

MEXICO ACADEMY & CENTRAL SCHOOL DISTRICT  
Creating Leaders for Tomorrow



# Code of Conduct

**REVISED: June 16, 2021**

**READOPTED: June 23, 2022**

MEXICO ACADEMY & CENTRAL SCHOOL DISTRICT CODE OF CONDUCT COMMITTEE

The contents of this document are a result of a collective effort of a joint committee. The Code of Conduct was reviewed by a joint district-wide committee on 5/21/2020. Members of the committee were representative of groups that include: administration, parents, and staff. Students were invited to participate; however, they did not attend the committee meeting.

#### Board of Education

Ms. Darlene Upcraft, Vice-President

#### Administration

Dr. Donna Runner, Superintendent of Schools  
Mrs. Elizabeth DiCosimo, Assistant Superintendent  
Ms. Margaret Scorzelli, Principal at Palermo Elementary  
Mrs. Stacy Rebecchi, Middle School Assistant Principal  
Mr. Andrew Gates, Director of Health, PE & Athletics

#### Staff Members

Mrs. Kathleen M Butler  
Mrs. Marlow J Cuyler

#### Parents

Ms. Heather Donath  
Mr. Richard McCormack

### CODE OF CONDUCT

The Code of Conduct is a general compilation of the rules, expectations and consequences related to staff and student behavior and establishes standards of conduct for parents, visitors and guests. It does not provide every conceivable inappropriate action that may be demonstrated, but rather it establishes some fundamental expectations and consequences for violating those expectations. Findings of discipline are based on the preponderance (weight) of the evidence.

#### I. INTRODUCTION

The Mexico Academy & Central School District Board of Education, which will be referred to as “Board,” is committed to providing a safe and orderly school environment where students may receive, and district personnel may deliver quality educational services without disruption or interference. Responsible behavior by students, teachers, other district personnel, parents and other visitors is essential to achieving this goal.

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

The Board recognizes the need to clearly define these expectations for acceptable conduct on school property, to identify the possible consequences of unacceptable conduct, and to ensure that discipline when necessary is administered promptly and fairly. To this end, the Board adopts this Code of Conduct (“code”) in relation to policy #3410 and in accordance with Section 2801 of the Education Law and accepted principles of due process of law.

In accordance with the Dignity for All Students Act, School District policy and practice must ensure that no student is subject to discrimination or harassment, based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity or sex by school employees or students on school property, on a school bus, or at a school function. Under the Dignity Act, There are currently 11 protected classes, groups or characteristics. The Dignity Act prohibits any discrimination based on actual or perceived characteristics.

The following individuals have been designated as Dignity Act Coordinators:

Name	Title	Phone Extension (315) 963-8400	Email
Elizabeth DiCosimo	Assistant Superintendent	x 5413 Cellular Phone: 315-402-8068	<a href="mailto:edicosimo@mexicocsd.org">edicosimo@mexicocsd.org</a>
James Busco	Principal, High School	x 5319	<a href="mailto:jbusco@mexicocsd.org">jbusco@mexicocsd.org</a>
Stacey Rebecchi	Assistant Principal, Middle School	x 4200	<a href="mailto:srebecchi@mexicocse.org">srebecchi@mexicocse.org</a>
Lisa Voegler	Principal, Mexico Elementary	x 2310	<a href="mailto:evoegler@mexicocsd.org">evoegler@mexicocsd.org</a>
Margaret Scorzelli	Principal, Palermo Elementary	x 1000	<a href="mailto:m Scorzel@mexicocsd.org">m Scorzel@mexicocsd.org</a>
Jennifer Granholm	Principal, New Haven Elementary	x 3500	<a href="mailto:jgranholm@mexicocsd.org">jgranholm@mexicocsd.org</a>

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

II. DEFINITIONS – For purposes of this code, the following definitions apply:

“Act of violence” is an act against a person that includes, but is not limited to, biting, hitting, kicking, punching and scratching.

“Administrators” is defined as the Superintendent, Assistant Superintendent(s), building Principal, Assistant Principal, Athletic Director, Director of Pupil Services, Director of Technology, instructional specialists for mathematics and the administrative intern.

“Arson” is defined as any act utilizing fire, smoke, or explosive materials, which cause alarm or endangers the safety of others or maliciously causes burning of school property.

“Assault” is defined as a violent physical attack on another person.

“Bullying” is defined as the intentional, harmful behavior initiated by one or more individuals and directed towards another individual based on either a protected category or membership (or lack thereof) in a social group. Bullying exists when an individual with more social and/or physical power deliberately dominates and harasses another who has less power. Bullying is unjustified and typically repeated.

“Chain of Command” is a list of people that are put in place to solve a problem in a sequential order.

“Class Cut” is defined as the unauthorized absence from an assigned area for a length of time exceeding ten minutes.

“Collusion” is defined as an act, agreement or cooperation that is intended for an illegal or deceitful purpose.

“Color” means the term refers to the apparent pigmentation of the skin, especially as an indication or possible indication of race.

“Cyberbullying” is defined as the intentional, harmful behavior initiated by one or more individuals and directed towards another individual based on either a protected category or membership (or lack thereof) in a social group that takes place in an electronic medium. Examples of electronic media includes, but is not limited to the following: online social media websites, text messages, online game conversations, text messages, etc. When cyberbullying presents a substantial disruption to the school environment, school officials have an obligation to work with students and parents towards a remedy. However, this does not excuse parents from making sure that their children are appropriately supervised in the home environment when interacting with peers online.

“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 Section 11[4] and Executive Law Section 292[21]).

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

“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 Section s 11[4] and 1125[3]).

“Endangering the welfare of others” is defined as any action that places another person or persons in a position to sustain injury or harm.

“Ethnic Group” means a group of people who identify with each other through a common heritage including language, culture, and often a shared or common religion and or ideology that stresses ancestry.

“Extortion” is defined as any action used to obtain money, services, information or other valuables from a person by force, intimidation, or under illegal power.

“False Statement” is defined, as any written or verbal communication that is conveyed with inaccurate information that the speaker/writer knows is inaccurate.

“Fighting” is defined by a mutual or retaliatory violent act that results in physical injury such as laceration, bruise, swelling, redness to area affected and/or bleeding.

“Forgery” is defined as the act of forging someone else’s signature or using written text to falsify information.

“Fraternization” is defined as any improper relationship between a staff member and a student. Staff members are prohibited from flirting, making suggestive comments, dating, requests for sexual activity, physical displays of affection, giving inappropriate personal gifts, frequent personal communication with a student (via phone, e-mail, letters, notes, etc.) unrelated to course work or official school matters, providing alcohol or drugs to students, inappropriate touching, and engaging in sexual contact and/or sexual relations. Staff members found to have engaged in fraternization will be subject to discipline

in accordance with their collective bargaining agreement and civil service law. If a student initiates inappropriate behavior towards a staff member, that employee should document the incident and report it to their immediate supervisor.

“Gambling” is defined as any unauthorized game of chance.

“Gender” means actual or perceived sex and includes a person's gender identity or expression (Education Law Section 11[6]). In accordance with board policy #7546, the following commonly used terms have been identified:

“Cisgender”: an adjective describing a person whose gender identity corresponds to their assigned sex at birth.

“Gender expression”: the manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyle, activities, voice, and mannerisms.

“Gender identity”: a person's gender-related identity (their inner sense or psychological knowledge of being male, female neither or both) which may be expressed through appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth.

“Gender nonconforming (GNC)”: a term used to describe people whose gender expression differs from stereotypical expectations. The terms “gender variant” or “gender atypical” are also used.

“Transgender”: an adjective describing a person whose gender identity does not correspond to their assigned sex at birth.

“Transition”: the process by which a person socially and/or physically aligns more closely with their actual gender identity and away from that associated with their assigned sex at birth.

“Harassment” means the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical wellbeing; or conduct, verbal threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; such conduct, verbal threats, intimidation or abuse includes but is not limited to conduct, verbal threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex (Education Law Section 11[7]).

“Hazing” is defined as any humiliating or dangerous activity expected of a student to join a group, regardless of their willingness to participate. Hazing behaviors include, but are not limited to, the following general categories:

- a) Humiliation: socially offensive, isolating or uncooperative behaviors.
- b) Substance abuse: abuse of tobacco, alcohol or illegal drugs.
- c) Dangerous hazing: hurtful, aggressive, destructive, and disruptive behaviors.

Incorporated within this definition are various forms of physical, emotional and/or sexual abuse which may range in severity from teasing/embarrassing activities to life threatening actions.

“High-level code violation” is defined as any act that seriously harms another person, damages or destroys school or personal property, and/or seriously disrupts the safety and/or orderliness of the school environment.

“Horseplay” means any activity that involves inappropriate contact with another person, without intent to harm them and by virtue of the contact's outcome, has not substantially harmed another person. This may include any act that is not intended to do damage or harm and does not result in any significant damage or harm. However, if the act is

determined to be one that could have caused substantial harm or damage, the student may be found responsible for a more serious offense.

“IAES” is defined as a NYS Education term that refers to an interim alternative educational setting. For example, In-school suspension is an IAES.

“In-school suspension (ISS)” is defined as a separate room in the school used for disciplinary reasons. Students will receive their work from their teachers and will be expected to use this time for study.

“Insubordination” is defined as any act that is inconsistent with a directive given by a staff member to a student and/or refusal to appropriately respond to a staff member’s directive.

“National Origin” means a person's country of birth or ancestor's country of birth.

“Out of school suspension (OSS)” is defined as a period of time a student may not attend school due to behavioral issues.

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

“Planner Book” is a spiral notebook that contains a calendar and blank student passes that is authorized by the school.

“Race” means a group of persons related by a common descent or heredity. For purposes of enumeration the U.S. Census Bureau uses terms such as: "White/Caucasian", "Black/African American/African-descent", "Asian", "Bi-racial", "Hispanics/Latinos" etc. to describe and classify the inhabitants of the United States.

“Religion” means specific fundamental beliefs and practices generally agreed to by large numbers of the group or a body of persons adhering to a particular set of beliefs and practices.

“Religious Practice” means a term including practices and observances such as attending worship services, wearing religious garb or symbols, praying at prescribed times, displaying religious objects, adhering to certain dietary rules, refraining from certain activities, proselytizing, etc.

“School Bus” means every motor vehicle owned 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 Section 11[1] and Vehicle and Traffic Law Section 142).

“School function” means any school-sponsored extra-curricular event or activity regardless of locale (Education Law Section 11[2]).

“School property” means in or within any building, structure, athletic playing field, playground, parking lot, student parking 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.

“Senior Privilege” is defined as a privilege granted to seniors who have met set criteria for those privileges. These privileges may include: student-parking permission, early/late release from school, etc.

“Sex” means the biological and physiological characteristics that define men and women. (MALE and FEMALE denote "sex".)

“Sexual Harassment” is defined as unwelcome sexual advances, requests for sexual favors and other verbal, non-verbal or physical conduct.

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

“Social Suspension” is defined as a revocation and/or suspension of a student’s ability to participate in any specific/or all activities that are not required to meet his/her graduation requirements. These activities include, but are not limited to: sports programs, after-school programs, field trips, extra-curricular club or organization involvement, graduation ceremony, awards assemblies, etc.

“Stealing” is defined as an action used to gain property or valuables that belong to someone else by which the owner or possessor of the property has not authorized their use or possession.

“Substantial disruption” of the educational process or a substantial interference with a staff member’s authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher’s instructions, or repeatedly violates the teacher’s classroom rules.

“Superintendent’s hearing” is defined as a review of the student’s disciplinary infractions at which the student, parent or guardian, building administrator and superintendent and/or superintendent’s designee are present. A determination may be made that additional sanctions may be brought against the student.

“Tardy” is defined as being late to a designated area by up to ten minutes.

“Threat” means an expression of intention to cause harm, do violence, intimidate or punish.

“Truancy” is the willful violation, by a student, of the compulsory attendance provisions in Article 65 of the Education Law.

“Violent physical attack” is defined as any physical force applied toward another person while using one’s body, instrument and/or weapon that causes substantial physical harm.

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

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

“Weapon” means a firearm as defined in 18 USC §921 for purposes of the Gun-Free Schools Act and the District weapons policy. It also means any other unauthorized: gun, BB gun, pistol, handgun, spring gun, silencer, revolver, shotgun, rifle, machine gun, paint ball gun, disguised gun, air gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, metal knuckle knife, sling shot, box cutter, cane, sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, firecrackers, explosive or incendiary bomb, or look-alikes (ie: fake items made to look like any of the aforementioned or other weapon), or other device, instrument, material or substance that can cause physical injury or death when used, or threatened, to cause physical injury or death.

“Weight” means aside from the obvious meaning in the physical sciences, the word is used in reference to a person's "size".

### III. STUDENT RIGHTS AND RESPONSIBILITIES

#### A. Student Rights

Mexico Academy & Central School District is committed to safeguarding the rights given to all students under state and federal law. The District's aim is to provide an environment in which a student's rights and freedoms are respected and to provide opportunities which stimulate and challenge the student's interests and abilities to his/her highest potential. These opportunities will be available as long as the student pursues these interests and studies in an appropriate manner and does not infringe upon the rights of others. In addition, to promote a safe, healthy, orderly and civil school environment, all district students have the right to:

1. Take part in all district activities on an equal basis regardless of race, color, creed, national origin, religion, gender, disability or any other categories of individuals protected against discrimination by federal, state or local law.
2. Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty in connection with the imposition of the penalty.
3. Access school rules and, when necessary, receive an explanation of those rules from school personnel.
4. To have a safe, healthy, orderly and courteous school environment.
5. To attend school and participate in school programs unless suspended from instruction and participation for a legally sufficient cause as determined in accordance with due process of law.
6. To be suspended from instruction in accordance with the rights provided under the Education Law Section 3214.

#### B. Student Responsibilities

All District students have the responsibility to:

1. Accept responsibility for their actions.
2. Contribute to maintaining a safe and orderly school environment that is conducive to learning and to show respect to other persons and to property.
3. Be familiar with and abide by all district policies, rules and regulations dealing with student conduct.
4. Attend school daily and be in class on time and prepared to learn.
5. Work to the best of their ability in all academic and extra-curricular pursuits and strive toward their highest level of achievement possible.
6. Respond to direction by teachers, administrators and other school personnel in a respectful, positive manner.
7. Work to develop mechanisms to control their anger.
8. Ask questions when they do not understand.
9. Seek help in solving problems that might lead to discipline.
10. Dress and groom appropriately for school and school functions. Students are encouraged to “dress for success”
11. Conduct themselves as representatives of the District when participating in or attending school-sponsored extra- curricular events and to hold themselves to the highest standards of conduct, demeanor and sportsmanship.
12. Follow school and societal rules.
13. Immediately report any health or safety issues to school staff, (i.e.: presence of drugs or weapons).

In addition:

It is the student's right:

- 1) To attend school in the district in which one's parent or legal guardian resides.
- 2) To expect that school will be a safe, orderly and purposeful place for all students to gain an education and to be treated fairly.
- 3) To be respected as an individual.
- 4) To express one's opinions verbally or in writing (both online and offline).
- 5) To dress in such a way as to express one's personality.
- 6) To be afforded equal and appropriate educational opportunities.
- 7) To take part in all school activities on an equal basis regardless of race, color, creed, religion, religious practice, sex, sexual orientation, gender, national origin, ethnic group, political affiliation, age, marital status, or disability.
- 8) To have access to relevant and objective information concerning drug and alcohol abuse, as well as access to individuals or agencies capable of providing direct assistance to students with serious personal problems.
- 9) To be protected from intimidation, harassment, or discrimination based on actual or perceived race, color, weight, national origin, ethnic group, religion, or religious practice, sex, gender/gender identity, sexual orientation, or disability, by employees or students on school property or at a school function or activity.

It is the student's responsibility:

- 1) To attend school daily, regularly and on time, perform assignments, and strive to do the highest quality work possible and be granted the opportunity to receive a good education.
- 2) To be aware of all rules and expectations regulating student's behavior and conduct oneself in accordance with these guidelines.
- 3) To respect one another, and to treat others in the manner that one would want to be treated.
- 4) To express opinions and ideas, both online and offline, in a respectful manner so as not to offend, slander, or restrict, the rights and privileges of others.
- 5) To dress appropriately in accordance with the dress code, so as not to endanger physical health, safety, limit participation in school activities or be unduly distracting. "Dress for success!"
- 6) To be aware of available educational programs in order to use and develop one's capabilities to their maximum.
- 7) To work to the best of one's ability in all academic and extracurricular activities, as well as being fair and supportive of others.
- 8) To be aware of the information and services available and to seek assistance in dealing with personal problems, when appropriate.
- 9) To respect one another and treat others fairly in accordance with the District Code of Conduct and the provisions of the Dignity Act. To conduct themselves in a manner that foster an environment that is free from intimidation, harassment, or discrimination. To report and encourage others, to report any incidents of intimidation, harassment or discrimination.

#### IV. ESSENTIAL PARTNERS

The Mexico Academy and Central School District believes that appropriate student behavior is a result of cooperative efforts among students, parents, staff members, the administration and the Board. The District, therefore, emphasizes the need for the entire school community to provide a meaningful educational experience to all District students.

##### A. Parents – All parents are expected to:

1. Recognize that the education of their child/children is a joint responsibility of the parents and the school community.
2. Send their children to school ready to participate and learn as required by New York State Education Law and in accordance with the District's Comprehensive Student Attendance Policy (#7110).
3. Ensure their child/children absences are excused.
4. Ensure their child/children attend school regularly and on time.
5. Insist their child/children be dressed and groomed in a manner consistent with the student dress code. "Dress for Success!"
6. Follow the chain of command when problems arise so that problems can be solved at the lowest level (staff member/teacher, Assistant Principal/Principal, Superintendent, Board).
7. Help their child/children understand that in a democratic society appropriate rules are required to maintain a safe orderly environment.
8. Know the school rules and consequences for violating them and help their child/children understand these rules and consequences in accordance with the District Code of Conduct.
9. Convey to their child/children a supportive attitude toward education and the District.
10. Build positive relationships with teachers, other parents, and their child/children's friends.
11. Help their child/children deal effectively with peer pressure.
12. Inform school officials of changes in the home situation that may affect student conduct or performance.
13. Provide a place for study and ensure homework assignments are completed.
14. Demonstrate respect for school and societal rules.
15. Work with our schools to maintain open and respectful communication.
16. Teach their children respect and dignity for themselves, and other students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, which will strengthen the child's confidence and promote learning in accordance with the Dignity for All Students Act.
17. Provide their children with guidance and supervision in regards to their conduct online as it impacts interactions with other students throughout the school day.

##### B. All School Employees- All School Employees are expected to:

1. Promote a safe, orderly and stimulating school environment, which supports active teaching and learning.
2. Immediately notify a person in authority of situations which might cause (or have caused) harm to others or to property.
3. Support educational and academic goals.
4. Know school rules, policies, including the Code of Conduct, and abide by them and enforce them in a fair and consistent manner.
5. Be familiar with, follow and enforce all Local, State and Federal laws, rules and regulations in a fair and consistent manner.
6. Set a good example for students and colleagues by demonstrating dependability, integrity and other standards of ethical conduct.
7. Communicate the following to students: expectations for students, and the Board approved Code of Conduct.
8. Communicate regularly with students, parents and other staff members concerning safety.

9. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
10. Confront issues of discrimination and harassment in any situation that threatens the emotional or physical health or safety of any students, school employee or any person who is lawfully on school property or at a school function.
11. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a teacher's attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.
12. Maintain confidentiality about all personal information and educational records concerning students and their families.
13. Set a good example for students and other staff by demonstrating dependability, integrity and other standards of ethical conduct both in the school environment, community, and on electronic media (ex:
14. social media websites).
15. Model appropriate use and adequately supervise student use of electronic devices in the instructional setting.

C. Teachers – All District teachers are expected to:

1. Be prepared to teach all his/her students.
2. Demonstrate interest and enthusiasm in teaching and concern for all students' achievement.
3. Communicate to students and parents:
  - a. Course objectives and requirements.
  - b. Marking/grading procedures.
  - c. Assignment deadlines.
  - d. Expectations for students.
  - e. Classroom discipline plan
4. Communicate regularly with students, parents, and other teachers concerning student growth and achievement.
5. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.

D. Administrators – All District administrators are expected to:

1. Facilitate regular communication (including the redress of grievances) among staff, students and parents.
2. Evaluate on a regular basis all staff and instructional programs.
3. Support the development of and student participation in appropriate extra-curricular programs and assess and adjust as needed.
4. Be responsible for enforcing the Code of Conduct, ensuring that all cases are resolved promptly and fairly and, when necessary, appropriately documenting actions.
5. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
6. Ensure that students and staff have the opportunity to communicate regularly with the Principal and approach the Principal or Assistant Principal for redress of grievances.
7. Evaluate on a regular basis the effective safety, behavioral and school management issues related to all instructional programs.
8. Support the development of and student participation in appropriate extracurricular activities.
9. Maintain and encourage 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/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
10. Follow up on any incidents of discrimination and harassment that are witnessed or otherwise brought to the Principal's attention in a timely manner in collaboration with the Dignity Act Coordinator (DAC).

E. Student Support Service Personnel and School Counselors– All student support service personnel are expected to:

1. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
2. Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary or requested, as a way to resolve problems and communicate as necessary in any other manner with parents and other staff regarding student progress and needs.
3. Regularly review with students their educational progress and career plan.
4. Encourage and provide information to assist students with career planning.
5. Encourage students to benefit from the curriculum and extra-curricular programs.
6. Maintain and encourage 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/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
7. Report incidents of discrimination and harassment that are witnessed or otherwise brought to the staff member's attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.
8. Coordinate Intervention Support Services, as needed, with student, parent, Building Principal and teachers.

F. Superintendent – The Superintendent is expected to:

1. Promote a safe, orderly and stimulating school environment which supports active teaching and learning.
2. Review with district administrators the policies of the Board of Education and any state and federal laws relating to school operations and management.
3. Inform the board about educational trends relating to student discipline.
4. Work to promote and support instructional programs that encourage positive behaviors sensitive to student and teacher needs.
5. Work with school personnel in enforcing the Code of Conduct and resolving all cases promptly and fairly.
6. Address all areas of school-related safety concerns.

G. Board of Education – All school Board members are expected to:

1. Collaborate with student, teacher, administrator and parent organizations, school safety personnel, and other school personnel to develop a Code of Conduct that clearly defines expectations for the conduct of students, district personnel, and parents/visitors on school property and at school functions.
2. Adopt and review at least annually the district's Code of Conduct to evaluate the code's effectiveness, fairness and consistency of its implementation.
3. Lead by example by conducting board meetings in a professional, respectful and courteous manner.
4. Support the efforts of teachers, staff and community to provide the highest quality of education for students.
5. Appoint a Dignity Act Coordinator in each school building. The Dignity Act Coordinator will be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religious practice, disability, sexual orientation, gender/gender identity, and sex. The Dignity Act Coordinator will be accessible to students and other staff members for consultation and advice as needed on the Dignity Act.
6. Demonstrate respect for school and societal rules.

## V. STUDENT USE OF ELECTRONIC COMMUNICATION DEVICES

Students are prohibited from using or having on or in an operational mode any paging device, mobile telephone, cellular telephone, laser pointer or pen or any other type of telecommunications or imaging device during instructional time, except as expressly permitted in connection with authorized use in classrooms (see Board policy 6470). While students

are permitted to possess such devices during the school day, they are prohibited from using them in any manner which invades the privacy of students, employees, volunteers or visitors. Students are not permitted to use any form of information technology, including their own personal electronic devices, to intimidate, harass or threaten others. This type of harassment is generally referred to as cyberbullying. If a student violates this prohibition, then he/she is subject to discipline under this provision and/or any other provision in the District Code of Conduct that may be applicable to the circumstances involved. Any electronic device that is permitted on school property is encouraged to be kept secured and in a concealed manner.

## VI. DRESS CODE

Students are encouraged to “Dress for Success.” It is important that students are mindful of the educational setting when selecting clothing for school. All students are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions. Teachers and all other Board personnel should exemplify and reinforce acceptable student dress and behavior (including possession/use of electronic devices) and help students develop an understanding of appropriate appearance and conduct in the school setting. Staff members are expected to follow the dress code, in accordance with their collective bargaining agreement. The school cannot and does not dictate styles. However, school officials reserve the right to determine what acceptable and unacceptable attire is. Students and their parents have the primary responsibility for acceptable student dress and appearance. Teachers and all other district personnel should help students develop an understanding of appropriate appearance in the school setting. A student’s dress, grooming and appearance, including jewelry, shall be safe, appropriate and not disrupt or interfere with the educational process.

Examples of clothing in these categories that are unacceptable include, but are not limited to:

- Headwear, such as scarves, hats, hoods, and bandanas are to be removed upon entering the building and are to remain off the person’s body until he/she leaves the building, except for religious and/or medical reasons.
- All headwear is to be kept in the student’s locker during regular school hours or he/she will be directed to the assistant principal’s or main office for disciplinary action.
- Safe footwear must be worn at all times.
- Bandanas (anywhere on the body and/or clothing).
- Bathing suits
- Chains/spiked jewelry
- Coats/jackets (may only be worn entering/leaving the building)
- Droopy pants
- Exposed underwear garments
- Half shirts
- Halter tops
- Pajamas
- See-through garments/net tops
- Short skirts or short shorts (at discretion of building principal – a suggested minimum length is half-way between the waist and knee)
- Sunglasses
- Tops that allow one or more shoulders to be bare
- Plunging neckline (front/back)
- Bare midriff
- Clothing with holes or slits in areas that need to be covered
- Straps must be thick enough to cover all undergarments
- Hooded sweatshirts are allowed but the hood must be down

- Clothing will not be allowed that promotes, advertises, and/or endorses the use of alcohol, tobacco or illegal drugs and/or encourages other illegal or violent activities.
- Clothing or items that are, or are implied as, vulgar, obscene and libelous or denigrate others on account of race, color, religion, creed, national origin, disability, gender, or sexual orientation will not be allowed.
- Pants known as “leggings” should be worn with an appropriate length shirt or sweater.

Students who violate the student dress code shall be required to modify their appearance by covering or removing the offending item(s) and if necessary or practical, replacing it (them) with an acceptable item(s). Any student who refuses to do so shall be subject to discipline, up to and including in-school suspension for the day. Any student who fails to comply with the dress code shall be considered insubordinate and subject to further discipline, up to and including out of school suspension. Each building Principal, or acting Principal, shall be responsible for informing all students and their parents of the student dress code at the beginning of the school year and any revisions to the dress code made during the school year.

## VII. PROHIBITED STUDENT CONDUCT

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

The best discipline is self-imposed, and students must learn to assume and accept responsibility for their own behavior, as well as the consequences of their misbehavior. District personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students’ ability to grow in self-discipline. The Board recognizes the need to make its expectations for student conduct while on school property or engaged in a school function, (i.e.; field trips, alternative education tutoring after hours, athletic contests, etc.), specific and clear. The rules of conduct listed below are intended to do that and focus on safety and respect for the rights and property of others. Students who violate these rules will be required to accept the penalties for their conduct.

Students who will not accept responsibility for their own behavior or who violate these school rules will be required to accept the consequences for their conduct. Students may be subject to disciplinary action, up to and including suspension from school or removal from a program, when they engage in conduct that is disorderly, insubordinate, disruptive, violent, endangers the safety, morals, health or welfare of others, engage in misconduct on the school bus, or engage in academic misconduct including work/internship sites.

A. Students are prohibited from engaging in conduct that is disorderly or disruptive.

Examples of disorderly or disruptive conduct include, but are not limited to:

1. Running in hallways.
2. Making unreasonable noise. This includes disrupting either their own class or other classes.
3. Inappropriate language and behavior; use of language and or behavior that is offensive, derogatory, or disrespectful to any person. Using language or gestures that are profane, lewd, vulgar or abusive. Students are prohibited from using swear words in the school environment.
4. Obstructing vehicular or pedestrian traffic.
5. Engaging in any willful act, which disrupts the normal operation of the school community.
6. Trespassing. Entering any school building, other than the one they regularly attend, without permission from the administrator in charge of the building. This includes students being out of their assigned area without permission.

7. Computer/electronic communications misuse, including any unauthorized use of computers, software, or internet/intranet account; accessing inappropriate websites; or any other violation of the district's acceptable use policy.
8. Unauthorized use of electronic devices such as radios, games, CD, DVD or MP3 players, IPODS, cellular phones and pagers during the school day. Each school principal retains the right to authorize students to use electronic devices (either for instructional or leisure use). Students are prohibited from taking unauthorized still photos or videos of students or staff members. Unauthorized images or videos of students or staff should not be posted on social media websites.
9. Unauthorized wearing of headphones on student's head or around student's neck, without administrative authorization for educational use. Each school Principal retains the right to authorize students to use electronic devices (either for instructional or leisure use).
10. Behave in violent or dangerous ways that endangers one's self or others. Students are prohibited from possessing weapons, lighters, matches, or other incendiary devices.
11. Taking or damaging property that belongs to someone else, without their permission.
12. Indecent exposure.
13. Inappropriate touching of another student.
14. Entering or being in an area on school property without appropriate authorization.
15. Possesses or causes the use of unauthorized substances such as, but not limited to: stink bombs, aerosols, sprays, etc.
16. No scooters, snowmobiles, go-carts, ATV's or similar vehicles (by whatever name they are called) shall be ridden, driven or operated on school grounds anywhere in the district. All other parking and operating regulations shall apply. No skateboards or roller blades may be used on school grounds at any time. Bicycles are to be used in a responsible and appropriate manner.
17. Unprepared for class, not having homework, books, supplies, or other items deemed necessary for instruction, or failure to complete expected work.
18. Insubordination, verbal or non-verbal refusal to comply with a reasonable request of any staff member.
19. Inappropriate displays of affection.
20. Unauthorized food and/or beverages (e.g. candy, gum, etc.).
21. Running or "horseplay."
22. Throwing objects (e.g. rubber bands, spit balls, food items, etc.).
23. Gambling, panhandling.
24. Excessive and/or repeated minor violations.
25. Falsifying information, repeated lying, cheating or plagiarism, forgery, or withholding information from school authorities.
26. Fighting or aggressive physical contact between two or more individuals.
27. Reckless endangerment, actions that result in or have the potential to result in injury to others without intent to injure.
28. Leaving school without school and parental permission (including not riding school transportation for school programs/activities), or truancy (defined as being absent from school, any part of class, study hall, or other assigned areas without permission, or forging passes or excuses).

B. Students are prohibited from engaging in conduct that is insubordinate.

Examples of insubordinate conduct include, but are not limited to:

1. Failing to comply with the reasonable directions of teachers, school administrators or other school employees.
2. Interfering with an administrator's investigation of an allegation or incident related to student(s), staff and/or school property.

3. Truancy or leaving school without parental and/or administrative permission, unexcused lateness to school, or cutting class.
4. Willfully skipping detention.

C. Students are prohibited from engaging in conduct that is disruptive.

Examples of disruptive conduct include, but are not limited to:

1. Failing to comply with the reasonable directions of teachers, District administrators or other District employees or otherwise demonstrating disrespect.
2. Endangering the health and safety of other students or staff or interfering with classes or District activities by means of inappropriate appearance or behavior as per District Code of Conduct.

D. Students are prohibited from engaging in conduct that is violent.

Examples of violent conduct include, but are not limited to:

1. Committing an act of violence upon a teacher, administrator or other school employee, or attempting to do so.
2. Committing an act of violence upon another student or any other person lawfully on school property, or attempting to do so.
3. Possessing/displaying a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function.
4. Threatening to use a weapon.
5. Intentionally damaging or destroying the personal property of a student, teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
6. Intentionally damaging or destroying school district property.
7. Communication by any means, including oral, written or electronic (such as through the Internet, email or texting) off school property, where the content of such communication (a) can reasonably be interpreted as a threat to commit an act of violence on school property; or, (b) results in material or substantial disruption to the educational environment.
8. Calling to report a false bomb threat or location of false bomb (see Policy 7311).
9. Abusive treatment, bullying, extortion, discriminating behaviors, or harassment, which includes vulgar language and gestures.
10. Sexual contact and sexual or lewd behavior.
11. Harassment, threatening or abusive behavior that is sexual in nature and would likely cause offense, annoyance, alarm, or interference with learning.

E. Students are prohibited from engaging in any conduct that endangers the safety, morals, health or welfare of others.

Examples of such conduct include, but are not limited to:

1. Providing false information to school personnel.
2. Theft of school property, the property of other students, school personnel or any other person lawfully on school property or attending a school function.
3. Defamation, which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them.

4. Discrimination, based on a person's actual or perceived race, age, sexual orientation, use of a recognized guide dog, hearing dog or service dog, color, creed, national origin, ethnic group, religion, religious practice, sex, sexual orientation, gender or gender identity, marital or veteran status, use of a recognized guide dog, hearing dog or service dog, or disability as a basis for treating another in a negative manner on school property or at a school function.
5. Harassment, the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical wellbeing based on a person's actual or perceived race, color, weight, national origin, political affiliation, ethnic group, religion, religious practice, marital or veteran status, use of a recognized guide dog, hearing dog or service dog, disability, sexual orientation, gender or sex.
6. Bullying and intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm and/or emotional discomfort; for example, "play" fighting, extortion of money, overt teasing, etc.
7. "Internet bullying" (also referred to as "cyberbullying") including the use of instant messaging, email, websites, chat rooms, text messaging, or by any other electronic means, when such use interferes with the operation of the school; or infringes upon the general health, safety and welfare of students or employees.
8. Sexual harassment, which includes unwelcome sexual advances, requests for sexual favors, taking, sending or receiving sexually explicit videos, pictures or auditory recordings and other verbal or physical conduct or communication of a sexual nature.
9. Displaying signs of gang affiliation or engaging in gang-related behaviors that are observed to increase the level of conflict or violent behavior.
10. 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. Selling, using or possessing obscene material.
12. Using vulgar or abusive language, cursing or swearing.
13. Smoking or use of tobacco products or paraphernalia on school property (or while attending school activities) is prohibited. Possession of or smoking a cigarette, cigar, pipe or using chewing or smokeless tobacco or another tobacco product.
14. Any student found to be illegally using and/or possessing alcohol, over the counter medication, and/or a controlled substance on school property, including having such substance on a person, in a locker, vehicle or other personal space, selling and/or distributing alcohol or controlled substance on school property, at a school sponsored function or in a school district vehicle shall be in violation of this policy. Possessing, consuming, selling, attempting to sell, distributing or exchanging alcoholic beverages, tobacco, tobacco products, electronic cigarettes (or e-cigarettes), or illegal and/or controlled substances, counterfeit and designer drugs, or paraphernalia for use of such drugs or be under the influence of any such substances on school property or at a school function. "Illegal substances" include, but are not limited to, inhalants, marijuana, synthetic cannabinoids, cocaine, LSD, PCP, amphetamines, heroin, steroids, look - alike drugs, drug paraphernalia and any substances commonly referred to as "designer drugs."
15. Inappropriately using, sharing, selling, attempting to sell, distributing or exchanging prescription and over the-counter drugs. A student carrying medication without following the above stated procedure is in violation of this policy and subject to disciplinary action/suspension. All prescription and over the counter medication is to be kept in the nurse's office and should be administered by the nurse according to medical orders.
16. Possessing, consuming, selling, attempting to sell, distributing, or exchanging "look-alike drugs"; or, possessing or consuming (without authorization), selling, attempting to sell, distributing or exchanging other substances such as dietary supplements, weight loss pills, etc.
17. Gambling and gaming.
18. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner.
19. Inappropriate touching.
20. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911 or discharging of a fire extinguisher.

21. Violating privacy when using school restroom facilities. Students wishing to use a specific restroom should adhere to board policy 7546 in regards to restroom and changing facility use. All students are expected to respect the privacy of all individuals while using restrooms and changing facilities. Therefore, use of electronic devices for the purpose of taking photographs and video recordings in restroom or changing facilities is prohibited.

F. Students are prohibited from engaging in unlawful offenses on school grounds.

Examples of unlawful offenses include, but are not limited to:

1. Endangering the safety, moral, health or welfare of others, or violating federal, state, or local law and ordinance.
2. Assault, an unlawful physical attack.
3. Arson, any act utilizing fire, smoke, or explosives which causes alarm or danger to life and/or willful or malicious burning of school property, its contents, or the personal property of others.
4. Vandalism, the destruction or serious defacing of property.
5. Illegal drug use, possession, sale or receipt, or possession of drug paraphernalia. For purposes of this policy, illegal drugs are substances controlled by law and other illegal chemical substances, including, but not limited to, drugs, and look-alikes, which have not been prescribed by a medical doctor for use by the student.
6. Use or possession of any alcohol product.
7. False alarms (including false 911 calls), bomb threats, tampering with emergency or safety devices (e.g. fire extinguishers).
8. Possession of a firearm or weapon.
9. Theft or possession, sale or receipt of stolen property
10. Making threats. Threats of all types will be taken seriously. The following are some general guidelines used by school administrators in assessing threats:
  - The threat suggests that the person making the threat has given some thought to how the act will be carried out.
  - There may be a general indication of a possible place and time (though these signs still fall well short of a detailed plan).
  - There is no strong indication that the person making the threat has taken preparatory steps, although there may be some veiled reference or ambiguous or inconclusive evidence pointing to that possibility - an allusion to a book or movie that shows the planning of a violent act, or a vague, general statement about the availability of weapons.
  - There may be a specific statement seeking to convey that the threat is not empty: "I'm serious!" or "I really mean this!"

F. Students are prohibited from engaging in misconduct while on a school bus.

It is crucial for students to behave appropriately while riding on district buses to ensure their safety and that of other passengers and to avoid distracting the bus driver. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. Excessive noise, pushing, shoving and fighting will not be tolerated. Students should be informed that the Code of Conduct applies to the school bus and that progressive disciplinary measures will be taken for students who violate the code of conduct on the bus. Suspension from transportation may be enforced if students show a repeated pattern of not following the rules on the bus. Suspension in excess of five days from transportation requires a disciplinary hearing.

G. Students are prohibited from engaging in any form of academic misconduct.

Examples of academic misconduct include, but are not limited to:

1. Plagiarism.
2. Cheating.
3. Copying.
4. Altering Records.
5. Accessing other users email accounts or network storage accounts and/or attempting to read, delete, copy, modify, and interfere with the transferring and receiving of electronic communications.
6. Violation of the District Acceptable Use Policy for technology.
7. Assisting another student in any of the above actions, which may include fraternization.

H. Students are prohibited from engaging in misconduct that is not committed on District property or at a District function, if such misconduct:

1. Threatens the health, safety or welfare of a student, teacher or other member of the school District staff.
2. Is likely to interfere with a positive educational environment.
3. Contribute sexual or another form of harassment that is likely to carry over to the educational environment.
4. Presents a substantial disruption to the operation of the school.

## VIII. STUDENT SEARCHES, SEIZURES, AND INTERROGATIONS

### A. Student's Right to Privacy

In authorizing such searches, the Mexico Academy & Central School District Board acknowledges that both state and Federal constitutional rights protect students from unreasonable searches of their person, as well as of their possessions (e.g., pocket contents, book bags, vehicles, etc.). The District, however, has a substantial interest in maintaining security and order in the classroom and on school grounds. Therefore, unlike police officers, school administrators do not need to obtain a warrant prior to conducting a search of a student. School administrators need only to have "reasonable suspicion" that a particular search will reveal evidence that the student has violated or is violating either the law or the rules of the district.

### B. Lockers, Desks, and Other School Storage Spaces

Students do not have a reasonable expectation of privacy with respect to school lockers, desks, or other school storage spaces. Rather, lockers, desks, and other school storage spaces are public spaces and remain the property of the District. Students may use these areas for the limited purpose of temporarily keeping items needed to participate in school instruction and activities.

Lockers, desks, and other storage spaces will be subject to inspection by school administrators, teachers, and other school staff at any time, without prior notice, for any reason including, but not limited to safety (e.g., bomb threat), administration (e.g., rotting food), and discipline (e.g., illegal or prohibited items).

### C. Personal Searches and Searches of Student Possessions

Searches of a student's person or possessions may be conducted based upon "reasonable suspicion" that a prohibited or illegal item is on a student's person or in a student's possession. Personal searches and searches of student possessions are to be conducted by school administrators.

"Reasonable suspicion" to conduct a search of a student or a student's possessions, and the scope of the particular search shall be based upon such factors as:

- a. The student's age;
- b. The student's history and record in school;
- c. The prevalence and seriousness of the problem to which the search is directed;
- d. The urgency necessitating the immediate search;
- e. The probative value and reliability of information used as justification for the search.

The search shall be limited to the extent necessary to locate the illegal or prohibited items. The request for the search of a student or a student's possessions shall be directed to the building Principal or the Assistant Principal.

If student refuses or is uncooperative, he/she risks being suspended from school and/or outside agency contacted.

Whenever practicable, searches should be conducted in the privacy of the administrative offices. If the school officials conclude that a more intrusive search is necessary (i.e., a search which requires a student to remove any or all clothing, other than the removal of outer coats or jackets), then the District shall attempt to notify the parents of the students by telephone. If the District is unable to contact the parents by telephone, then the district shall conduct the search of the student and shall notify the parents in writing thereafter. A search beyond the outer clothing shall be conducted only by a school official of the same gender as the student and in the presence of another school official who is also of the same gender as the student.

#### D. Seizures

The building Principal or Assistant Principal shall be responsible for the custody, control, and disposition of any illegal, dangerous or prohibited items taken from a student, a student's possession, or a student's locker, desk or other storage space. The Principal or Assistant Principal shall remain in control of such item(s) until disposed of, released to either police authorities, or brought to a Superintendent's hearing.

#### E. Dog-Sniffing Searches

The District and administrators may use trained narcotics/explosives dogs to sniff objects that are not affixed to, or carried by, an individual student, such as, lockers, desks, student vehicles parked in school parking lots, or any articles of personal property that have been discarded or abandoned at any time, without prior notice. If the dog alerts district officials to a particular locker or vehicle, school officials will then have satisfied the reasonable suspicion requirement that justifies a more thorough search to determine whether in fact drugs or explosives are present.

#### F. Search by Breathalyzer or Alco-Sensor

To ensure the safety of students at District functions, such as proms and other school events, district officials may, upon reasonable suspicion of alcohol consumption, which may include visual signs of intoxication or by smelling alcohol on students, subject students to an Alco-Sensor test to determine whether a student has consumed alcohol. Students are expected to cooperate fully or risk being suspended from school, and/or being referred to the Superintendent for a hearing.

#### G. Child Protective Services' Investigations

From time to time, Child Protective Service ("CPS") may desire to conduct interviews of students on school property. Such interviews generally pertain to allegations of suspected child abuse and/or neglect. The Mexico Academy & Central School District Board encourages cooperation with CPS in accordance with applicable Social Services Law and Regulations. Every reasonable effort shall be made to accommodate the request of CPS.

All requests by CPS to interview a student of the District on school property shall be made directly to the building Principal or his/her designee. The Principal or his/her designee shall set the time and place of the interview. The

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

#### H. Searches Pursuant to Warrant

It is the policy of the Mexico Academy & Central School District to cooperate with law enforcement agencies. No police officer may enter the schools of the District for the purpose of interrogating, searching or conducting formal investigations of students unless accompanied by a warrant for arrest or search, unless a crime has been committed on school property, or unless invited by school officials.

A search of a student's person, possession, locker, desk or other school storage space, may also be conducted by law enforcement officials pursuant to a valid warrant or where the officer determines that "probable cause" exists and a warrant is not required. The requirement of a warrant or "probable cause" finding protects the privacy of the student and also helps assure that evidence seized is admissible in subsequent judicial proceedings. Whenever a police officer presents a search warrant to the District, the Principal or Assistant Principal shall attempt to inform the student's parent/guardian of the police demand to search in order to afford the parent/guardian an opportunity to be present at the search. If the parent/guardian cannot be contacted prior to a police search, the parent shall be informed of the search in writing by the Principal or Assistant Principal as soon thereafter as possible.

#### IX. ATTENDANCE/PARTICIPATION IN CO-CURRICULAR ACTIVITIES

A student who has been placed in ISS for three periods or more or has been suspended from school will be ineligible for participation in all school activities, including practice sessions during the term of his/her suspension. All participants of interscholastic and co-curricular activities who expect to participate in a scheduled game, practice or activity must attend at least two periods of instruction the day of the event, or in the case of a weekend game, the day before the event. They cannot perform/participate in school events on the day of the absence, nor on a non-school day following an absence. (In the case of physical education, student athletes must dress and participate). Exceptions to these guidelines are to be cleared in advance by the principal. Students who are truant or have an unexcused absence cannot perform/participate.

#### Eligibility for Attendance at an Extracurricular Activity as a Spectator

Extracurricular events include, but are not limited to dances, concerts, plays and athletic contest.

The following categories of students are considered not eligible for attending an extracurricular activity as a spectator:

- Students who are not in attendance at school on the day of an extracurricular event are not allowed to participate in or attend that event (except for confirmed legal matters/medical matters).
- Students who have been referred for attendance concerns will be notified through a letter to their parents that they are barred from attendance at extracurricular activities until their attendance patterns improve to a satisfactory level.
- Students who have been assigned three or more periods of In-School Suspension or Out-of-School Suspension will receive seven days of social suspension.
- The principal reserves the right to allow for exceptions if extenuating circumstances exist.

#### X. HARRASSMENT AND SEXUAL HARRASSMENT REGULATIONS – STUDENTS

Please refer to the Mexico Academy & Central School District Board Policy Handbook for the complete policy and reporting procedures.

In accordance with Board Policies 3420, 6121, 7545, 7551, 7552, 7553, Mexico Academy & Central School District is committed to maintaining a work and school environment free from discrimination or harassment based on race, color, creed, national origin, age, sex, sexual orientation, disability and marital status by other employees, students, or nondistrict individuals. Harassment based on any of the characteristics listed above is prohibited and a person who believes he/she has been subject to such harassment is encouraged to use the procedures set forth below.

It is the policy of the Mexico Academy & Central School District that all employees and students be free from prohibited discrimination, including harassment, in the classroom, extra-curricular and work environments. Furthermore, through the enactment of this policy, a confidential grievance procedure exists to deal with any allegations of prohibited harassment.

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

- a. Submission to such conduct is made explicitly or implicitly a term or condition of an employee's employment.
- b. Submission to or rejection of such conduct by an employee is used as the basis for employment decisions (e.g. hiring, evaluation, promotion) affecting that employee.
- c. Such conduct has the purpose or effect of unreasonably interfering with an individual's employment or has purpose or effect of creating an intimidating, hostile or offensive environment.

It is the policy of the Mexico Academy & Central School District that all students be free from sexual discrimination, including sexual harassment, in the classroom, extra-curricular and work environment. A confidential grievance procedure exists to deal with any allegations of sexual harassment. Any student who believes he or she has been subjected to sexual harassment shall report the alleged harassment to the building principal or other administrator. Allegations of sexual harassment will be investigated thoroughly and in a timely manner. The results of the investigation will determine the response to each allegation. Acts of sexual harassment will be met with appropriate remedial action.

Reporting Procedure: Any student who believes he/she has been subject to prohibited discrimination or harassment shall report the incident to the building principal, or if the building principal is the alleged perpetrator, to the school nurse. The building Principal or school nurse shall report the allegation to the District's Title IX Compliance Officers or Superintendent, unless the compliance officers are the alleged perpetrator in which case the allegation shall be reported only to the Superintendent. If the Superintendent is the alleged perpetrator, the compliance officer(s) shall inform the Mexico Academy & Central School District Board President who shall apprise the Board.

Investigation: Upon receipt of a complaint from a student, parent or District employee, or upon receiving notice by some other means that prohibited discrimination or harassment of a student may have occurred or may be occurring, a prompt, thorough and impartial investigation shall be overseen by the compliance officer or Superintendent. To assist with the investigation, the complainant or individual who observed the alleged discrimination or harassment will be asked to fill out a complaint form. All witnesses shall be interviewed. Within ten school days, the compliance officer or superintendent will inform the complainant of the status of the investigation, including a time frame for completion of the process. All information or complaints shall be investigated in a manner, which preserves confidentiality to the maximum practical extent, recognizing that the thoroughness of the investigation is not to be compromised. The complainant shall be notified regarding the findings and action taken.

Disposition: If the investigation reveals that prohibited harassment has occurred, appropriate sanctions will be imposed as follows:

1. If the complaint involves conduct by a student, discipline in accordance with the Code of Conduct will be administered and can include the full range of sanctions all the way up to a temporary or permanent suspension from school.
2. If the complaint involves conduct by a non-tenured employee or civil service employee not entitled to privileges afforded by Civil Service Law Section 75, the complaint shall be presented to the Superintendent for action, as he/she deems appropriate in accordance with any applicable negotiated agreement.
3. If the complaint involves conduct by a tenured employee or civil service employee who is entitled to Civil Service Section 74 privileges, the complaint shall be presented to the Superintendent for possible action pursuant to Education Law 3020-a or Civil Service Law Section 75.
4. If the complaint involves conduct of a non-district individual, appropriate action shall be taken up to and including barring the individual from entering School District property.

To the extent that the complainant has suffered a detriment as a result of the prohibited harassment, the District will take appropriate remedial action (e.g. provision of counseling services, removal of any derogatory material from the personnel file that was a result of the alleged harassment, etc.).

Retaliation for good faith reports of prohibited harassment or against any person who testifies, assists, or participates in good faith in an investigation, proceeding or hearing relating to prohibited harassment complaint, is strictly prohibited and any such retaliation shall constitute separate ground for disciplinary action.

Appeal: If the investigation reveals that no prohibited harassment has occurred or if the complainant is not satisfied with the action taken after a finding of prohibited harassment, the complainant may appeal to the Board. The appeal must include a copy of the original complaint, all relevant reports, the specific action being appealed, and an explanation of the grounds of for the appeal.

## XI. REPORTING VIOLATIONS

All students are expected to promptly report violations of the Code of Conduct to a teacher, school counselor, the administration, or other district staff. Any student observing any individual who is committing an act of violence, possessing a weapon, alcohol or illegal substance on school property or at a school function shall report this information immediately to a teacher, the building principal, the principal's designee or the superintendent. To the extent possible, informants' identities will not be disclosed.

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

Any weapon, alcohol, alcohol container, drug paraphernalia, tobacco product, incendiary, or illegal substance found shall be confiscated immediately, if possible, followed by notification to the parent of the student involved and the appropriate disciplinary sanction, if warranted, which may include permanent suspension and referral for prosecution. Any illegal items recovered must be turned over immediately to a school administrator. The school administrator must notify appropriate law enforcement agencies.

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

### XIII. CHILD ABUSE

All indicators of suspected child abuse or maltreatment must be reported immediately to the Central Registry of Child Abuse and Maltreatment. This Registry is maintained by the NYS Department of Social Services and, as the "Hot Line," receives reports twenty-four hours a day, seven days a week. For the complete policy, refer to the Board Policy Handbook (policy 7530).

### XIV. DISCIPLINARY CONSEQUENCES, PROCEDURES & REFERRALS

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

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

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

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

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

This Code of Conduct section is a guide to possible violations and their resulting disciplinary action. Disciplinary action may be taken for violations involving misconduct or endangerment that occur on school grounds or at school sponsored activities or off school grounds when violations endanger the health or safety of staff, students or visitors within the educational system or adversely affect the educational process. The administration reserves the right to adjust disciplinary action, either up or down based upon particular facts and circumstances, the administrator has the right to consider the frequency and duration of time between the violations.

#### A. Consequences

Students who are found to have violated the District's Code of Conduct may be subject to the following consequences either alone or in combination. Authorized school personnel may impose consequences consistent with the student's right to due process. Administration reserves the right to determine the appropriate disciplinary action regarding students' conduct. The disciplinary action(s) that may be taken may include, but not limited to: (these are not listed in any specific order)

1. Verbal/written warning.
2. Phone call home/parents'/guardians' work.
3. Written notification.
4. Conferences.

5. Social suspension.
6. Detention – teacher or administrative.
7. Suspension from transportation.
8. Suspension from athletic participation.
9. Suspension from school or extra-curricular activities.
10. Exclusion from a particular class or event.
11. In-School suspension.
12. Out-of-School suspension.
13. Expulsion
14. Reimbursement/restitution
15. 15. Referral to outside authority.
16. Restricted passes.
17. Revocation and/or preclusion of use of senior privilege.
18. Revocation and/or preclusion of student parking privileges.
19. Modified/suspended/revoked computer use privileges

Students who are placed in in-house suspension for a minimum of 3 periods or who have been suspended out- of-school will not be allowed to attend any school-sponsored event either at or away from school, for at least seven consecutive days, beginning with the first date of the consequence.

## B. Procedures

In all cases, regardless of the consequence imposed, the school personnel authorized to impose the consequence must inform the student of the alleged misconduct and must investigate, to the extent necessary, the facts surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to the school personnel imposing the disciplinary penalty in connection with the imposition of the consequence. The findings will be based on the preponderance of evidence.

1. Detention – Teachers, administrators and the Superintendent may use classroom detention as one form of student consequence. Administrators and the superintendent may use school detention as a consequence for student misconduct.

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

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

3. Suspension from athletic participation, extra-curricular activities and other privileges – A student subjected to a suspension from athletic participation (see Athletic Agreement), extra-curricular activities or other privileges is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent may request an informal conference with the district official imposing the suspension to discuss the conduct and the consequence involved.

4. In-school suspension - The Board recognizes that school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the Board authorizes building administrators 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."

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 may request an informal conference with the district official imposing the in-school suspension to discuss the conduct and the penalty involved.

5. Teacher disciplinary removal of disruptive student (SAVE Removal) - A student's behavior can affect a teacher's ability to teach and can interfere with the rights of other students in the classroom to learn. In most instances the classroom teacher can control a student's behavior and maintain or restore control over the classroom by using good classroom management techniques.

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

A classroom teacher may remove a disruptive student from class for up to two days. The removal from class applies to the class of the removing teacher only. If the disruptive student does not pose a danger or ongoing threat of disruption to the academic process, the teacher must provide the student with an explanation for why he or she is being removed and an opportunity to explain his/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/her version of the relevant events within 24-hours. The teacher must complete a District-established disciplinary removal form and meet with the Principal 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 is not available by the end of the same school day, the teacher must leave the form with the Principal's designee and meet with the principal (or his/her designee) prior to the beginning of classes on the next school day.

Within 24-hours after the student's removal, the teacher and the Principal must notify the student's parent/guardian, via telephone or email, that the student has been removed from class and why. The Principal will verify the teacher notification by calling the parent and reminding them of the opportunity for an informal hearing at school with all parties involved. This will be followed by a written notice, sent within 24 hours, to inform parent/guardian of their right, upon request, to meet informally with the Principal to discuss the reasons for the removal. The Principal may require the teacher who ordered the removal to attend the informal conference.

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

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

1. The charges against the student are not supported by substantial evidence.

2. The student's removal is otherwise in violation of law.
3. The conduct warrants suspension from school pursuant to Education Law §3214 and a suspension will be imposed.

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

Each teacher must keep a complete log (on a district provided form) for all cases of removal of students from his/her class. Copies of such logs shall be provided weekly to the building Principal.

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/her class until he or she has verified with the Principal that the removal will not violate the student's rights under state or federal law or regulation.

The Principal may, in her/his discretion, designate a school district administrator to carry out her/his functions for student removal.

6. Suspension from School – Suspension from school is a severe consequence, which may be imposed only upon students who are insubordinate, disorderly, violent or disruptive, or whose conduct otherwise endangers the safety, morals, health or welfare of others and which is imposed in accordance with Section 3214 of the Education Law. Students suspended from school are prohibited from attending or participating in any school function on or off school property. The consequence in terms of suspension is subject to the Superintendent's review for extenuating circumstances. The Board retains its authority to suspend students, but places primary responsibility for the suspension of students with the Superintendent and the Principal.

All staff members must immediately report and refer a violent student to the Principal or the Superintendent for a violation of the Code of Conduct. All recommendations and referrals shall be made in writing unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases a written report is to be prepared as soon as possible by the staff member, but no later than by the end of the workday.

The principal, upon receiving a behavioral referral shall gather the facts relevant to the matter, determines if the student will receive suspension from school (not to exceed five days).

A student who is ineligible to attend a District school on a given day will also be ineligible to attend BOCES classes.

- a. Short-term (5 days or less) suspension from school – When the Principal (referred to as the "suspending authority") proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law §3214(3), the suspending authority must immediately notify the student orally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student's parents/guardians in writing that the student may be suspended from school. Notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting the parents/guardians.

The notice shall provide a description of the charges against the student and the incident for which suspension is proposed and shall inform the parents/guardians of the right to request an immediate informal conference with the suspending authority prior to the suspension unless the student's continuing presence in the school poses a continuing danger to persons or property, or an ongoing threat of disruption.

Both the notice and informal conference shall be in the dominant language or mode of communication used by the parents/guardians. At the conference, the parents/guardians, upon request, shall be permitted to ask questions of complaining witnesses under such procedures as the suspending authority may establish.

If the informal conference is requested, it will be scheduled at the earliest convenience of the school official. After the conference, the suspending authority shall promptly advise the parents/guardians in writing of her/his decision. If parents/guardians are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the Superintendent within five business days, unless they can show extraordinary circumstances precluding them from doing so. The Superintendent shall issue a written decision regarding the appeal within 10 business days of receiving the appeal. If the parents are not satisfied with the Superintendent's decision, they must file a written appeal to the Board with the district clerk within 10 business days of the date of the Superintendent's decision, unless they can show extraordinary circumstances precluding them from doing so. Final decisions of the Board may be appealed to the Commissioner within 30 days of the decision.

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

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

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

- c. Permanent suspension – Permanent suspension is reserved for extraordinary circumstances including, but not limited to, 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.

### C. Consequences for Unlawful Offenses

- a. Immediate removal from student population and school property (if necessary).
- b. The District will immediately notify the police and the student's parents of the infraction by telephone and in writing.
- c. Immediate out-of-school suspension for up to five days, with referral to a Superintendent's hearing.
- d. Per Board Policy #3411, "Weapons in Schools-Gun Free Schools", any student who brings a firearm, as defined in federal law, or has such a firearm in his/her possession on school premises, or brings such firearm to any setting that is under the control or supervision of the School District, shall be referred to the criminal justice or juvenile delinquency system (violators under the age of 16 will be referred to the County Attorney for a juvenile delinquency proceeding; those over the age of 16 will be

referred to law enforcement). Any such student found guilty, after a hearing, will be suspended from school for a period of not less than one calendar year. The Superintendent of Schools may review and modify such suspension on a case-by-case basis and modify the penalty based on factors as set forth in Section 100.2 of the Regulations of the Commissioner of Education and in Commissioner's Decisional Law).

e. All of these offenses will be considered infractions of law and will generally be referred to law enforcement officials.

f. Students who are deemed to be "violent pupils" as defined by Education Law Section 3214 (2-a) (a) will be subject to an out of school suspension.

#### D. Consequences for Possession of Weapons

Pursuant to the Federal Gun-Free Schools Act of 1994, any student found guilty of bringing a firearm onto school property, or having a firearm in his/her possession on school property will be subject to at least a one-year suspension and subject to review on a case-by-case basis by the Superintendent of schools. Students with disabilities will be disciplined in accordance with the requirements of the IDEA.

Possession/use/sale of other weapons, fireworks, knives, or other dangerous instruments or contraband is a minimum 1-5 days suspension. Detonation of an explosive device will involve a superintendent's hearing to consider a longer period of suspension or permanent suspension and law enforcement contact.

#### E. Transportation and District Vehicles

The consequences outlined in this section may be increased and/or accelerated to a higher level should misconduct occur while on district vehicles.

#### D. Additional avenues for disciplinary concerns

1. Counseling - The school counselors shall handle all referrals of students for counseling and determine if further intervention(s) are necessary.
2. Preventive Services - contact School Counselor, Social Worker or Psychologist.
3. PINS Petitions - The district may file a PINS (person in need of supervision) petition in Family Court on any student under the age of 18 who demonstrates that he or she requires supervision and treatment by:
  - a. Being habitually truant and not attending school as required by part one of Article 65 of the Education Law.
  - b. Engaging in an ongoing or continual course of conduct, which makes the student ungovernable, or habitually disobedient, and beyond the lawful control of the school.
  - c. Knowingly and unlawfully possesses marijuana in violation of Penal Law §221.05. A single violation of § 221.05 will be a sufficient basis for filing a PINS petition.
4. 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.
  - b. Any student 14 or 15 years old who qualifies for juvenile offender status under the Criminal Procedure Law §1.20 (42). The Superintendent is required to refer student's age 16 and older or any student 14 or 15 years old who qualifies for juvenile offender status to the appropriate law enforcement authorities.

#### XIV. DISCIPLINE OF STUDENTS WITH DISABILITIES

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

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

#### A. Authorized Suspensions or Removal of Students with Disabilities

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

- A “suspension” means a suspension pursuant to Education Law §3214.
- A “removal” means a removal for disciplinary reasons from the student’s current educational placement other than a suspension and change in placement to an interim alternative educational setting (IAES) ordered by an impartial hearing officer because the student poses a risk of harm to himself/herself or others.
- An “IAES” means a temporary educational placement for a period of up to 45 days, other than the student's current placement at the time the behavior precipitating the IAES placement occurred, that enables the student to continue to progress in the general curriculum, although in another setting, to continue to receive those services and modifications, including those described on the student's current individualized education program (IEP), that will enable the student to meet the goals set out in such IEP, and include services and modifications to address the behavior which precipitated the IAES placement that are designed to prevent the behavior from recurring.

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

- a. The Board, the district (BOCES) Superintendent of schools, Superintendent or a building Principal may order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed five consecutive school days and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior.
- b. The Superintendent may order the placement of a student with a disability into an IAES, another setting or suspension for up to 10 consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (a) above for the same behavior, if the Superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.
- c. The Superintendent may order additional suspensions of not more than 10 consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement.
- d. The Superintendent may order the placement of a student with a disability in an IAES to be determined by the committee on special education (CSE), for the same amount of time that a student without a disability would be subject to discipline, but not more than 45 days, if the student carries or possesses a weapon to school or to a school function, or the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function.

3. Subject to specified conditions required by both federal and state law and regulations, an impartial hearing officer may order the placement of a student with a disability in an IAES setting for up to 45 days at a time, if maintaining the student in his/her current educational placement poses a risk of harm to the student or others.

## B. Change of Placement Rule

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

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

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

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

1. Conducted an individual evaluation and determined that the student is not a student with a disability, or
2. Determined that an evaluation was not necessary and provided notice to the parents of such determination, in the manner required by applicable law and regulations.

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

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

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

4. The parents of a student with disabilities subject to a suspension of five consecutive school days or less shall be provided with the same opportunity for an informal conference available to parents of nondisabled students under the Education Law.

5. Superintendent hearings on disciplinary charges against students with disabilities subject to a suspension of more than five school days shall be divided into a guilt phase and a penalty phase in accordance with the procedures set forth in the Commissioner's regulations incorporated into this code.

6. The removal of a student with disabilities other than a suspension or placement in an IAES shall be conducted in accordance with the due process procedures applicable to such removals of non-disabled students, except that school personnel may not impose such removal for more than 10 consecutive days or for a period that would result in a disciplinary change in placement, unless the CSE has determined that the behavior is not a manifestation of the student's disability.

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

#### D. Expedited Due Process Hearings

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

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

#### E. Referral to Law Enforcement and Judicial Authorities

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

1. The District may report a crime committed by a child with a disability to appropriate authorities, and such action will not constitute a change of the student's placement.
2. The Superintendent shall provide 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, to the extent consistent with the Federal Educational Rights and Privacy Act.

#### XV. CORPORAL PUNISHMENT/PHYSICAL FORCE

Corporal punishment is any act of physical force upon a student for the purpose of punishing that student. Corporal punishment of any student by any district employee is strictly forbidden. However, in situations where alternative procedures and methods that do not involve the use of physical force cannot reasonably be used, reasonable physical force may be used to:

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

#### XVI. VISITORS TO THE SCHOOLS

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

1. Anyone who is not a regular staff member or student of the school will be considered a visitor.
2. All visitors to the school must report to the office of the Principal upon arrival at the school and receive permission to visit. There they will be required to show appropriate identification (government issued identification), sign the visitor's register, pass a security clearance, and will be issued a visitor's identification sticker, which must be worn at all times while in the school or on school grounds. The visitor must return the identification sticker to the principal's office before leaving the building.
3. Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings are not required to register.
4. Parents or citizens who wish to observe a classroom while school is in session are required to arrange such visits with the Principal and classroom teacher(s) at least 24 hours in advance, so that class disruptions are kept to a minimum.
5. Teachers are expected not to take class time to discuss individual matters with visitors.
6. Any unauthorized person on school property will be reported to the Principal or his/her designee. Unauthorized persons will be asked to leave. The police may be called if the situation warrants.
7. All visitors are expected to abide by the rules for public conduct on school property contained in this Code of Conduct.

## XVII. PUBLIC CONDUCT ON SCHOOL PROPERTY

Mexico Academy & Central School District is committed to providing an orderly, respectful environment that is conducive to learning. To create and maintain this kind of an environment, it is necessary to regulate public conduct on school property and at school functions. For purposes of this section of the code, "public" shall mean all persons when on school property or attending a school function including, but not limited to students, parents, teachers and district personnel. The restrictions on public conduct on school property and at school functions contained in this code are not intended to limit freedom of speech or peaceful assembly. The District recognizes that free inquiry and free expression are indispensable to the objectives of the District. The purpose of this code is to maintain public order and prevent abuse of the rights of others.

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

### A. Prohibited Conduct

No person, either alone or with others, shall:

1. Intentionally injure any person or threaten to do so.
2. Intentionally damage or destroy School District property or the personal property of a teacher, administrator, other district employee or any person lawfully on school property. This damage includes but is not limited to graffiti or arson.
3. Disrupt the orderly conduct of classes, school programs or other school activities.
4. Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.
5. Intimidate, harass, threaten or discriminate against any person on the basis of race, color, creed, national origin, religion, age, disability, gender, or sexual orientation.

6. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
7. Obstruct the free movement of any person in any place to which this code applies.
8. Violate the traffic laws, parking regulations or other restrictions on vehicles.
9. Possess, consume, sell, distribute or exchange alcoholic beverages, alcoholic containers, controlled substances, or be under the influence of either on school property, in student parking lot, or at a school function.
10. Possess, use, or threaten to use weapons (or facsimiles thereof) in or on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by the school district.
11. Loiter on or about school property.
12. Gamble on school property or at school functions.
13. Refuse to comply with any reasonable order of identifiable School District officials performing their duties.
14. Willfully incite others to commit any of the acts prohibited by this code.
15. Use tobacco products of any kind in or on school property or while attending a school function.
16. Violate any federal or state statute, local ordinance or board policy while on school property or while at a school function.

## B. Penalties

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

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

## C. Enforcement

The building Principal, Assistant Principal, advisors, Athletic Director, administrators, teachers, staff and chaperones shall be responsible for enforcing the conduct required by this code.

When the building Principal or his/her designee becomes aware of an individual engaged in prohibited conduct, which in his/her judgment does not pose any immediate threat of injury to persons or property, the Principal or his/her designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The Principal or his/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/her designee shall have the individual removed immediately from school property or the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the person.

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

## XIX. DISSEMINATION AND REVIEW

### A. Dissemination of Code of Conduct

The Mexico Academy & Central School District will work to ensure that the community is aware of this Code of Conduct by:

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

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

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

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

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

The Code of Conduct and any amendments to it will be filed with the Commissioner no later than 30 days after adoption. The District shall post the complete Code of Conduct (with all amendments and annual updates) on the District's website, if available. The District shall file a copy of its Code of Conduct and any amendments with the Commissioner, in a manner prescribed by the Commissioner, no later than thirty (30) days after their respective adoptions.

## XX. INTERSCHOLASTIC ATHLETIC AGREEMENT

The following Interscholastic Athletic Agreement applies to all students who play and participate in the district interscholastic athletics program. All students who meet the requirements for participation must agree to abide by the Interscholastic Athletic Agreement prior to participation.

### Philosophy

Winning has often been considered the measure of success. However, at Mexico we feel that winning is only one component to the total development of our student-athletes. Of considerably more importance is the development of the

person, affording each student-athlete the opportunity of becoming all that she or he is capable of. Thus, the athletic program, which is centered on the welfare of the students, is a vital part of the total education program.

To fully utilize the potential in athletics for educational experiences, the Interscholastic Athletic Program:

- Is regarded as an integral part of the total educational program and is conducted so that it is worthy of such regard.
- Supplements rather than serves as substitutes for basic physical educational programs and intramural athletic programs.
- Is subject to the same administrative control as the total educational program.
- Is conducted by persons with adequate training either in physical education or through coaching certification programs.
- Is conducted so that the physical welfare and safety of participants is protected and fostered.
- Is conducted in accordance with the letter and spirit of the rules and regulations of the league, state, and national athletic associations.

This agreement (statement of personal commitment) signed by student-athletes, parents, and guardians is an acknowledgement of the understanding of the rules and procedures governing participation in the interscholastic athletic program. Participation on a Mexico Academy & Central High School District Athletic Team is a privilege, which should elicit great pride in you, your family, your school and community. A willingness to abide by training regulations and behave as a good citizen is necessary for the success of our student-athletes and our athletic program. A good basic rule to follow would be, never do anything which will have adverse effect on your ability to perform, or create an unfavorable impression of yourself and family, your team, your school, or your community.

Every student-athlete is required to sign this statement of personal commitment. Your signature communicates your willingness to set a positive example, adhere to basic concepts of good citizenship and follow proper training practices. Parents' and Guardians' signatures acknowledge this commitment. Please read and understand the whole document, which was developed by coaches, parents, teachers, student-athletes, and administrators in 2008. If there are any questions, please call the Athletic Director at 963-8400 extension 5019.

The student-athlete must submit a properly signed agreement to the team coach of the sport they are entering. The signed agreement, along with all other required forms, will allow the student-athlete the opportunity to participate in the first practice. The student-athlete will keep the white copy of the agreement, the team coach will keep the pink copy of the agreement, and the yellow copy of the agreement will be filed in the Director of Athletics' Office.

The following training rules and behavioral expectations are in effect for all Varsity, Junior Varsity and Modified Interscholastic Student Athletes in the Mexico Academy and Central School District.

The Athletic Agreement is in force the entire sports season from the date of the first official practice of the team sport through the last possible date of that sport's activity including sectional and intersectional activity.

#### Health Practices & Rules:

Due to the harmful effect upon the health of the individual, at any time, all athletes who participate in interscholastic athletics shall not:

- Use, consume, sell, purchase, give away, or possess tobacco products, including smokeless tobacco and chewing tobacco.
- Use, possess, consume, buy, sell, give away, or be under the influence of alcohol, marijuana, anabolic steroids, all other controlled/illegal substance, physically or mentally altering substance, stimulant, depressant, prescription or non-prescription drug or any substance represented as such (a look alike). A student-athlete may use a medication prescribed by a physician.

### Reporting Alleged Violations and Due Process

The following events will take place upon notification to the Principal, Assistant Principal, or Director of Athletics of a possible violation by a credible source:

The Director of Athletics and Assistant Principal will conduct a thorough investigation of the alleged violation. Parents/Guardian of the student-athlete will be contacted/notified of the allegations and status of the investigation.

The athlete(s) and/or students in question will be interviewed. The Director of Athletics and Assistant Principal may gather additional information from adults, parents, teachers, and coaches. If it appears the Code has been violated, the Athletic Review Board will be convened to hear the facts

A date and time will be established within five (5) school days from the decision for the Athletic Review Board to hear the results of the investigation and make their ruling. The Athletic Review Board is a panel of five (5) approved school representatives consisting of two (2) coaches, two (2) teachers, and chaired by the High School Principal.

The student-athlete in question maintains full athletic eligibility until the Athletic Review Board has rendered a decision.

The Student Handbook and District Code of Conduct supersedes the Athletic Agreement for violations that occur on school grounds.

The Director of Athletics or Assistant Principal will then present information to the Athletic Review Board. The student-athlete and/or his/her parents/guardians will also have the opportunity to present information on their behalf to the Athletic Review Board.

Once the Athletic Review Board has rendered their decision, the student-athlete and the parents/guardians will be notified of that decision. If a violation is confirmed, the Principal will notify the student-athlete and their parents/guardian of the suspension/penalty and the right to appeal (see Section C).

### Disciplinary Action

Violations occur as First Offense, Second Offense, and Third Offense and are cumulative over a two (2) year period. A violation that takes place after two (2) years from the date of the First Offense penalty will be treated as a First Offense penalty.

First Offense: The student-athlete will be suspended a minimum of one contest or up to a maximum of one-third of the sport's contests, inclusive of all scrimmages and contests. The penalty will carry over into the student-athlete's same sports season if the complete penalty is not fulfilled. (Example: Soccer, Fall 2008 will carry over to Soccer, Fall 2009)

Second Offense: The student-athlete will be suspended a minimum of one-third of the sport's contest or up to one-half of the sport's contests, inclusive of all scrimmages and contests. If the violation occurs beyond the

mid-point of the season, the penalty will carry over into the same season the following year if the complete penalty is not fulfilled. (Example: Soccer, Fall 2008 will carry over to Soccer, Fall 2009).

Third Offense: The student-athlete will be suspended from all interscholastic athletic participation for one year from the date of violation, minimally, and suspension up to the remainder of his/her high school career as a maximum. Violations of the contract are cumulative for a two-year period and begin with the student athlete's first violation. The student-athlete must apply in writing to the Athletic Review Board for possible reinstatement into the MACS interscholastic athletic program

A student-athlete under the penalties from the first or second offense will continue to practice with his/her team and attend all contests unless otherwise prohibited by the Coach and Athletic Director. The student athlete will not be allowed to dress for or participate against other schools in either scrimmage or game situations.

Carry-Over Alternative:

- a. Students in grades 7-11: In the event the penalty is not fulfilled in the "same" sport season and a carry-over is necessary, it will be determined by the Athletic Director and the Athletic Review Board.
- b. Seniors: Any penalty not fulfilled completely will carry over into the student-athlete's next sports season. Community Service will be required to fulfill the penalty if it is not completed by the end of the spring sports season. The Principal and Athletic Director will determine the number of hours of community service. Failure to fulfill the requirements of the penalty will result in the student-athlete being declared ineligible to participate in graduation ceremony.

### Appeal Process

To appeal a decision rendered by the Athletic Review Board, the student-athlete must submit, in writing, a request to the School Superintendent for an appeal hearing. The written request must be delivered within two (2) school days from the date the decision is communicated to the student or parent. Once the request for an appeal has been submitted, the student-athlete becomes eligible for full athletic participation with his/her team until the result of the appeal has been determined. The School Superintendent or his/her designee will hear the appeal. The decision of the School Superintendent or his/her designee is final.

### Good Citizenship: Community, School, and Team

Each player represents his/her team, school and community. Consequently, any behavior which brings embarrassment or negative attention to these groups may result in disciplinary action to the player as determined by the coach, Athletic Director or Principal. Examples of inappropriate conduct or lack of good citizenship are as follows:

- Causing/Inciting harm to another person. Includes bullying or cyber bullying
- Causing damage to personal or any school property (including opponents).
- Conduct detrimental to the integrity of the program or unbecoming of a MACS Student-Athlete.
- Poor sportsmanship or lack of good citizenship in reference to school representatives, classmates, teammates, opponents, officials, spectators and any community member.

## Reporting Alleged Violations

The coach, Athletic Director, or Principal may be notified of any possible violation by a credible source. The Athletic Director will conduct an investigation of the report.

## Disciplinary Action

If the violation did occur, the Athletic Director will consult with the Principal and coach, to determine appropriate disciplinary action. The penalty, implemented by the Athletic Director, may range from a warning to denial of participation with the team through two athletic contests.

Any penalty that results in denial of participation for a period greater than two athletic contests will be brought before the Athletic Review Board. After reviewing the full report, the Athletic Review Board may implement the Athletic Director's recommendation or modify it to a minimum of the two-contest suspension.

## Appeal

The only decision that may be appealed to the Superintendent is the Athletic Review Board's decision. The decision of the School Superintendent or his designee is final.

## School Conduct

An athlete is expected to govern his/her conduct in accordance with the rules of the "High School Student Handbook". All students are given a copy of the Student Handbook at the beginning of the year.

## Reporting Alleged Violations

The Principal or Assistant Principal will be notified of any possible violation of the Code of Conduct, and will investigate the report.

## Disciplinary Action

Violation of the student's obligation under the Student Handbook may result in a denial of participation in athletics if the disciplinary action results in more than (2) blocks of in-school suspension, or out-of-school suspension.

Also, repetitive school disciplinary problems may result in denial of participation for a period to be determined by the Coach and Athletic Director, or Principal.

Any proposed denial of participation for more than two contests must be brought before the Athletic Review Board. If the period of denial of participation is more than two contests as a result of the consequences specified by the Student Handbook, then the Athletic Review Board is not involved.

## Appeal

The only decision that may be appealed to the Superintendent is the Athletic Review Board's decision. The decision of the School Superintendent or his designee is final.

## Team Conduct/Sportsmanship

It is important for all athletes to follow team rules and display good sportsmanship during practices, games, or team activities. Examples of misconduct related to these expectations include:

- Insubordination to coaches, staff or officials
- Obscene gestures, swearing, provocation
- Fighting within the team or athletic contests
- Stealing
- Horseplay
- Tardiness to practice
- Unsportsmanlike conduct (in addition to any league or section sanctions)
- Other disciplinary situations, which may arise as a team member.

## Reporting Athletic Violations

Any alleged violations will be reported to the coach who will determine whether the report is accurate or not. The coach will determine whether a violation has occurred and the Athletic Director will be notified of the decision.

## Disciplinary Actions

Any violation of the student's obligation with respect to team conduct or sportsmanship will be determined by the coach and will range from a warning to a denial of participation of the team through two athletic contests.

Any penalty that results in denial of participation for a period greater than two athletic contests will be brought before the Athletic Review Board. After reviewing the full report, the Athletic Review Board may implement the coach's recommendation or modify it to a minimum of the two-contest suspension.

## Appeal

The only decision that may be appealed to the Superintendent is the Athletic Review Board's decision. The decision of the School Superintendent or his designee is final.

## Additional Policies

**Academic Eligibility:** All student-athletes must submit a completed Weekly Progress Report (Blue Sheet) to their coach to comply with the interscholastic athletic academic procedure (refer to Student Handbook).

**Attendance:** Students must be in attendance in order to participate in practice or competition that day. Exceptions for legal tardiness (i.e., medical/dental appt., court appearance, funeral, etc.) can be made only with permission of the Principal, Assistant Principal, Athletic Director, or the School Nurse. A student-athlete who misses part of the school day due to illness must have the School Nurse evaluate her/his ability to participate in a practice or contest that day.

Students who are too ill to attend class will typically be deemed too ill to participate in practice or a contest the same day. Any unexcused tardiness, after 8:15 a.m., may result in denial of participation in practice or contest that day as determined by the Principal. Students who are repeatedly tardy may lose athletic privileges for those days tardy.

**Participation in Physical Education Class:** Physical Education Class is part of the required curriculum for graduation in New York State: therefore, students not participating in Physical Education class (without a valid excuse) may not participate in a practice or contest that day.

**Quitting a Team:** Athletic participation is meant to teach commitment and responsibility. Therefore, student athletes may not leave a squad beyond the initial tryout period without consequences unless mutually agreed upon by the coach and player.

**Care of School Equipment:** Take care of school equipment and return it personally to the coach in a timely manner upon leaving a team or at the conclusion of the season. Never wear school-issued uniforms or equipment for personal use without permission of the coach or Athletic Director.

**Injuries:** Report to their coach any injury or change in physical condition that affects their ability to safely participate in athletic practices or contests.

**Suspension (OSS and ISS):** Any action that results in more than two (2) Blocks of in-school suspension, or out-of-school suspension will be handled according to the District Discipline policy. Student-Athletes will not be allowed to attend/participate in practice and/or a game situation during the time of in-school or out-of-school suspension. In addition, according to the District Discipline policy, each suspension will be followed by seven (7) days of social suspension, which allows student-athletes to practice with their team but not allowed to attend any after school activity such as, but not limited to: (dances, plays, concerts, fundraisers, etc.). Missed contests during the out-of-school suspension may count toward the violation of the Athletic Agreement.