of the student is substantially likely to result in injury to the student or others.*

### **B. Change of Placement Rule**

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 similarity of the student's behavior in previous incidents, 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.

School personnel may not suspend or remove a student with disabilities if imposition of the suspension or removal would result in a disciplinary change in placement based on a pattern of suspension or removal. However, the district may impose a suspension or removal, which would otherwise result in a disciplinary change in placement, based on a pattern of suspensions or removals if the **manifestation team** 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, or behavior resulting in serious bodily injury.

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

1) The district's Committee on Special Education shall:

a) Conduct functional behavioral assessments, *as appropriate*, to determine why a student engages in behaviors that impede learning and how the student's behavior relates to the environment, 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, controlled substances *or serious bodily injury*. If subsequently, a student with a disability who has a behavioral intervention plan and who has been suspended or removed from his or her current educational placement for more than 10 school days in a school year is subjected to a suspension or removal that constitutes a disciplinary change in placement, the members of the manifestation team shall review the behavioral intervention plan and its implementation to determine if modifications are necessary. If one or more members of the CSE believe that modifications are needed, the school district shall convene a meeting of the manifestation team to modify such plan and its implementation, to the extent the committee determines necessary.

2) A manifestation **team shall** conduct a 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, controlled substances *or serious bodily injury or a decision is made by an IHO to place a student in an IAES in a dangerous situation* or a decision is made to impose a suspension that constitutes a disciplinary change in placement.

a) *A manifestation team shall include a representative of the District knowledgeable about the student and the interpretation of information about child behavior, the parent and relevant members of the CSE as determined by the parent and the District*

b) *The manifestation team shall review all relevant information in the student's file, including the student's IEP, any teacher observation and any relevant information provided by the parents to determine if the conduct in question:*

1. *was caused by or had a direct and substantial relationship to the student's disability; or*
2. *was the direct result of the District's failure to implement the IEP.*

3) The parent 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 District shall be deemed to have knowledge that such student had a disability if prior to the time the behavior occurred:*

1. *The parent of such student has expressed concern in writing to supervisory administrative personnel or to a teacher of the student that the student is in need of special education; however, the expression may be oral if the parent does not know how to write or has a disability that prevents a written statement; or*
2. *The parent of the student has requested an evaluation of the student in accordance with Part 200 of the Commissioner's Regulations; or*

3. ***A teacher of the student, or other personnel of the District has expressed specific concerns about a pattern of behavior demonstrated by the student, directly to the District's Director of Special Education or to other supervisory personnel of the District.***

c) A student will not be considered a student presumed to have a disability for disciplinary purposes if, upon receipt of information supporting a claim that the district had knowledge the student was a student with a disability:

1. it was determined that the student is not a student with a disability, or
2. the parent of the student did not allow an evaluation of the student, or
3. the parent of the student has refused special education services.

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 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, controlled substances ***or serious bodily injury*** 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 for more than five school days shall be bifurcated into a guilt/no guilt phase and if guilt is found and a manifestation determination in accordance with § 201.4 of the Commissioner's Regulations results in a "No" manifestation determination, then a penalty phase in accordance with the procedures set forth in the Commissioner's regulations incorporated into this code. The Superintendent shall make a threshold determination of whether a suspension or removal in excess of 10 consecutive school days shall be considered. If such shall be determined affirmatively, the hearing shall be adjourned until a manifestation determination is made.
- 6) The removal of a student with disabilities other than a suspension or placement in an IAES shall be conducted in accordance with the due process procedures applicable to such removals of non-disabled students, except that school personnel may not impose such removal for more than 10 consecutive days or for a period that would result in a disciplinary change in placement, unless the ***manifestation team*** has determined that the behavior is not a manifestation of the student's disability or the behavior involves weapons, illegal drugs, controlled substances or serious bodily injury.
- 7) During any period of suspension or removal, including placement in an IAES, students with disabilities shall be provided with ***a*** Free Appropriate Public Education (FAPE) as required by federal and state law and the Commissioner's regulations incorporated into this code.

**D. Expedited Due Process Hearing**

- 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 pursuant to a disciplinary suspension or removal, including but not limited to any decision to place the student in an IAES.

1. During the pendency of an expedited due process hearing or appeal regarding the placement of a student in an IAES for behavior involving weapons, illegal drugs, controlled substances *or serious bodily injury*, 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.
  - c) An expedited due process hearing shall be completed within 20 school 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 10 school days after the last hearing date 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 may transmit copies of the special education and disciplinary records of a student with disabilities for consideration to the appropriate authorities to whom a crime is reported only to the extent that transmission is permitted by FERPA.

**F. Declassified Students**

In accordance with law, the *manifestation team* must conduct a manifestation determination in the case of a declassified student who has been *subject to discipline that would constitute a disciplinary change in placement*

**G. Section 504/Title II ADA Disability**

Before discipline may be meted out for a student with a disability or suspected disability founded solely under §504 of the Rehabilitation Act of 1973 (hereinafter "§504") or Title II of the Americans with Disabilities Act (hereinafter the "ADA"), the §504 multi-disciplinary committee (hereinafter the "§504 committee") must make a determination of whether the conduct underlying the charge(s) was a manifestation of the disability.

- 1) If a nexus is found between the disability and the conduct underlying the charges, the §3214 proceeding must be discontinued and the matter placed under the jurisdiction of the §504 Committee for any further consideration. *The record of discipline imposed to date shall be expunged.* The §504 Committee must register a referral and bring about an evaluation of a student with a suspected disability or, if the student is already eligible under §504, it must consider possible program modification and disposition on a non-disciplinary basis.
- 2) If no nexus is found, yet a disability is indicated or has been identified, discipline may be imposed upon remand to the §3214 Hearing Officer. Students whose sole disabilities are founded under §504 and for whom no nexus is found shall be disciplined in the same manner as their non-disabled peers.
- 3) *Students with a recognized 504/ADA disability who are currently using or in possession of alcohol or drugs may be disciplined regardless of their disability status in the same manner and to the same extent as their nondisabled peers, provided that the students are currently engaged in the illegal use of drugs or alcohol.*

Any penalty imposed may not be based on past behavior for which a nexus determination was not made.

**ATTACHMENT K: ENFORCEMENT AND PUBLIC CONDUCT ON SCHOOL PROPERTY**

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, staff member or visitor, as appropriate, in accordance with the "Consequences" section above. In addition, the district reserves its right to pursue a civil or criminal legal action against any person violating the code.

## ATTACHMENT L: SEARCHES AND QUESTIONING

The superintendent shall establish regulations regarding personal searches and interrogations of students, with due regard for the needs of parental knowledge and involvement, in accordance with this policy and the law.

- A. Student searches:** Involuntary personal searches of students and their possessions shall only be conducted by the police, unless there is a serious and immediate threat as well as reasonable suspicion for a search by school personnel. In that case, the Board authorizes the superintendent of schools, building principals and assistant principals to search students and their possessions for illegal matter or matter which otherwise constitutes a threat to the health, safety, welfare or morals of students attending our schools. Searches that require removal of clothing other than outer coats and jackets will be conducted only if the school attorney or, in his or her absence, the school superintendent, determines that such a search is necessary and justified based on probable cause.
- Such searches must conform to state and federal laws, and must be based on reasonable individualized suspicion. The reasonableness of the search will depend upon the:
- Student’s age, gender, and school history and record.
  - Prevalence and seriousness of the alleged infraction.
  - Urgency of an immediate search.
  - Reliability of the information used to justify the search and the likelihood that the search will produce useful information.
- Students must be told by school administration that school desks, lockers, storage spaces and computers belong to the school district, not the student, and thus may be opened and inspected from time to time by school officials without student permission. But school officials will respect the privacy of such spaces as much as possible.
- B. Questioning of Students by School Officials:** School officials have the right to conduct investigations and question students regarding any violations of school rules and/or illegal activity. The student’s parent/guardian may be contacted depending upon the nature and reasoning for the questioning and the necessity for further action which may result. School official are not required to give students “Miranda warnings” prior to questioning them. The questioning of students by school officials does not preclude subsequent questioning by police authorities as otherwise permitted by law.
- C. Questioning of Students by Police:** It is the policy of the district to cooperate with law enforcement agencies. While police do not have general power to interview children in school, or to use school facilities in connection with police department work, the police may enter the schools of the district if a crime has been committed on school property, they have a warrant for arrest or search or if they have been invited by school officials.
- When the police have properly entered the school and desire to interview students in the school, the students must be afforded the same rights they have outside the school. They must be informed of their legal rights, may remain silent if they so desire, may request the presence of an attorney and must be protected from coercion and illegal restraint. When a student is under the age of 16 and police are present for an interview or investigations, school officials must make every reasonable effort to notify the student’s parent(s), unless the police indicate that such interview concerns a student’s parent(s) or other household member and it is pursuant to a report regarding suspected child abuse, maltreatment or neglect.
- D. Child Protective Services Investigations:** Child Protective Services may in some cases desire to conduct interviews of students on school property. Such interviews generally pertain to allegations of suspected child abuse, maltreatment or neglect. A school official should be present during the interview unless it is decided that the presence of the school official is not essential to protect the interests of the pupil and that the Department of Social Services worker’s job can best be accomplished by conducting the interview without the school official present.

## ATTACHMENT M: VISITORS TO THE SCHOOLS

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

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

- B. All visitors to the school must report to the sign in desk 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 sign in desk before leaving the building.
- C. Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings, are not required to register.
- D. 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) and principal(s), so that class disruption is kept to a minimum. E. Teachers are expected not to take class time to discuss individual matters with visitors.
- E. 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.
- F. All visitors are expected to abide by the rules for public conduct on school property contained in this code of conduct.

#### **ATTACHMENT N: DISSEMINATION AND REVIEW OF CODE**

The district will ensure that the community is aware of this Code of Conduct by:

- Mailing a summary of the *Code of Conduct* written in plain language to all parents of district students before the beginning of the school year and making this summary available later upon request.
- Making full copies of the District Code available to all parents at the beginning of the school year.
- Providing a copy of the Code, and subsequent amendments to the Code, to all current teachers, and other staff members, and to newly hired employees when first hired as soon as practical after adoption.
- Making copies of the Code available for review by students, parents and community members
- Code and Plan are available on the District website, in the District Office and the main offices of each school.
- Providing an in-service education program for district staff members.
- Reviewing the Code of Conduct every year and update it as necessary.
- Holding a public hearing before adopting any Code revisions.
- Filing any amendments to the Code with the Commissioner of Education.

**A building's regulations, procedures, Code of Conduct or Dress Code must be consistent with and non-contradictory to, the District Code of Conduct / Dress Code. Distribution of regulations and procedures relating to the individual building Code of Conduct/ Dress Code, is the responsibility of the building principal.**

#### **Review of Code**

An in-service education program for all district staff members to ensure the effective implementation of the code of conduct *will be provided*. 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.

An advisory committee will be appointed 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.

At a regularly scheduled Board meeting the Code of Conduct Committee will present any Code revisions for review. The Board will vote on the Code approximately thirty days later after conducting a public hearing. The Code of Conduct and any amendments to it will be filed with the Commissioner no later than 30 days after adoption.

**DISTRICT-WIDE SAFETY PLAN 2015-2016**  
**Approved 5/20/2015**

**Introduction**

*While schools remain among the safest places for our students, one incident of violence is too much. This plan seeks to insure the safety of students, staff, and visitors to our school.*

Emergencies and violent incidents in school districts are critical issues that must be addressed in an expeditious and effective manner. Districts are required to develop a District-Wide School Safety Plan designed to prevent or minimize the effects of serious violent incidents and emergencies and to facilitate the coordination of the district with local and county resources in the event of such incidents or emergencies. The District-Wide School Safety Plan is responsive to the needs of all schools within the agency and is consistent with the more detailed emergency response plans required at the school building level. School districts and other educational agencies stand at risk from a wide variety of acts of violence, natural, and technological disasters. To address these threats, the State of New York has enacted the Safe Schools Against Violence in Education (SAVE) law. Project SAVE is a comprehensive planning effort that addresses risk reduction/ prevention, response, and recovery with respect to a variety of emergencies in the school district and its schools.

School personnel and community representatives serve on the District-Wide Health Advisory Committee, (once known as the SAVE committee). Members of this committee are approved by the Board of Education.

The New Paltz Central School District supports the SAVE Legislation and an ongoing planning and review process. The Superintendent of Schools encourages and advocates on-going district-wide cooperation with and support for Project SAVE.

**Section I: General Considerations and Planning Guidelines**

**Purpose**

The New Paltz Central School District-Wide School Safety Plan was developed pursuant to Commissioner's Regulation 155.17. At the direction of the New Paltz Central School District Board of Education, in conjunction with the Superintendent appointment of a District-Wide School Safety Team and charge it with the development, maintenance, and update of the District-Wide School Safety Plan for the protection and education of the school community.

**Identification of School Teams**

The **New Paltz Central School District** has created a District-Wide Health Advisory Committee (H.A.C.) consisting of, but not limited to:

CENTRAL ADMINISTRATOR	FACILITIES & OPERATIONS DIRECTOR
SCHOOL BOE MEMBER	TRANSPORTATION DIRECTOR
STUDENTS	BUILDING ADMINISTRATORS
TEACHERS	SCHOOL SAFETY PERSONNEL
SCHOOL PERSONNEL	COMMUNITY SAFETY PERSONNEL
PARENTS	STATE OR COUNTY AGENCY
COMMUNITY	PRIVATE SCHOOL REP
DIRECTOR OF HEALTH, PE, HEALTH SERVICES	

The District-wide Safety sub-committee will be formed from within the H.A.C.

**Concept of Operations**

The New Paltz Central School District has policies and procedures which incorporate New York State Homeland Security measures. Protocols reflected in the District-Wide School Safety Plan will guide the development and implementation of individual Building-Level Emergency Response Plans. All plans will be based upon the Incident Command System.

In the event of an emergency or violent incident, the initial response to all emergencies at an individual school will be by the School Emergency Response Team. Upon the activation of the School Emergency Response Team, the Superintendent of Schools, or his/her designee, will be notified and, where appropriate, local emergency officials will also be notified.

The District is a member of the Local Town/Village Emergency Planning Committee. Through this committee information, communication and training will be cooperatively accomplished with the recommended local agencies. The District has direct communication capabilities with local emergency services and has developed interagency protocols for emergent situations. County



and State resources through existing protocols are also available and will be used to supplement response efforts. (BOE Policy 3120)

### **Plan Review and Public Comment**

Pursuant to Commissioner's Regulation 155.17 (e)(3), the New Paltz Central School District safety plan is made available for public comment. The District-Wide plan will be adopted by the School Board after one public hearing that provides for the participation of school personnel, parents, students and any other interested parties.

This District-Wide plan will be reviewed annually and/or after all critical incidents and will be maintained by the District-Wide School Safety Team. The required annual review will be completed on or before July 1 of each year after its adoption by the Board of Education (policy 5618). A copy of the plan will be available at the following locations:

- **New Paltz Central School District Office, Eugene L. Brown Drive, New Paltz, NY 12561**
- **New Paltz Central School District High School, S. Putt Corners Road, New Paltz, NY 12561**
- **New Paltz Central School District Middle School, 196 Main Street, New Paltz, NY 12561**
- **New Paltz Central School District Lenape School, Eugene L. Brown Dr., New Paltz, NY 12561**
- **New Paltz Central School District Duzine School, Sunset Ridge, New Paltz, NY 12561**
- **New Paltz Central School District Transportation/ Facilities & Operations Building, S. Putt Corners Road, NP, NY 12561**
- **WWW.NEWPALTZ.K12.NY.US**

While linked to the District-Wide School Safety Plan, Building-Level Emergency Response Plans shall be confidential and shall not be subject to disclosure under Article 6 of the Public Officers Law or any other provision of law, in accordance with Education Law Section 2801-a.

Full copies of the District-Wide School Safety Plan and any amendments will be submitted to the New York State Education Department within 30 days of adoption. Building-Level Emergency Response Plans will be supplied to both local and State Police within 30 days of adoption.

## **Section II: Risk Reduction/Prevention and Intervention**

Risk Reduction/Prevention and Intervention is comprised of activities that are taken prior to an emergency or disaster to eliminate the possibility of the occurrence or reduce the impact of such emergency if it does occur.

### **Prevention/Intervention Strategies**

#### **Program Initiatives**

- The following programs and activities are available to building administrators for improving communication among students and between students and staff and the reporting of potentially violent incidents:

#### Duzine offers the following prevention programs:

- Fire Safety                      -Kindness to Animals                      -Project Charlie   -Responsive Classrooms
- Personal Safety   -Kindness and Justice for All                      -Individual and Group Counseling
- Banana Splits

#### Lenape offers the following prevention programs:

- Responsive Classroom                      -Heartmath – (Neurofeedback program)
- Monthly Diversity Assemblies                      -Individual and Group counseling, as per IEPs

#### Middle School offers the following prevention programs:

- 6<sup>th</sup> grade Carlie's Crusade Assembly (cyber bullying and internet safety)
- Don't be a Monster Anti Bullying Program   - Group Dynamics training
- Frost Valley Team Skills Building (6<sup>th</sup> grade)   - Individual and Group Counseling
- Diversity Training (all students)                      - Character Education (7th grade)
- Mix It Up Day                      -Put Up your Put-Ups (all English classes)   -No Name Calling Week
- Anti-Bullying Unit (art classes)                      -Developmental Designs

#### High School staff offer the following prevention programs:

- Anti-bullying program                      -By stander intervention training
- Committee to address Dignity Act                      - Stress Busters
- Individual and group counseling.

Along with:

- Non-violent conflict resolution training programs
- ATOD Prevention Programs
- Peer mediation programs and youth courts
- Extended day and other school safety programs
- Youth-run programs
- Partner with Community Partnership for a Safer New Paltz
- "Developmental Design" (Middle School)
- Creating a forum or designating a mentor for students concerned with bullying or violence
- Others based on building needs and as indicated in the district code of conduct
- Parenting workshops geared to student behavior issues.
- District consults with Ulster County Mental Health, Ulster County Department of Health, Ulster County BOCES,
- Big Brothers/Big Sisters
- Peer Leadership
- Framework for Athletics
- Student Assistance Program

New Paltz Police Department and other agencies to provide staff and student training in areas of prevention and intervention

### **Training, Drills, and Exercises**

- The New Paltz Central School District shall arrange to provide annual multi-hazard school training for staff and students at each educational site. Such training shall include Incident Command Training for administrators and selected faculty members and other multi-hazard training for staff and students as deemed appropriate by the Board of Education and Superintendent of schools.
- The New Paltz Central School District annually performs twelve fire drills at each of its school buildings, which are timed and documented for review prior to the annual Fire Safety Inspection. Also, the District conducts three bus evacuation drills annually. In addition, the New Paltz Central School District participates in the annual "Go-Home Early" Drill and practices at least one Relocation/Sheltering Drill per building per school year and the annual Weather Hazards Awareness Drill, sponsored by the National Weather Service. [The efficacy of these drills is assessed annually by building administrators and teaching staff.]
- The District has repeatedly reviewed and revised the policy and procedure for pre-clearance, sanitizing of school buildings, evacuation of buildings, early dismissal for students and staff, and emergency closure of buildings. The reviews and revisions enabled the District to upgrade communication procedures to staff, students and community in the event of violent incidents. The communication procedures were also revised to include use of media, including radio, television (local cable), public meetings to address questions and concerns, and letters sent to parents and community members. Working relationships with Local, County and State Police regarding the implementation of school safety and security are well established. State and Federal Officials also made presentations to staff members on procedures and safety measures when confronted with threats, intruders and crisis situations.
- The District will conduct tabletop exercises in coordination with local and county emergency officials.
- The District maintains membership on the Town of New Paltz Local Emergency Planning Committee.
- The District will maintain participation in the Readiness and Emergency Management for Schools program.

### **Implementation of School Security**

- New Paltz Central School District uses the following security procedures in its school buildings:
  - a) Securing those exterior doors not routinely used for student or staff entrance.
  - b) To the extent possible, limiting entrance to the main door of each school building.
  - c) Requiring all visitors to sign in at the single point of entry at each school building.
  - d) Use of entry buzz- in system with camera monitoring at single point of entry.
  - e) Posting a staff member to monitor the sign-in area who is in radio/phone contact with the main office.
  - f) Requiring all visitors to wear identification badges.
  - g) Require each building to designate an emergency release point.
  - h) Continue planning for updates/upgrades to District security and alarm systems that may include security cameras, door alarms, swipe cards, etc.
  - i) Monitors are hired as per contract. Fingerprinting is required. Training is provided by the Principal and/or Vice Principal. Hall duty is provided by assigned teachers at the Middle School and High School. No other staff has been appointed for security purposes at elementary buildings.
  - j) Requiring all faculty and staff to wear ID badges.
  - k) Use of "blocking" software to assure internet and e-mail users are protected from inappropriate interactions and web- sites.
  - l) Other security measures as deemed appropriate by the Board of Education and the Superintendent of schools.

### **Vital Educational Agency Information**

- Each individual educational program within the New Paltz Central School District collects and maintains vital educational



counselor, and/or the CSE Chairperson of the district in which the student is enrolled shall be notified. Police shall be notified in the event of any crime, violent act, or threat of violence to another. Parents/guardians will be notified and family court may also be contacted. If concerns are raised about a student’s mental health, parents/guardians and school district personnel shall be contacted.

- The District Wide Code of Conduct identifies conduct which has been deemed inappropriate and/or dangerous to the school community.
- Professional development opportunities will include warning signs and ways to help potentially violent students. “Warning Signs” will be included in handbooks.
- Student files are reviewed upon entrance to the district. Conferences are held with parents, students, guidance staff (middle and high school, and an administrator). There are guidance counselors, social workers, psychologists, a student assistance counselor (HS), and nurses who provide information and referral and counseling information to students and their families. The district also works with Family of Woodstock, UCMHS, MHA, Public Health Dept., Social Services, BOCES, Police and local hospitals/treatment centers.

**Detection of Suicidal/Self-Injurious Behaviors**

- The District Guidelines for Suicide/self-injurious Assessment outlines procedures to be taken by faculty and staff to identify behaviors which indicate a student may be at risk of personal injury. In accordance Section 155.17 of the Commissioner’s Regulations regarding School Safety Plans the specifics of these protocols qualifies for inclusion in the building plan, but not the public, district-wide Safety plan.

**Hazard Identification**

- Each of the buildings within the New Paltz Central School District has been evaluated for the location of potential hazards, both on and off school grounds. This hazard identification shall be updated at least once each year. The hazard identification list shall be incorporated into each Building-Level School Safety Plan. Field trip locations should also be evaluated for hazards prior to each trip taking place. The District maintains site plans for each of the facilities.
- Building systems and structures are evaluated through the Building Conditions Survey (every 5 years by a licensed architect or engineer) and the annual visual inspections which are performed in years in which the Building Conditions Survey does not occur. (performed by members of the health and safety sub-committee of the Health Advisory Committee in conjunction with Ulster BOCES risk management)
- There is a SUNY Campus in town, a Central Hudson Storage facility about 5 miles away, and the New York State Thruway. There are no major industries in the school community that would create hazardous situations. The High School is however, within ¼ miles of the New York State Thruway. Any hazard that would occur would be dealt with in conjunction with local, county and state emergency services.
- Blood Borne pathogen **and Right to Know** trainings occur each year for staff members.
- The following Hazard mitigation plans are reviewed yearly:
 

Exposure Control	Chemical Hygiene	Energy Control
Hazard Communications	Respiratory Protection	

**Section III: Response**

**Notification and Activation (Internal and External Communications)**

- In the event of a violent incident, either implied or direct, New Paltz Central School District shall utilize the Ulster County’s 911 system to contact available appropriate emergency response personnel.
- In the event of an emergency or disaster that may impact school facilities or programs, New Paltz Central School District will use the following means to communicate with all educational facilities:
 

Telephone/Cell Phone	Fax/Email	Radio Systems	<b>Auto-Dialer</b>	Local Media
Hand held radios walkie-talkies	Current Snow chain	Current Parent Phone trees	within buildings	
Transportation Emergency Messages	District Emergency Message Phone Lines			
- The New Paltz Central School District requires emergency information transportation sheets to be completed by parents/guardians for all students. This emergency notification information must be updated whenever changes are made.
- In the event of an early dismissal, or other event that warrants such action, persons in parental relation shall be notified via the local media and/or the use of auto-dialing, emergency hotline, and parent phone trees.
- The district acknowledges that student and staff safety is paramount and that this may preclude getting information to parents as the incident is unfolding. The district recognizes the need to provide Timely and Accurate information as soon as it becomes available and is prudent to release this information. Information will not be released which jeopardizes students, staff or the ability of the

authorities to conduct an investigation into any incident.

- Parent, staff and the community are provided information on District safety procedures through the annual calendar mailing, district mailings and the District web-site.

**Situational Responses**

**Multi-Hazard Response Protocols**

- New Paltz Central School District has developed multi-hazard response plans, based on the Incident Command System, and the National Incident Management System (NIMS) for the following emergency situations:

<b>Hazard Category</b>	<b>Type</b>
Civil Disturbance	Homeland Security Alert Bomb Threat Biological Terrorism Intruder Alert Hostage Taking/Kidnapping Physical Assault or Threat
Weather Emergency	Flood Snow/Ice Storm Tornado Warning/Thunder/Lightning Storm
Building Structure Emergency	Water Emergency Hazardous Materials Incident Fire/ Explosion Gas/oil Leak System Failure Structural Failure Telephone System Failure
Medical Emergency	Sick/Injured Person Mass Illness/Epidemic School Bus Accident

**Responses to Acts of Violence: Implied or Direct Threats**

- Students and staff of New Paltz Central School District are expected to abide by normal standards of civility. In the event of a direct or implied threat, by a student, staff member or visitor, the building administrator should be informed as soon as possible by the threatened individual or other involved party. The administrator shall make the appropriate contacts (e.g. parents, crisis intervention, law enforcement, District Superintendent) based on the nature of the threat.
- The New Paltz Central School District Code of Conduct contains Board of Education Policies and Procedures regarding conduct on school property and is incorporated by reference into this District-Wide Safety Plan.

**Acts of Violence**

- Any act of violence against another, by a student, staff member or visitor, will be not be tolerated by New Paltz Central School District. In the event of such an incident the building administrator or his/her designee shall notify law enforcement and the Superintendent, where appropriate. If law enforcement is called, the building administrator or his/her designee shall meet with representatives when they arrive on site. Depending on the nature of the emergency, other actions (e.g. evacuation, lockdown) will be taken where appropriate. Attachments C and D from the District Wide Code of Conduct indicate unacceptable conduct on school grounds and the consequences for the behavior.

**ATTACHMENT C: PROHIBITED CONDUCT**

(Numbers indicate the possible consequences, as defined in attachment D)

**A. Disorderly or disruptive conduct, such as but not limited to:**

1. 1 Running in hallways. (1)\*

2. Making unreasonable noise. (1,2)
3. Using language or gestures that are abusive, lewd, obscene, or profane. (All)
4. Obstructing vehicular or pedestrian traffic. (1,5)
5. 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. (All)
6. Unless authorized by a district administrator for use as academic technology, responding to pagers or using cell phones, using MP3 players or other personal entertainment devices is prohibited. Misusing computer or electronic devices, including unauthorized use of computers, software, or an internet or intranet account; accessing inappropriate websites, or any other violation of the district's acceptable use policy is prohibited. In addition, communication devices must be silenced and cannot be used at any time during an emergency situation to ensure the safety of all individuals in the school building, unless authorized to do so.(All)
7. Failing to comply with the reasonable directions of teachers, school administrators or other school employees.(All)
8. Trading or selling cards. (4,9,10)
9. Engaging in any willful act that disrupts the normal operation of the school community. (All)

**B. Insubordinate conduct, such as but not limited to:**

1. Failing to comply with the reasonable directions of teachers, school administrators or other school employees. (All)
2. Showing disrespect to district employees. (All)
3. Arriving late, leaving early, or missing school without permission. (4,9)
4. Skipping detention. (9)

**C. Violent conduct, such as but not limited to:**

1. Committing or attempting to commit an act of violence (such as hitting, biting, kicking, punching, spitting, or scratching) upon a student, any school employee, or any other person lawfully on school property. (11,12,13)
2. Possessing a weapon, unless express written permission is given by the Superintendent or designee. (12,13)
3. Possessing or displaying what appears to be a weapon (11,12)
4. Threatening to use a weapon. (12, 13)
5. Intentionally damaging or destroying school district property or the property of others. (3-13)
6. Conduct that intimidates, promotes or conspires to cause or causes physical or emotional injury to others (All).

**D. Conduct that endangers the morals, health or welfare of others, such as but not limited to:**

1. Lying to school personnel. (All)
2. Littering or spitting on property. (1-11)
3. Stealing. (6>)
4. Defamation, which includes violating the privacy or making false statements or misrepresentations about an individual or group of individuals that harm the reputation of the person or group by demeaning them. (All)
5. Discrimination, or the negative or offensive treatment of an individual or group based on actual or perceived color, creed, disability status, gender, sex, sexual orientation, weight, race, national origin, ethnic group, religion, religious practice, or other discriminatory classification or using any of the above as a basis for treating another in a negative or offensive manner. (6>)
6. 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. (11>)
7. Sexual harassment, which includes unwelcome sexual advances, requests for sexual favors, taking, sending or retaining (unless for the purpose of reporting/evidence) sexually explicit videos, pictures or auditory recordings and other verbal or physical conduct or communication of a sexual nature. (All)
8. 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. (11-13)
9. Bullying, which consists of inappropriate persistent physical, verbal and/or nonverbal behavior including threats or intimidation of others treating others cruelly, terrorizing, coercing, or habitual put-downs.(11-13)
10. Cyber-bullying, including, but not limited to, the use of instant messaging, email, websites, social networking sites, text messaging or use of any electronic or digital communication when such use infringes upon the general health, safety and welfare of District students and employees. (11-13)
11. Selling, distributing, using or possessing obscene material.(11-13)
12. Using any form of tobacco including but not limited, smokeless tobacco, e-cigarettes and electronic smoking devices. (6-All)

13. Possessing, consuming, selling, distributing or exchanging *look- a- like drugs, synthetic drugs, drug paraphernalia*, alcoholic beverages or illegal substances, or being under the influence of either. Possessing, consuming, selling, distributing, exchanging or sharing prescription and nonprescription drugs. (All)
14. Gambling or extortion. (6>)
15. Exposure of the body's private parts. (11>)
16. Making a false alarm about a fire, bomb threat, or other emergency, or inappropriately calling 911 or discharging a fire extinguisher or an automatic external defibrillator. In addition, no communication devices can be used at any time during an emergency situation, to ensure the safety of all individuals in the school building In addition, communication devices must be silenced and cannot be used at any time during an emergency situation to ensure the safety of all individuals in the school building, unless authorized to do so. (AED). (12,13)
17. Reckless or unauthorized operation of a motor vehicle on and around school property. (All)
18. Engaging in or displaying unacceptable physical or sexual contact. (All)

**E . Misconduct on school busses, such as but not limited to:**

1. Any activity or conduct that distracts the bus driver. (All).
2. Any activity or conduct not allowed in school or at school functions. (All)

**F. Academic misconduct, such as but not limited to:**

1. Plagiarism. (14)
2. Cheating. (14)
3. Copying. (14)
4. Altering records. (14)
5. Assisting another student in any of the above actions. (14)
6. Failure to return documents or school property in a timely fashion (14)

**G. Off-campus misconduct:** A student may be subject to discipline for conduct constituting a crime which is committed off of school premises or at non-school sponsored activities to the extent that the Superintendent of Schools or Board of Education reasonably believes that the continued attendance in school of the student would adversely affect the educational process (e.g., disrupts the operation of the school) or constitutes an endangerment to the health, safety, welfare or morals of the student and/or others in our schools.

A student may be subject to discipline for off-campus misconduct that does not involve criminality that the Superintendent of Schools or Board of Education reasonably believes has a nexus to the educational process (i.e., student-student, student-personnel, interactions that foreseeably would have a detrimental or disruptive effect upon school programs or activities).

**Examples of off-campus misconduct that endangers students or staff on school ground or that substantially disrupts the educational process, such as but not limited to:**

1. Cyberbullying, or using the telephone, email or another form of electronic, digital or other communication to harass or threaten students or school staff on school property or to substantially interfere with school procedures. (All)
2. Harassment, bullying, or hazing.

Repeat infractions may lead to more severe consequences including, for chronic repeat serious infractions up to and including permanent suspension.

The Administration reserves the right to implement disciplinary action for incidents not specifically identified above..

**ATTACHMENT D: CONSEQUENCES**

**Students**

Students who violate the district's code of conduct are subject to the following consequences, either alone or in combination. The school personnel identified after each consequence are authorized to impose that consequence, consistent with the student's right to due process.

1. Oral warning: any member of the district staff
2. Written referral: bus drivers, coaches, guidance counselors, hall and lunch monitors, teachers, principals and assistant principals, and the superintendent
3. Written notification to parent, guardian: bus drivers, coaches, guidance counselors, hall and lunch monitors, teachers, principals and assistant principals, and the superintendent
4. Detention: teachers, principals, and the superintendent

5. Suspension from transportation: the director of transportation, principals, and the superintendent
6. Suspension from athletic participation: coaches, principals, athletic directors, and the superintendent
7. Suspension from social or extracurricular activities: activity director, principals, and the superintendent
8. Suspension of other privileges: principals and the superintendent
9. In-school suspension: principals and the superintendent
10. Removal from classroom: teachers.
11. Short-term (five days or less) suspension from school: principal and acting principal
12. Long-term (more than five days) suspension from school: the superintendent, or designated hearing officer after a hearing
13. Permanent suspension from school: superintendent or the Board of Education, after a hearing
14. All incidents of academic misconduct could result in a grade of zero and other academic consequences.

**Staff** -Staff who violate this code will be subject to discipline consistent with board policy and applicable collectively negotiated agreements.

**Visitors** -Parents, guardians and visitors who violate this code will be asked to leave the premises.

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

**Repeat infractions may lead to more severe consequences including, for chronic repeat serious infractions, up to and including permanent suspension.**

**Arrangements for Obtaining Emergency Assistance from Local Government**

- When appropriate, **New Paltz Central School District** will make use of the following local government agencies during emergencies:

Fire, Police, Medical	911	Central Hudson (Gas Odors)	800-942-8274
Town of New Paltz Police Department	845-255-1323	Family Court	845-340-3600
New York State Police	845-691-2922	Poison Control Center	800-222-1222
Congressional Offices	845-331-4466		
Department of Environmental Conservation	845-256-3000		
Ulster County American Red Cross	845-338-7020		
Ulster County District Attorney	845-340-3280	Ulster County Emergency Management	845-331-7000
Ulster County Health Department	845-340-3150	Ulster County Highway/Bridge Department	845-340-3131
Ulster County Mental Health Services	845-340-4000	Ulster County Safety Office	845-340-3410

**Procedures for Obtaining Advice and Assistance from Local Government Officials**

- When deemed appropriate, the Superintendent or his/or designee will contact the appropriate local government agency or agencies for advice or assistance during an emergency situation including the county or city official responsible for implementing Article 2-B of the Executive Law.

**District Resources Available for Use in an Emergency**

- Each New Paltz Central School District Building is equipped with resources available for use during emergency situations. These include communication devices, first aid and medical supplies, AEDs, food/water, fire extinguishers, flashlights, batteries, and emergency phone number lists. Additional resources (e.g. tools, duct tape, hardware) are located in the maintenance shops and with the supplies of the Head Custodian of each building. Each school building of the New Paltz Central School District can serve as a Relocation/Sheltering site, if required, during emergencies.

**Procedures to Coordinate the Use of School District Resources and Manpower during Emergencies**

- The use of manpower and resources during an emergency shall be coordinated at each building by the building administrator or director with direction from the Superintendent or his/her designee. The coordination of manpower may be further broken down into internal departments or divisions.
- An inventory of resources will be made periodically but no less than annually and following each activation of the Building-Level Safety Plan.



### NYS Homeland Security Definitions for Protective Action

**Clear and Sanitized Area:** An assembly space, such as the gymnasium, that is used to shelter students, faculty and staff after it has been thoroughly searched by school volunteers and law enforcement for suspicious packages and objects.

**Emergency Response Team:** Designation of an emergency response team comprised of school personnel, local law enforcement officials and representatives from local, regional and/or state emergency response agencies, other appropriate incident response teams and a post-incident response team that includes appropriate school personnel, medical personnel, mental health counselors and others who can assist the school community in coping with the aftermath of a violent incident. (see individual building plans)

**Incident Command System:** The Incident Command System, also known as ICS, is defined as a standardized on-scene emergency management system that allows multi-agencies to work together without any jurisdictional boundary problems. ICS defines the chain of command as a series of management positions in order of authority. Individuals in the chain of command are from different agencies and positions.

**Lockdown:** A procedure used when there is an immediate and imminent threat to the school building population. School staff and students are secured in the rooms they are currently in and no one is allowed to leave until the situation has been curtailed. This allows the school to secure the students and staff in place and remove any innocent bystanders from immediate danger. Most commonly used when building has an intruder. (See Lockdown instructions and procedures.)

**Lockout:** Allows no unauthorized personnel into the building. All exterior doors are locked and main entrance is monitored by administrators, security or school resource officer. This procedure allows the school to continue with the normal school day, but curtails outside activity. Most commonly used when incident is occurring outside school building, on or off school property. (See Lockout instructions and procedures.)

**Short-Term Shelter in Place:** A procedure whereby the entire school population is moved to a single (or multiple) location(s) in the school (depending on building population) that has been clear and sanitized. Most commonly used during bomb threats and weather emergencies.(See Short-Term Shelter in Place instructions and procedures.)

### **National Terrorism Advisory System (NTAS) \***

The National Terrorism Advisory System, or NTAS, replaces the color-coded Homeland Security Advisory System (HSAS). This new system will more effectively communicate information about terrorist threats by providing timely, detailed information to the public, government agencies, first responders, airports and other transportation hubs, and the private sector.

It recognizes that Americans all share responsibility for the nation's security, and should always be aware of the heightened risk of terrorist attack in the United States and what they should do.

### NTAS Alerts –

#### Imminent Threat Alert

Warns of a credible, specific, and impending terrorist threat against the United States.

#### Elevated Threat Alert

Warns of a credible terrorist threat against the United States.

After reviewing the available information, the Secretary of Homeland Security will decide, in coordination with other Federal entities, whether an NTAS Alert should be issued. NTAS Alerts will only be issued when credible information is available.

These alerts will include a clear statement that there is an **imminent threat** or elevated **threat**. Using available information, the alerts will provide a concise summary of the potential threat, information about actions being taken to ensure public safety, and recommended steps that individuals, communities, businesses and governments can take to help prevent, mitigate or respond to the threat.

The NTAS Alerts will be based on the nature of the threat: in some cases, alerts will be sent directly to law enforcement or affected areas of the private sector, while in others, alerts will be issued more broadly to the American people through both official and media channels.

### Sunset Provision

An individual threat alert is issued for a specific time period and then automatically expires. It may be extended if new information becomes available or the threat evolves. NTAS Alerts contain a **sunset provision** indicating a specific date when the alert expires - there will not be a constant NTAS Alert or blanket warning that there is an overarching threat. If threat information changes for an alert, the Secretary of Homeland Security may announce an updated NTAS Alert. All changes, including the announcement that cancels an NTAS Alert, will be distributed the same way as the original alert.

(\*NTAS Public Guide <http://www.dhs.gov/files/publications/ntas-public-guide.shtm>)

## **NEW PALTZ PROTECTIVE ACTION OPTIONS**

### **Emergency Procedures**

The school district realizes that knowing your child is safe is paramount. In emergency situations District personnel's first response is to attend directly to this safety. This precludes getting information out at the moment an incident occurs. The District does recognize the need to provide TIMELY and ACCURATE information to our parents. We ask your patience with the brief lag between incident and information availability as inaccurate information can cause more harm than good. Emergency situations are dangerous to all, and by going to your child's building it impedes emergency services response. Students will be released to parents as soon as the situation is deemed safe to move students by emergency personnel. Should there be an emergency situation, as soon as information is available it can be found by calling our emergency hotline at (845) 256-4099 and/or listening to one of the radio stations listed in the District Calendar and or web-site. Information provided will include where to pick up your child and the protocols for doing so.

### **School Cancellation or Delay**

The cancellation or delay of New Paltz Central School District educational programs shall take place pursuant to New Paltz Central School District policy 3510.

### **Early Dismissal**

Early dismissal shall be implemented under conditions when it is imperative to return students to their homes as quickly as possible (e.g. an impending blizzard). The decision to dismiss school early shall be made by the Superintendent or his/her designee. The New Paltz Central School District Transportation Supervisor is then notified to contact school bus drivers (during impending weather notifications, school bus drivers are instructed to be available and within easy reach of the Transportation Department). Persons in parental relation are notified via the local media and/or telephone chains.

### **Emergency Evacuation**

Emergency evacuation is implemented under conditions when it is no longer safe for students and staff to remain in the building (e.g. a hazardous materials spill). The decision to evacuate is made by the building administrator or his/her designee. Evacuation areas will be checked for safety prior to exiting the building, as per individual building emergency plans.. Once out of the building students will be assembled by class groups, or some other means, and at designated areas to be accounted for by staff members. In some cases students will be taken to an alternative location off site. All students and staff shall remain outside the building until it has been deemed safe for them to return by local emergency responders and the New Paltz Central School District administration. If the decision is made to dismiss for the day, the conditions of Early Dismissal apply.

### **Relocation/Sheltering**

Relocation/Sheltering, inside the school, is implemented under conditions when it is safer for students and staff to remain inside the building than to evacuate or be dismissed early (e.g. a tornado warning). The decision to shelter students on site is made by the building administrator or his/her designee. Where to shelter students and staff on site will depend upon the nature of the emergency. During a high wind advisory or tornado warning, for example, sheltering should take place at the building's lowest level in interior rooms or corridors (preferably away from windows & doors). Other emergencies may call for students and staff to remain where they are (i.e. lockdown). A code or similar system is in place to inform staff members what actions to take. If the sheltering period is to be extended more than a few hours, arrangements to meet basic human needs (toilet facilities, water, food) must be accounted for.

Relocation/Sheltering off site may be required when students and staff cannot remain in the building or on school grounds but also cannot be dismissed. Such conditions require that an alternative site be available and that a means of moving or transporting students be arranged. Arrangements to seek approval for off site Relocation/Sheltering will begin as soon as possible and may include, but not be limited to SUNY New Paltz, BOCES, Elks Lodge, St. Joseph's, Church of Nazarene, New Paltz Christian Church, New Paltz Reformed Church.

### **Lockout**

Lockout is implemented when an incident is occurring outside the school building or off school property. (i.e. NYS Thruway incident) No unauthorized personnel allowed into the building. All exterior doors will be locked. All students outside the building will return inside. Appropriate monitoring of the main entrance and all doors will occur. All normal school day activities will continue with no outside activities. **NO** cell phone activity is allowed.

### **Lockdown**

Lockdown is implemented when there is an immediate or imminent threat to the school building population. (i.e. intruder) All building doors are locked, including classrooms and offices. Students in activities outside the building will be instructed either to

reenter the building or move to a secure area away from the building. School staff and students are to remain in the rooms they are currently in until the situation is resolved. **NO** movement in the building is allowed. **NO** one will enter or leave the building until the situation is resolved. Campus will be secure, **NO** Unauthorized personnel will be allowed onto the site or into the building. **NO** cell phone activity is allowed.

### **New Paltz Specific Protective Action Plans and Training**

#### **Fire Lanes**

The New Paltz Central School Board of Education has established fire lanes around each school facility, hereby prohibits the parking of vehicles in the prescribed fire lanes and uses the assistance of the New Paltz Police Department in the enforcement of this policy. The Superintendent of Schools is directed to ensure that such lanes are appropriately designated, and clearly marked.

#### **Cross Walks**

In conjunction with NYS Department of Transportation and local police cross walks have been established in various high pedestrian areas in both parking lots and across streets adjacent to school building

#### **After-School Programs**

The building principal or his/her designee shall require those in charge of after-school programs, attended by any individuals unfamiliar with the school building, to announce at the beginning of such programs the procedures to be followed in the event of an emergency.

#### **Outside User Groups**

The Director of Facilities and Operations shall require those in charge of after-school programs, attended by any individuals unfamiliar with the school building, to announce at the beginning of such programs the procedures to be followed in the event of an emergency.

#### **Single Point of Entry Protocols**

Visitors to the District's buildings will be required to be "buzzed in" from a single point of entry. Visitors will be required to show ID to the front desk personnel and sign both in and out of the building.. Visitors will be instructed to allow no one else through the door with them. Visitors will wait for their child at the front desk or be instructed to go directly to the room they are visiting.

Staff and students will be constantly reminded that they are not to open the door to anyone for entry into the building. HS students and all District staff will be issued proximity cards and assigned specific doors that they may enter through. Faculty and staff will need permission to enter the building when school is not in regular session from their building administrator.

### **CIVIL DISTURBANCE**

NPCSD Utilizes the NYS Homeland Security Guidelines. For Lockdown, Lock out, Intruders Evacuation, Relocation , Sheltering and Bomb Threat. Training is provided for employees and students. Incident directions are posted in each classroom and located in all substitute teacher folders.

#### **Bomb Threats**

In an effort to ensure the safety and protection of the students, staff and other occupants of the District's buildings and facilities while minimizing the potential disruption to the educational programs, the New Paltz Central School District directs the School Administration to take reasonable and appropriate action when confronted with a bomb threat. Each bomb threat must be analyzed for its potential authenticity and assessed in terms of the level of the threat, taking into consideration the specificity of the threat, the location, if any, and time of detonation. The Building Principal will determine, based upon the level of threat, whether or not to evacuate the building and order the reentry of the facility. The following are acceptable responses to a bomb threat, depending upon the nature and level of the threat:

- **Pre-clearance** of the building and maintenance of security to ensure no suspicious objects have been brought into the building by students, staff or visitors.
- **Relocation/Sheltering** students in an area which has been "sanitized and cleaned".
- **Evacuation** of the building after searching exit routes and evacuation areas.

#### **Dissemination of Information/Criminal Behavior**

Information should be disseminated informing students and staff that the mere reporting of a false bomb threat is a crime that may result in imprisonment and/or civil penalties being imposed against the individual. The building administrator will be responsible for informing school staff and students as to the appropriate procedures to be followed in the event of a bomb.

### **Biological Terrorism**

The District had developed protocols for handling mail or packages. Common sense and care should be used in inspecting and opening mail or packages. Mail and packages are delivered to a central receiving area and then disseminated to the respective buildings..

### **WEATHER EMERGENCIES**

The District monitors weather reports, and receives alerts from Fleetweather Service and weather emergency radios and state and local emergency services. Cancellation of educational programs will be done if deemed necessary.

### **Flood**

The District maintains an active set of transportation plans to deal with locally flooded roads. Flood plans are reviewed annually. Parents in these areas receive information about their particular situation directly.

PLAN A- Flooded area is Springtown Road (between Dug Road and Kleine Kill Road).

PLAN B - Flooded area is in two areas on Springtown Road (between Rt. 299 & Dug Road).

PLAN C- Flooded areas on Springtown Road between 299 & Cragwood Road. The bus routes will need to be split and the following two plans will be in effect:

PLAN D –Flooded areas are Route 299 from the Wallkill Bridge to Libertyville Rd. as well as Libertyville Rd between Rt 299 and Unity Lane.

### **Snow/Ice Storm-**

The guidelines and procedures presented in this notice will be followed except in very unique circumstances which would cause school officials to take alternate action.

1. SURFACES: Road conditions, school driveways, and parking lots need to be declared safe for use by the responsible governmental units.
2. ICE: Surfaces must be sanded. It is expected that buses will not end the routes with the sanded surface covered by new icing.
3. TEMPERATURE: When the temperature is below -15 degrees Fahrenheit at 5:15 AM, a delay will occur. At 7:15 AM the final decision to open or close schools for the day will be made. This decision will be based on the temperature at that time and the forecast for the day provided by the professional weather service contractor.
4. WIND CHILL: When the wind chill factor is predicted to be below -25 degrees Fahrenheit at 5:15 AM, a delay will occur. At 7:15 AM the final decision to open or close schools for the day will be made. This decision will be based on the temperature at that time and the forecast for the day provided by the professional weather service contractor.
5. AFTER SCHOOL STARTS: When a storm arrives after school starts, the schools will remain open unless a heavy snowfall is predicted to continue into the afternoon hours. If this is the case, then the schools may close earlier. The Transportation Office will notify the radio stations of early dismissal times. Lunches will be served prior to dismissal whenever possible.

### **Tornado, Thunder/Lighting Storm Watch/Warning**

Students are trained annually in personal safety during weather emergencies as per the “Tornado Preparedness Tips for School Administrators” &” Thunderstorms... Tornadoes... Lightning.., A Preparedness Guide”., issued by the National Oceanic & Atmospheric Association (NOAA) Establishment of Sheltering locations within each school building is ongoing. These locations should be on the building’s lowest level and interior locations away from windows and doors (i.e. corridors etc.). Areas with long-span roofs & sky-lights (e.g. gymnasiums) should be avoided.

### **BUILDING STRUCTURE EMERGENCY**

Each year the District performs a building conditions survey in compliance Rebuilding Schools to Uphold Education (RESCUE) - 8 NYCRR 155. Maintenance and repairs are made in all areas of deficiency.

### **Structural Failure**

Structural plans are available for all District buildings which indicate all egress points, classrooms, and mechanical systems.

### **Water Emergency**

Plans are in place for the provision of water in the event of a boil water alert. Other types of water emergencies are dealt with through implementation of associated building structure emergency plans.

### **System Failure**

All relevant personnel are familiar with the basic operation of the major systems in the building (e.g. HVAC, electrical). Mechanical systems drawings are available.

### **Hazardous Materials Incident (Hazmat)**

Training is provided for those individuals who are likely to encounter a HazMat Incident. Copies of current Emergency Response Guidebook. The District will provide local Emergency Services with copy of hazardous materials located on District property. Material Safety Data Sheets (MSDS) are available in each of the building.

### **Fire / Fire Drills**

Students and staff are provided instruction and training, through fire drills in compliance with NYSED regulations.. Training will be in procedures for leaving the building in the shortest possible time and without confusion or panic. Emergency escape plans are posted in all classrooms and other locations of pupil occupancy Fire drills shall be held at least twelve (12) times in each school year; eight (8) of these shall beheld between September 1 and December 1. At least one (1) of the twelve (12) drills shall be held during each of the regular lunch periods, or shall include special instruction on the procedures to be followed if a fire occurs during a student's lunch period. At least two (2) additional drills shall be held during summer school in buildings where summer school is conducted and one of these drills shall be held during the first week of summer school.

### **Gas/oil Leak**

Applicable people will be trained in the location of the following: main gas shut-off to building; gas meter; and, emergency gas shut offs in science labs and other relevant locations and the correct procedures to safely close off these valves. The phone number for Central Hudson gas leak response (800-942-8274).

### **Telephone System Failure (District-Wide)**

The district wide phone system is not like household phone systems. One phone line does not equal one phone call. There are dedicated emergency use phone lines for specialized equipment such as automatic dialers for intrusion and fire alarms, our main phone lines branch out and have the ability to handle several phone calls at the same time. In case of failure back up cell phones and radios a provided to attend to essential safety functions.

### **MEDICAL EMERGENCY**

Standing medical procedures have been established in conjunction with the District physician. The District employs Registered Nurses in each of the educational buildings. 911 will be called to any District emergency which is out of the scope care of the District Registered Nurses. (BOE 7520)

### **Sick/Injured Person**

First aid kits and medical supplies readily available at each educational building. Eye-wash stations are provided as per OSHA regulations. A listing of those staff members certified to perform First Aid and/or CPR is maintained. CPR training is available to all District personnel and is mandatory for all coaches and professional rescuers. Standing procedures are followed for all medical emergencies. Confidential health listings are maintained by each of the buildings and those with notification in the event of a contagious illness is made. Incident reports will be filed in the Health office of the injured's respective building.

### **Mass Illness/Epidemic**

An open dialogue with county health officials is maintained. The Ulster County Department of Health will take the lead in determining the number of incidents of disease which constitute an epidemic. All disease incidents required by NYS DOH as reportable are reported to the Ulster County Health Department.

### **District Vehicle Accident**

#### **ACCIDENT PROCEDURE/NON SCHOOL BUS DISTRICT VEHICLES**

In the event of an accident, all personnel will utilize the following procedure:

#### **DRIVER RESPONSIBILITIES**

1. Check to see if there are any injuries.
2. Contact Transportation base by radio or contact by phone 256-4070 or 4090 and give the following information:
  - a. Location – street and nearest intersection.
  - b. Advise if ambulance is needed.
3. Wait for district and/or emergency personnel to arrive, or proceed as directed by your Supervisor

When/if emergency personnel arrive **EMERGENCY PERSONNEL ARE IN CHARGE ON THE SCENE.**

Driver/passenger(s) are to do the following:

- a. Follow the directions of emergency personnel.

- b. Give them the accident information. Give the investigating officer your license, insurance card and registration for the vehicle.
  - c. Make sure to get license, insurance and registration information from the other driver.
- Supervisor(s) will coordinate with emergency personnel to resolve the accident scene.

- 4. When you return to the Transportation/Facilities center **DO THE FOLLOWING:**
  - a. Notify your Supervisor(s)
  - b. Fill out a preliminary accident report immediately

**TRANSPORTATION/FACILITIES OFFICE RESPONSIBILITIES**

- 1. A Supervisor, Dispatcher, or TX/FO Secretary will phone 911 requesting they dispatch emergency personnel FOR ALL OFF CAMPUS INCIDENTS, and if needed for on campus incidents.
- 2. Dispatcher/Secretary will notify appropriate Supervisor(s).
- 3. Facilities and/or Transportation (if needed) Supervisors will report to the scene with the camera and incident forms.
- 4. A mechanic will report to the scene (if needed) to determine damage to the vehicle and ascertain along with the responding Supervisor(s) if vehicle should be driven or towed.
- 5. Supervisor(s) will coordinate with emergency personnel to resolve the accident scene.
- 6. Supervisor(s) will coordinate all documentation of incident (i.e. pictures, police reports, medical reports, etc)
- 7. Supervisor(s) will complete all necessary accident/insurance paperwork and submit to the appropriate agencies.
- 8. Supervisor(s) will notify the Assistant Superintendent for Business and District Superintendent.

**IN ANY CASE OF SUSPECTED PERSONAL INJURY - CALL 911**

New Paltz Police - 255-1323 (non-emergency number)  
 NY State Police, Highland – 691-2922 (non-emergency number)  
 Tom’s repair/towing – 255-1288

**School Bus Accident**

**Bus Emergency Drills**

The Board of Education directs the administration to conduct a minimum of three (3) emergency drills to be held on each school bus during the school year. The first drill is to be conducted during the first week of the fall term, the second between November 1st and December 31st, and the third between March 1st and April 30th. Each drill shall include instruction in all topics mandated by the Education Law and the Commissioner's Regulations and shall include, but will not be limited to, the following: Students, parents and staff receive a yearly reminder of expected conduct when riding a bus.

- a) Safe boarding and exiting procedures;
  - b) The location, use and operation of the emergency door, fire extinguishers, ax, first-aid equipment and windows as a means of escape in case of fire or accident;
  - c) Orderly conduct as bus passengers.
- Students who ordinarily walk to school are also be included in the drills.

**Bus Accident Response**

Bus Owner/Operator Response:

- Driver will
  - ascertain if there are any injuries or hazardous conditions.
  - Report the accident to transportation dispatcher/supervisor and/or school administrative personnel..
  - If communication with the district cannot be established, then the driver will attempt to report the accident directly to 911.
  - Stay with the students in the bus. Evacuate only if necessary. Driver shall provide assistance within their level of training
- The transportation dispatcher, utilizing a standardized form provided by Ulster County Emergency Management,
  - Will call 911, at the earliest possible opportunity,
  - Will ensure that all notifications have been made. A call list shall be prepared and made available with at least one phone number per necessary school person.

School District Personnel Response:

- Upon notification the transportation dispatcher/supervisor shall :
  - I. Immediately notify 911

2. Notify the Superintendent of Schools or his/her designee

3. If passengers are from more than one district, the transportation supervisors in each district should be notified, who will then in turn contact their Superintendent of Schools or designee

- District officials may communicate with officials in the district where the accident occurred to ask for assistance (this is particularly applicable for shuttles, field trips and sports activity trips).
- District official(s) or their designee shall respond to the scene and report to the Incident Commander.
- District official(s) or their designee shall take overall responsibility for students deemed not injured and not requiring transport by EMS. This may include arranging for alternate transportation.
- The home school district officials shall make all parental notifications.

Emergency Services Response:

- Emergency Services shall determine if the accident involves evident personal injury or property damage.
- Personal injury auto accidents involving a school bus (PIAA) -Police, fire and, emergency medical services (EMS) will be sent upon the initial receipt of the accident notification.
- Property damage auto accidents involving a school bus (PDAA) -As with all reported property damage or unknown personal injury auto accidents, a police agency will be dispatched to assess the scene and take an accident report. If subsequent calls report personal injury, or if the arriving police officer reports personal injury or other hazardous conditions, or if the information received from *any* caller indicates the *potential* for personal injury (such as bus rollover accident, head on accident involving loaded school bus, etc.) appropriate emergency services will be dispatched.
- Police, fire and EMS agencies shall work with school district officials in a coordinated effort to efficiently and effectively provide appropriate treatment and transport for all injured parties-
- EMS providers will be following Policy Statement 99-11 (EMS Response to School Incidents) issued by the New York State Department of Health, Bureau of Emergency Medical Services.

Critical to the success of any incident involving a school bus is the cooperation and communication among all involved parties. This can be greatly enhanced by informational meetings and conducting training prior to an event. A full accident investigation will be done including seating chart, injury chart (even if blank) and photographs of the scene.

In July 2000, Governor Pataki signed the SAVE legislation that requires schools to develop policies and procedures for securing and restricting access to the crime scene in order to preserve evidence in cases of violent crimes on school property. Crime scenes often have some of the most important evidence.

This pamphlet was designed to give guidance in developing your policies and procedures. Police agencies are available to assist with further education and training.

PROTECT THE SCENE - PROTECT THE SCENE - PROTECT THE SCENE - PROTECT THE SCENE - PROTECT THE SCENE - PROTECT THE SCENE - PROTECT THE SCENE



Respond    Protect    Notify    Evaluate  
 Document    Secure    Observe

## New York State Police Division Headquarters 1220 Washington Ave., Building 22 Albany, New York 12226-2252

For information about other State Police crime prevention programs, contact the nearest Troop Headquarters.

Troop "A" Headquarters  
 4525 West Saile Drive  
 Batavia, N.Y. 14020  
 (716) 343-2200

Troop "B" Headquarters  
 Rt. 86, Box 100  
 Ray Brook, N.Y. 12977  
 (518) 897-2000

Troop "F" Headquarters  
 Crystal Run Road  
 Middletown, N.Y. 10941  
 (845) 344-5300

Troop "G" Headquarters  
 504 Loudon Road  
 Loudonville, N.Y. 12211  
 (518) 783-3211

Troop "C" Headquarters  
 Rt. 7, Box 300  
 Sidney, N.Y. 13838  
 (607) 561-7400

Troop "K" Headquarters  
 Box 3000  
 Poughkeepsie, N.Y. 12603  
 (845) 677-7300

Troop "D" Headquarters  
 Rt. 5, P. O. Box 30  
 Oneida, N.Y. 13421  
 (315) 366-6000

Troop "L" Headquarters  
 7140 Republic Airport  
 Farmingdale, N.Y. 11735  
 (631) 756-3300

Troop "E" Headquarters  
 P. O. Box 25220  
 Canandaigua, N.Y. 14425  
 (716) 398-3200

Troop "NYC" Headquarters  
 2 Pennyfield Avenue  
 Bronx, N.Y. 10465  
 (718) 319-5100

Troop "T" Headquarters  
 P. O. Box 189  
 Albany, N.Y. 12201  
 (518) 436-2825

# School Crime Scene Management



Visit us at:  
[www.troopers.state.ny.us](http://www.troopers.state.ny.us)

Developed as a community service  
 by the New York State Police  
 Forensic Investigation and  
 School and Community Outreach Units

February 2001



George E. Pataki  
 Governor of New York State  
 James W. McMahon  
 Superintendent of New York State Police



# School Crime Scene Management

Evidence is very important in criminal cases. Therefore, only trained professionals should do the collection and preservation of evidence. These professionals are called crime scene technicians. If you ask a crime scene technician to name the biggest problem that they encounter on the job, you will consistently hear—crime scene contamination.

Before those professionals arrive, it is important that the crime scene remain as uncontaminated as possible. There are things that can be done by people who arrive at the scene first to help protect the evidence.

Since school employees will be first at a school crime scene, the State Police recommend that a person from the school staff be designated to manage the crime scene prior to police arrival.

The following pamphlet outlines an easily retainable acronym designed to assist responding school personnel in managing a school crime scene.



## **R**espond **E**valuate **S**ecure **P**rotect **O**bserve **N**otify **D**ocument

### **Respond . . .**

- Personal safety - Your safety comes first! You can't help others if you are injured.
- Organize your thoughts and formulate a plan on how to handle the situation.
- Make mental notes of your observations.

### **Evaluate . . .**

- Evaluate the severity of the situation. Is the crime/incident in progress or not? School Emergency Response Team should be calling 9-1-1 if appropriate.
- Identify all involved and uninvolved individuals in the area. Emergency response personnel should be offering aid to the victims.
- Be aware of weapons and hazards.
- Be aware of potential evidence.
- Don't touch anything unless necessary.

### **Secure . . .**

- Clear away uninvolved people.
- Establish a perimeter with survey or custodial tape, cones, desks.
- Police will adjust the perimeter if they need to.

### **Protect . . .**

- Safe guard the scene - limit and document any people entering the area.
- Don't use phones or bathrooms within the scene area.
- Don't eat, drink or smoke in the area of the scene.

### **Observe . . .**

- Write down your observations - These notes will be utilized to report crime scene management to responding police. Your notes could possibly be used at a later date in criminal court.
- Record detailed information - don't rely on your memory.

### **Notify . . .**

- Call 911 (Police/EMS/Fire Personnel), if not already called or there.

### **Document . . .**

- Take good notes - Such as: time, date, people at scene, weather, doors open or closed, lights on or off and position of furniture.
- Be prepared to provide your notes and information to police.



**PLACE THIS CARD  
UNDER YOUR  
TELEPHONE**

**QUESTIONS TO ASK:**

1. When is bomb going to explode?
2. Where is it right now?
3. What does it look like?
4. What kind of bomb is it?
5. What will cause it to explode?
6. Did you place the bomb?
7. Why?
8. What is your address?
9. What is your name?

**EXACT WORDING OF THE THREAT:**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Sex of caller: \_\_\_\_\_ Race: \_\_\_\_\_  
 Age: \_\_\_\_\_ Length of call: \_\_\_\_\_

**Additional Information on Reverse**

**BOMB THREAT  
INSTRUCTIONS**

Number at which  
call was received: \_\_\_\_\_

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

**CALLER'S VOICE:**

- \_\_\_ Loud
  - \_\_\_ High
  - \_\_\_ Intoxicated
  - \_\_\_ Calm
  - \_\_\_ Fast
  - \_\_\_ Stutter
  - \_\_\_ Distinct
  - \_\_\_ Accent (type) \_\_\_\_\_
  - \_\_\_ Other Characteristics: \_\_\_\_\_
- If voice is familiar, who did it sound like? \_\_\_\_\_

**BACKGROUND SOUNDS:**

- \_\_\_ Voices
- \_\_\_ Quiet
- \_\_\_ Animals
- \_\_\_ Street Traffic
- \_\_\_ Office Machinery
- \_\_\_ Other \_\_\_\_\_
- \_\_\_ Airplanes
- \_\_\_ Trains
- \_\_\_ Music
- \_\_\_ Factory
- \_\_\_ Machinery

**THREAT LANGUAGE:**

- \_\_\_ Well spoken/educated
- \_\_\_ Foul
- \_\_\_ Irrational
- \_\_\_ Incoherent
- \_\_\_ Taped
- \_\_\_ Message read by threat maker

**REMARKS:**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Report call immediately to: \_\_\_\_\_

Phone Number: \_\_\_\_\_

\_\_\_\_\_  
 Date: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Position: \_\_\_\_\_  
 Phone Number \_\_\_\_\_

**New York State Police  
Bomb Threat Instruction Card**

As a community service, the New York State Police invites you to download, duplicate and distribute this information for educational and safety purposes and non-profit use.

Please do not alter the cards in any way.

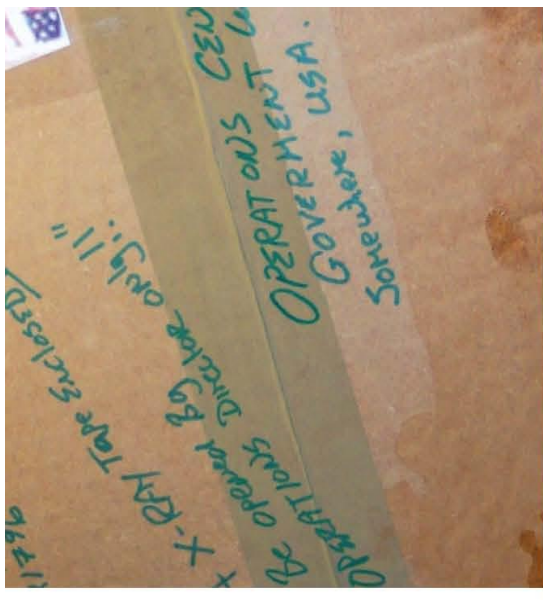
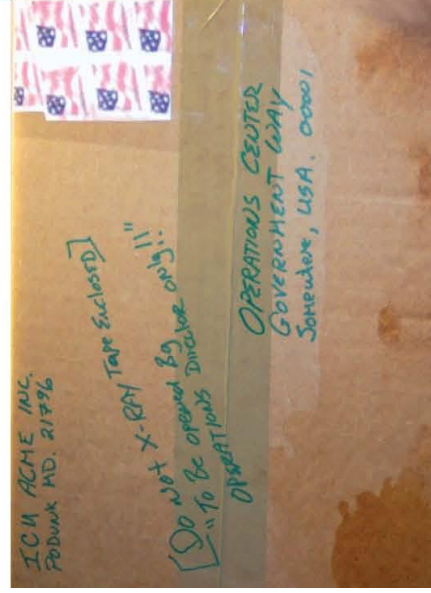
The Bomb Threat Instruction Card should be printed double-sided, four across on 11 x 14-inch, card stock with .25-inch border.

## Characteristics of a Suspicious Package

Always remain aware!

Look for the anomalies:

- Rigid or bulky
- Lopsided or uneven
- Wrapped in string
- Badly written or misspelled labels
- Generic or incorrect titles
- Excessive postage
- No postage
- Foreign writing, postage, or return address
- Missing, nonsensical, or unknown return address
- Leaks, stains, powders, or protruding materials
- Ticking, vibration, or other sound



## Response Checklist

Suspicious Packages and Mail



U.S. Department of Homeland Security

Office of Security

Phone: (202) 447-5010

E-mail: [OfficeofSecurity@dhs.gov](mailto:OfficeofSecurity@dhs.gov)



Homeland Security

# CHECKLIST OF ACTIONS TO TAKE

1. Leave the mail piece or substance where it was found. Do not disturb. Do not try to clean up the substance.
2. Clear the immediate area of all persons and keep others away.
3. Instruct people in the immediate area to wash hands and other exposed skin with soap and water.
4. Direct these people to a designated area away from the substance to await further instruction.
5. List the names of the persons in the immediate area of the mail piece or substance.
6. Cordon off the immediate area.
7. Shut down all equipment in the immediate area and HVAC systems (heating, ventilation, and air conditioning).

8. If possible without disturbing the mail piece or substance, document:

Location of mail piece or substance:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Description of substance:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Description of mail piece (markings, labels, declarations, postage):

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Addressee's name and address:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Mailer's name and address:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

9. Contact and pass information to the appropriate agency. A list of Contacts in Case of Emergency is provided at right.

10. Take actions and make appropriate notifications as directed or as published in your local emergency plan.

## Contacts in Case of EMERGENCY

### FEDERALLY LEASED OR OWNED FACILITIES

#### Life-threatening Emergencies

Dial 911 & follow your building's procedures, then:  
 Notify the Federal Protective Service (FPS)  
 National Toll Free Number:  
 1-877-4FPS-411 (1-877-437-7411)

#### Non-Life-threatening Emergencies Security Issues

Contact local building security management representative, then call:

Federal Protective Service (FPS)  
 National Toll Free Number:  
 1-877-4FPS-411 (1-877-437-7411)

### NEBRASKA AVENUE COMPLEX PROCEDURES

#### Medical Emergencies

Dial 911, then call:  
 NAC Security Desk  
 Phone: (202) 282-9700

#### Non-Life-threatening Emergencies

NAC Security Desk  
 Phone: (202) 282-9700

#### NON-FEDERAL BUILDINGS

Dial 911 or follow your building's procedures.



## Section IV: Recovery

The extent of, and need for, disaster or emergency recovery depends in large part upon the nature of the incident. The New Paltz Central School District administration will provide the necessary resources to ensure as smooth a transition back to normal operations as possible following an emergency or violent incident.

- A. New Paltz Central School District will support the Emergency Response Teams and the Post-Incident Response Teams in school buildings affected by emergencies or disasters by providing both financial and logistical support. The District will also assist these teams by interfacing with relevant regulatory agencies and the media.
- B. The New Paltz Central School District office, under the direction of the Superintendent, shall facilitate the coordination of disaster Mental Health Resources by interfacing with the State Emergency Management Office, the NYS Office of Mental Health, and the American Red Cross.

### CRITICAL INCIDENT RECOVERY PLAN

Upon the event of a crisis, the administrators in each building will convene a meeting with the social workers, psychologists, counselors, nurses and other pertinent personnel to develop an action plan. Facts of the incident need to be established and verified.

#### For the Faculty

Faculty will be informed either on prep periods, lunch periods, or at an emergency faculty meeting at the end of the day. Crisis team members will be available for debriefing and processing throughout the day. Information will be disseminated in the form of a memo as well. An area in each building will be designated as a support room for staff to go to talk, make phone calls, etc. Information on speaking with students will be disseminated. Follow up faculty meetings will be conducted as per the gravity of the situation.

#### For the Students

Crisis team members will distribute guidelines for teachers on talking to their classes about the incident. Crisis team members will be available to support teachers in conducting these discussions.

Crisis team members will be available for debriefing /processing for individuals and/or small groups of students. Parents of distraught children will be notified. The crisis team member will conduct follow up sessions with the child as deemed necessary. If additional intervention is necessary, a referral to community services will be made. The crisis team will assess the need for ongoing monitoring of students in the event of a long term crisis and report results to building administration.

#### For the Parents/Community:

Crisis team will assess the need for outreach with parents and will discuss with building Administration. Outreach may include informational memos, informational group meetings. Meetings would be held at the district wide level in one location then broken down by appropriate developmental stage. Memos will be sent out with each student from each building to notify parents of an informational meeting. A resource list will be compiled and available for parents and community members upon request.

#### For the Crisis Team:

Crisis team will debrief with each other as a team at the earliest availability not to exceed forty eight hours. In the event of a long term crisis, these meetings will take place on a regular basis. In the event that additional personnel are needed, the BOCES county wide plan will be implemented.

### RESPONSE TO SUDDEN SCHOOL COMMUNITY MEMBER TRAUMA/DEATH

#### Preparatory (before sudden adolescent death)

1. School districts should consider which in-district clinical support staff (psychologists, social workers, guidance counselors, etc.) will be assigned, as Crisis Team Members, to each building in the district should a crisis occur. Provision should be made for these identified staff members to have training.
2. School principals should consider, in advance, the potential locations of crisis centers.
3. School districts should project the extent of their need for support from the countywide Resource Providers prior to crisis situation.
4. School districts should consider which district professional will be designated as primary spokes-person to deal with the media.
5. School principals should consider, in advance, which building staff member will serve as an assistant organizer/decision maker during the time of crisis.
6. Arrangements should be made to cover the absence of the school principal.

#### Procedural (after sudden adolescent death)

#### Alert Day:

1. School community member found dead of an apparent suicide or other sudden death.
2. District representative (school principal, central office administrator, psychologist) contacts Crisis Team Members (in-district) as soon as possible.
3. Local district Superintendent contacts, Ulster BOCES, requesting assistance from Countywide Resource Providers, if necessary
4. Local district administration designates primary spokesperson to deal with the family.
5. Local district Superintendent contacts and confirms the district professional who is the designated primary spokesperson to deal with the media.
6. Building principal contacts and forms an assistant organizer/decision maker to facilitate response plan in the school building which has been affected.
7. Building principal or Crisis Team member in building where sudden death has occurred contacts Crisis Team members in other district schools if necessary. This is important to provide support for siblings, relatives, and close friends in other schools.
8. Building principal designates an individual who will have primary responsibility for answering parent questions.
9. Building principal activates telephone chain to announce a faculty meeting prior to the opening of school on the next.

### **Day One (In School)**

1. Early morning faculty meeting is held with several purposes:
  - a) Principal reviews the known facts of the case, in order to establish a common reference base and to dispel rumors.
  - b) Principal introduces crisis team members, reviews special schedule for day and communicates the location of the "crisis centers".
  - c) Crisis team members describe the feelings which students may be experiencing and suggest how the teachers might handle them. Time is allowed for questions and dealing with the feelings of the staff. Some staff may be particularly upset and require additional support.
  - d) Guidelines are provided for helping any students who are upset and for having them escorted to one of the "crisis centers" set up in the building (guidance office, etc.). Faculty should identify close friends of the deceased and other high need students for potential follow-up.
  - e) Teachers are encouraged to allow students in their classes free expression of grief. The guiding principle is to return to normal routine as soon as possible within each class and within the school. School-wide assemblies or memorial activities are discouraged. If a school-wide assembly is deemed appropriate then provisions for individual and/or small group sessions need to be established.
  - f) The teachers are asked to dispel rumors wherever possible.
  - g) In the event of a suicide, teachers are asked to discourage any "glorification" of the event. For example, if a student is heard to say, "I wouldn't have the guts to kill myself", the teacher can respond, "We all care for the individual and his/her family, but suicide is not really a brave act! It is far more courageous to go on living and to face your problems each day as you and I do."
2. The principal, and/or guidance counselors, and clinical staff may meet with - each grade, either by individual homerooms or by total grade (if possible) in order to:
  - a) Review the known facts and to dispel rumors.
  - b) De-mythologize the act. (This is not heroism or a media event. It is a reality concern for the family.)
  - c) Inform students and staff of the location and role of the crisis center.
  - d) Encourage students to express their reactions in whatever way that is appropriate for them. (All responses are acceptable, from severe upset to no reaction whatsoever.)
  - e) Students should have the opportunity to request additional assistance in a confidential way through index cards distributed to the whole student body.
  - f) Discuss possible guilt or feelings of responsibility.
  - g) Discuss possible fears for their own safety and that of their siblings and peers.
  - h) Ask students to be supportive of one another and to escort any friend who is upset to a teacher or the crisis center.
  - i) Reassure students that any adult in the building is available to help.
  - j) Encourage students to discuss their feelings with their parents.
3. Telephone calls are made to parents of individual students who are particularly upset during the day. The crisis team will collaborate to determine which parents are called. This telephone contact is ideally handled by clinical staff that can explain the student's reactions to the parents and give appropriate advice as to how parents should handle their son/daughter. Some parents may be asked to pick up the student at the school.
4. All building staff are assembled after school to:
  - a) Allow for the expression of feeling and mutual support. (After a full day of dealing with their own emotional responses and that of their students, the teachers are generally quite drained.)
  - b) Review the events of the day.
  - c) Review the characteristics of high-need students (those who seem especially upset or depressed or show other signs of needing individual attention), and compile a list, based on staff observations, of these individual students. Arrangements can be made for clinical staff from Ulster County Mental Health Services to provide in-school counseling.

d) Announce the funeral arrangements and encourage staff to attend, in order to provide support to students and their families.

**Follow-up Activities**

The Crisis Team shall suggest follow-up activities to the building Principal and Superintendent of Schools who shall determine the most appropriate course of action. It is further suggested that staff be reminded that there is one media contact person.

1. Outside consultants may be called upon. At this point, it may be helpful to have "outside" professionals because they are not emotionally involved and can, therefore, provide objective support and direction. Some of the services they can provide are:
  - a) Recommend to parents private evaluations for "high risk" students.
  - b) Speak at a general faculty meeting on the issue of adolescent suicide; identification, prevention, response.
  - c) Conduct evening informational meetings for all concerned community members.
2. Guidance and clinical staff continue meeting with individual students and small groups to provide support, and to further identify "high risk" students and faculty.
3. Contact all parents of students identified as "high risk" to express concern and to suggest possible follow-up evaluation by informing parents of community and county resources that are available.
4. Outside consultant and school staff may conduct an evening meeting of all concerned parents to answer question and allay concerns.
5. Guidance and clinical staff continue crisis intervention, answer phone calls of anxious parents, and meet with concerned staff.
6. The Principal and Superintendent of Schools will determine whether letters should be sent to parents of "high risk" students reminding them to seek a private or community professional evaluation, in order to insure the health and safety of the child. (Return receipt mail is suggested.)
7. "School/Community Steering Committee" can be formed and can plan a meeting for all interested community leaders to discuss a community-wide response to the needs of the teenagers of the town.
8. "Front-line" staff who have been dealing directly with the crisis should meet with a consultant for expression of feelings and mutual support. (This is a necessary ingredient.)

**Long Term Issues**

A meeting of the local school district crisis team should be scheduled within 3 months to review the efficacy of the procedure and to identify any students and staff in need of further support. Attention should be given to events that may reactivate grief responses to a traumatic event, i.e., graduation, the anniversary of the event, or New Year's.

**Closing Comment**

An outside support consultant can help the Superintendent, Principal, and other key coordinators to examine their own view of the situation and, at the same time, validate key responsibilities toward children, teachers, parents and/or the community as a whole.

**Resource**

Solanto, Joseph R., Ph.D., "The Days After; A School's Response in the Aftermath of Sudden Adolescent Death" from Teenage Suicide Prevention Intervention Response.

**COUNTYWIDE RESOURCE STAFF**

School districts, without sufficient experience in dealing with the delicate issue of child/adolescent death or in need of extra staffing required to implement a response plan, may contact the Ulster BOCES to request assistance. Support may be in the form of consultative services or direct intervention as determined by a requesting district.

**Initial Contact for Assistance**

<u>Position</u>	<u>School District</u>	<u>Contact #5</u>
District Superintendent	Ulster BOCES	255-3040 Work

**HUMAN RESOURCES IN ULSTER COUNTY FOR THE TRAUMA EVENTS**

**Health Alliance of the Hudson Valley (Main #) 338-2500 (Benedictine)**

- Emergency room psychiatric intake
- Partial Emergency intake

**Mid-Hudson Regional Hospital of Westchester Medical Center (St Francis)**

- Emergency and Inpatient Mental Health Care Services – 431-8892

**Crisis Hotline -Woodstock 679-2485**

**Kingston 338-2370** (off hour access to U.S.M.H.S.) 331-7080

**New Paltz 255-8801**

Family House 338-5953

**Mental Health Association of Ulster County 336-4747**

- Coordinator of Children Services/Clinical
- Family & Youth Services .Self Help Groups
- Referral Services to private therapists
- Ulster County Task Force on Youth
- Depression & Suicide Prevention
- staff available for group sessions for children, parents, and staff; educational materials, activities, and intervention consultation

**Ulster County Mobile Mental Health Team: [accessupports.org](http://accessupports.org) - 1pm – 11pm daily – 844-277-4820 or 911**

- Trained counselor available when stress, depression or other mental health issues create a personal crisis.
- Team can respond to an urgent issue in the community, at home or in school.

**Astor Services for Children and Families 340-4105** crisis intervention, evaluation, assessment, counseling

- Ellenville 647-3349
- Kingston 340-4105
- New Paltz 419-0850
- Poughkeepsie 471-6004

**Ulster County Youth Bureau , 334-5264**

- Local Youth Centers





**ANNUAL NOTICE TO EMPLOYEES**

I HAVE RECEIVED AND REVIEWED THE ANNUAL NOTICE TO EMPLOYEES WHICH INCLUDES THE DISTRICT CODE OF CONDUCT, THE DISTRICT SAFETY PLAN, AND ANNUAL EMPLOYEE NOTIFICATIONS.

PLEASE SIGN AND RETURN THIS FORM ON THE DATE OF RECEIPT TO YOUR ASSIGNMENT'S MAIN OFFICE OR YOUR SUPERVISOR.

NAME (Please Print): \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

DATE RECEIVED: \_\_\_\_\_

BUILDING/ DEPARTMENT \_\_\_\_\_