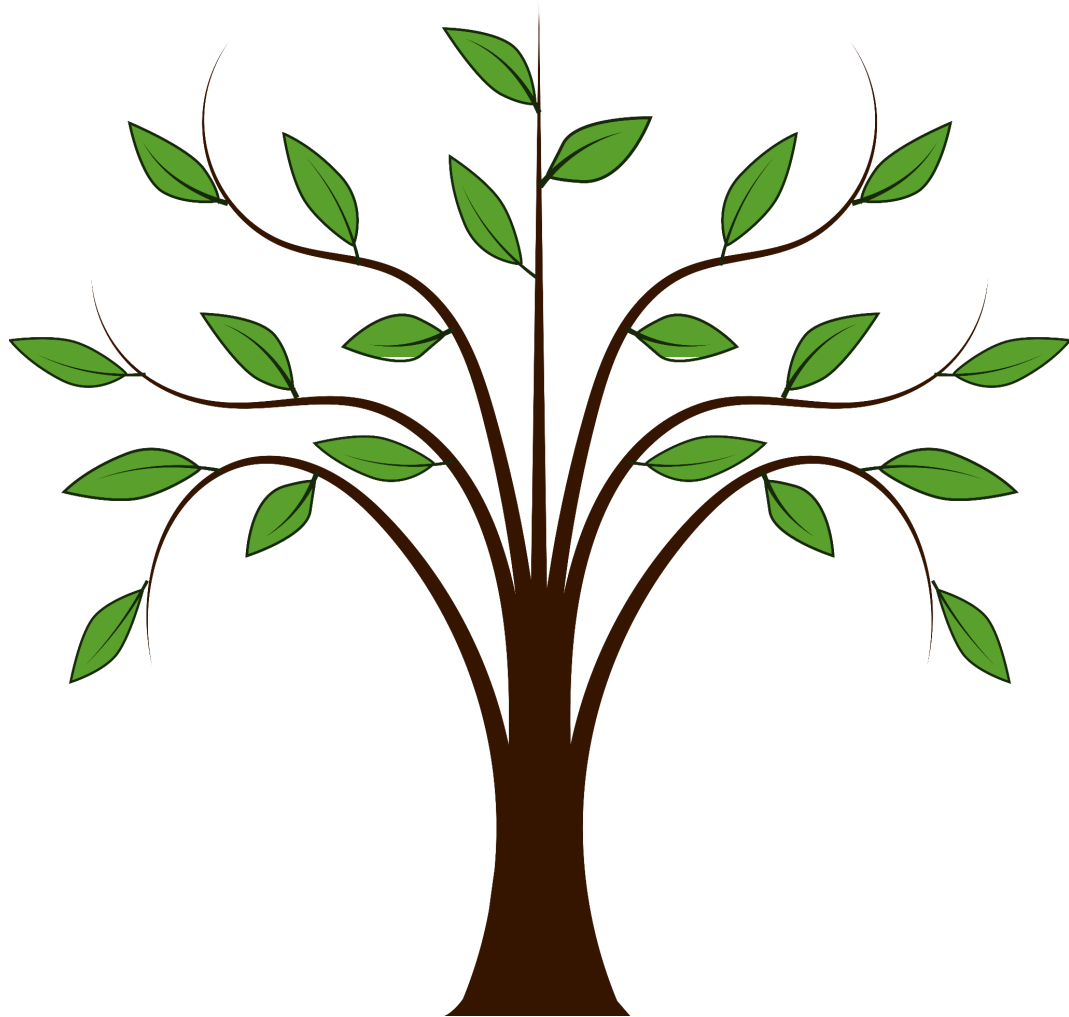


Herkimer Elementary School
Handbook for
Students and Parents
2023-24



Herkimer Elementary School
255 Gros Boulevard
Herkimer, NY 13350
School Telephone: (315) 866-8562
School Fax: (315) 866-8568
www.herkimercsd.org

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Letter from the Principal

Dear Parents/Caregivers and Students,

I would like to take this opportunity to welcome you and your child(ren) to Herkimer Elementary School for the 2023-24 school year. I am confident that your child(ren) will have a wonderful educational experience and continue to foster lifelong learning skills.

This handbook is designed to serve as a reference for parents/caregivers when they have questions regarding school programs and/or specific policies the Herkimer Central School District follows. Information is added each year making this handbook a valuable resource whether you have a kindergarten student or a returning child.

I encourage parents to

- Read the handbook carefully
- Discuss the contents with your child(ren)
- Keep the handbook as a reference throughout the school year

I have attempted to cover all aspects of elementary school life in this handbook. Should any conditions arise that are not discussed in the handbook, or if you have any questions or concerns, please feel free to contact the main office at 315-866-8562.

On behalf of the faculty and staff, best wishes for a successful school year at Herkimer Elementary School.

Educationally yours,

Renee Vogt

Renee Vogt
Elementary Principal

2023-2024 Herkimer CSD School Calendar



REVISED 9-13-23

September 2023						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	🍎	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
Students: 17 Staff: 19						
October 2023						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				
Students: 21 Staff: 21						
November 2023						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		
Students: 18 Staff: 18						
December 2023						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						
Students: 15 Staff: 15						
January 2024						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			
Students: 20 Staff: 20						

February 2024						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29		
Students: 16 Staff: 16						
March 2024						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						
Students: 19 Staff: 20						
April 2024						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				
Students: 17 Staff: 17						
May 2024						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31
Students: 22 Staff: 22						
June 2024						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						
Students: 16 Staff: 17						

- Sept. 4 Labor Day
- Sept. 5-6 Supt. Conf. Day
- Sept. 7 First Day of School
- Oct. 4 Early Release HHS Only
- Oct. 9 Columbus Day
- Oct. 25 Early Release HES/HHS
- Nov 3 All-County - Early Release HHS Only
- Nov. 9 Early Release HES Only
- Nov. 10 Veteran's Day
- Nov. 16 Early Release HES Only
- Nov. 21 Go Home Early Drill
- Nov. 22-24 Thanksgiving Recess
- Dec. 13 Early Release HES/HHS
- Dec. 22- Jan 2 Winter Recess
- Jan. 15 Martin Luther King Day
- Jan. 26 Early Release HES/HHS
- Feb. 19-23 Mid-Winter Recess
- March 15 Superintendent Conf. Day
- March 29- April 5 Spring Recess
- April 24 Early Release HES/HHS
- May 14 Early Release HES/HHS
- May 27 Memorial Day
- June 19 Juneteenth
- June 26 Regents Rating Day
- June 28 Commencement

Student Days: 1st Semester	91
Student Days: 2nd Semester	90
Total Student Days	181
Teacher Days: 1st Semester	93
Teacher Days: 2nd Semester	92
Total Teacher Days:	185

2023-2024 Dates (subject to change)

September

- 4 Labor Day
- 5-6 Supt. Conf. Day
- 7 First Day of School

October

- 4 Early Release (HHS only)
- 9 Columbus Day
- 25 Early Release (HES/HHS)

November

- 3 All-County - Early Release (HHS only)
- 9 Early Release (HES only)
- 10 Veterans Day
- 16 Early Release (HES only)
- 21 Go Home Early Drill
- 22-24 Thanksgiving Recess

December

- 13 Early Release (HES/HHS)
- Dec. 22-Jan. 2 Winter Recess

January

- Dec. 22-Jan. 2 Winter Recess
- 15 Martin Luther King Jr. Day
- 26 Early Release HES/HHS

February

- 19-23 Mid-Winter Recess

March

- 15 Superintendent's Conference Day
- March 29-April 5 Spring Recess

April

- March 29-April 5 Spring Recess
- 24 Early Release HES/HHS

May

- 14 Early Release
- 27 Memorial Day

June

- 19 Juneteenth
- 26 Regents Rating Day/Supt. Conf. Day
- 28 Commencement

Students will be released at the following times for Shortened Sessions/Early Release Days:

- Pre-K 10:30 AM
- Grades K-5: 11:15 AM

Herkimer CSD Philosophy

We accept the responsibility for providing a quality education to the children in our school district.

In consideration of the ever-changing complexity of our democratic society, we realize we must be flexible to change in our curriculum in order for our students to

- Cope with these changes;
- Compete and communicate effectively within the society; and
- Become reasonable decision-makers reflecting the responsibilities and obligations of good citizenship.

We recognize that all students can learn, and that all students deserve equal opportunities for this learning.

We acknowledge the individuality of each student, and we strive to help each student become all that he/she is capable of becoming as a functioning member of society.

We endeavor to affirm the fundamental rights, dignity, and worth of self and others.

We believe that education is a shared responsibility among the school, family, and community.

We strive for academic, social, and emotional development for all students.

We believe that education should both enhance the quality of life and promote and instill an enthusiasm for lifelong learning.

Herkimer Central School District Mission Statement

The mission of the Herkimer Central School District is to successfully carry out the educational tenets of our philosophy by providing:

1. An atmosphere conducive to learning which is at once both challenging and secure;
2. A variety of curricular opportunities in an organized structured manner;
3. Information, role models, and opportunities for appropriate decision-making;
4. A diversified program which offers curricular and extracurricular activities and encourages productive use of leisure time;
5. An educationally sound system of evaluation and assessment.

To secure this mission the district is committed to use, support, and enhance the professional expertise of all staff.

Directory

Herkimer Central School District

Herkimer Elementary School

Main Office-----315-866-8562

- Mrs. Renee Vogt, Principal
- Miss Cristi Paragi, Assistant Principal

Nurse's Office-----315-866-8562, ext. 1022

Herkimer Jr./Sr. High School

Main Office-----315-866-2230

- Mr. Zach Abbe, High School Principal
- Mrs. Maria Lindsay, Middle School Principal

Nurse's Office-----315-866-2230, ext. 1322

Central Administration and Support Services:

Business Manager

Mr. Chad Hess -----315-866-2230

Athletic Director

Miss Cristi Paragi-----315-866-8562, ext. 1012

Special Education

Ms. Correne Holmes-315-866-8562, ext. 1111

Mrs. Michelle Ploss----315-866-2230, ext. 1001

Superintendent

Mrs. Kathleen Carney--315-866-2230, ext. 1302

Technology

Mr. Ryan Orilio-----315-866-2230, ext. 1003

Transportation

Birnie Bus-----315-895-4150, ext. 221

Board of Education

Mr. Brian Crandall, *President*

bcrandall@herkimercsd.org

Mrs. Michele Gilbert, *Vice President*

mgilbert@herkimercsd.org

Mrs. Diann Fischer

dfischer@herkimercsd.org

Mr. Joseph Lamanna

jlamanna@herkimercsd.org

Mr. Robert Mihevc

rmihevc@herkimercsd.org

Mr. Scott Petucci

spetucci@herkimercsd.org

Mr. Aleksander Verenich
alverenich@herkimercsd.org

The Herkimer Central School District Board of Education meets regularly on the second Wednesday of each month. Meetings are held in the high school media center unless otherwise designated and are scheduled to begin promptly at 6:30 PM. All meetings of the Board of Education are open to the public.

2023-24 Herkimer Elementary Faculty/Staff

UNIVERSAL PRE-K

Mrs. Amy Burgdoff 1047/C19

~Mrs. Beatriz Barreto (LTA)

Miss Jordan Palmer 1044/C22

~Mrs. Marissa Crandall (LTA)

Mrs. Kristin Stallman 1046/C21

~Mrs. Ninfa Chilelli (LTA)

BOCES TARGETED PRE-K 1045/C20

Mrs. Sarah Hussein

Mrs. Jennifer Sexton

~Mrs. Tammie Forbes (TA)

~Miss Shannon Grainer (1:1 Aide)

~Mrs. Eleisha Mahoney (TA)

KINDERGARTEN

Mrs. Kaitlyn Davenport 2023/A4

~Mrs. Toni Guzik (LTA)

Miss Marissa Maldonado 2024/A5

~Mrs. Dina Petucci (LTA)

Mr. Roger Maxam 2026/A7

Miss Alexis Rocco 2041/A3

Mrs. Sarah Ward 2025/A6

GRADE 1

Mrs. Meghan Beyel 2028/A9

~Mrs. Janice Wenke (LTA)

Mrs. Michelle Billings 2030/A11

Mrs. Samantha Kuyrkendall 2029/A10

Mrs. Jennette Nare 2031/A12

Miss Jessica Quimby 2027/A8

GRADE 2

Mrs. Sarah Brown 2034/A15

Mrs. Aimee Jacobs 2042/A18

Miss Brenna Kirkpatrick 2033/A14

~Miss Kara Zilkowski

Mrs. Debra Knowlton 2035/A16

~Mrs. Kayla Monahan (LTA)

Ms. Dawn McCumber 2039/A20

GRADE 3

Miss Jenna Becker 2058/B9

Miss Jamie Cerasi 2054/B5

Mr. Ryan Judd & Mrs. Jamie Brown

SE 2057/B8

Mrs. Maria Sekel 2059/B10

~Ms. Debbie Briggs

GRADE 4

Miss Melissa Brown 2064/B15

Mrs. Brittany Caiola & Mrs. Victoria

Burns SE 2063/B14

Mrs. Amberlyn Gosier 2061/B12

Mrs. Kylee Horender 2062/B13

~Mrs. Kimberly Peckham

Miss Alyson Ratcliffe 2060/B11

GRADE 5

Mrs. Heather Denton & Mrs. Barbara

Macri SE 2067/B18

Miss Amanda Johnson 2066/B17

Mr. Rich Schoff 2068/B19

Ms. Kelly Spence 2065/B16

~Ms. Melissa Bixler (LTA)

ACADEMIC INTERVENTION

Mrs. Kathryn Jenne 2053/B4

Mrs. Shelley Kirkpatrick 2055/B6

Mrs. Katie Lesniak 2053/B4

Ms. Sheila Steere 2070/B21

SPECIAL EDUCATION

Mrs. Julie Irizarry (2-3) 2052/B3

~Miss Hannah Becker (LTA)

~Miss Karlie Helmer (LTA)

~Mrs. Carrie Marquissee (1:1)

Mrs. Alexis McGovern (Res) 2073/B24

Mrs. Dinah Poland (K) 2032/A13

~Mrs. Karen Harris (LTA)

~Miss Monica Lasorella (1:1)

~Mrs. Susan Meszler (LTA)

SPECIALS

Art

Mrs. Heather WheelerStapf 2076/C3

Library 1041/C5

Mrs. Jennifer Olds 1038/C5

~Miss Sarah Eastwood (LTA) 1040/C5

Music

Mr. Aaron Decker (Instru) 2071/B22

Mr. William Pegg (Vocal) 2050/B1

Physical Education C18

Mr. Kory Lewandrowski 1029/C15

Mr. Joe Schneider 1050/C16

Mr. Kevin Thomas 1028/C14

SUPPORT STAFF

Connected Community Schools

Miss Shae Voorhees 2080/C9

Literacy

Mrs. Margaret Haggerty 1111/D7

Occupational Therapy

Mrs. Lynn White 2043/A17

Psychologist (interim)

Mr. Andrew Goldman /D6

R4K Family School Navigator

Mrs. Mechelle Widay 1016/C12

School Counselor

Mrs. Sara Lamanna 1021/A2

School Resource Officer (SRO)

Officer Hill 3016/D8

School Social Worker

Mrs. Amanda Cruikshank 2051/B2

Speech

Mrs. Stacy Richard 1017/A1

Speech Improvement 1006/C2

Miss Katrina Wadas

KITCHEN 1037/D12

Mrs. Becky Lockwood (manager)

~Mrs. Victoria Austin

~Mrs. Michele Davis

~Mrs. Kelley Hight

~Mrs. Kristen McManus

MAINTENANCE DEPARTMENT

Cleaners (PM)

~Mrs. Karen Atkins (FT)

~Mrs. Kristen McManus (FT)

~Mrs. Dale Williams (PT)

Custodians 1039/D13

Mr. Jeff Gilbo (day)

Mr. Tim Seifried (night)

Groundskeepers

Mr. Phil Harvey

Mr. Robert Nasypany

TECHNOLOGY

Director

Mr. Ryan Orilio 1333

Classroom Integration

Mr. Richard Mathy 1335

Communications Specialist

Mr. Bryon Ackerman

HES Support 1033/C7

~Mr. Pat Bliss (T/R)

~Mr. Scott Carman (W/F)

~Ms. Rebecca Krasko (M)

HHS Support 1334

Public Tech Support Hotline 3006

NURSE'S OFFICE 1022/C1

Fax 315-299-7850

Mrs. Sandhya Farrington, RN 1022/C1

~Mrs. Brenda Hysack, LPN 1027/C1

OFFICE 1010/D1

Fax 315-866-8568

Principal 1010/D2

Mrs. Renee Vogt

Assistant Principal 1010/D4

Miss Cristi Paragi

Office Secretaries

~Mrs. Tami Kucerak 1010/D1

~Miss Melissa Moorehead 1009/D1

CSE Chair

Mrs. Correne Holmes 1002/D5

CSE Secretary

~TBD /D3

CAFETORIUM C6

CONFERENCE ROOM 1019/D15

COPY CENTER 2018/C8

FACULTY ROOM 1020/C10

MEETING ROOM 2072/B23

Daily Information

School Day

Grade Pre-K

7:40 AM - 2:05 PM Instructional Day

Grades K-5

8:05 AM - 2:55 PM Instructional Day

Emergency School Closings/Delays

In the event of an early dismissal, teachers refer to the *School Information Sheets*. If there are any changes to this information, please contact your child's teacher and the main office as soon as possible. The following radio and TV stations are also notified of school closures or delays:

TV Stations

- W.K.T.V. -Ch. 2
- W.U.T.R. -Ch. 7
- W.T.V.H. -Ch. 5
- Spectrum -Ch. 10

Radio Stations

- W.S.K.S. -105.5/97.9 FM
- W.1.8.X. -95.0 AM
- W.L.Z.W. -98.7 FM
- W.U.T.Q. -100.7 FM
- W.X.U.R. -92.7 FM
- W.O.D.Z. -96.1 FM
- W.F.R.G. -104.3 FM
- W.B.G.K. -99.7 AM
- W.B.U.G. -101.1 FM

ParentSquare

The HCSD will use ParentSquare as the district's communication platform. All district and building information will be disseminated through this platform (i.e. delays, snow days, etc.). Teachers will communicate with you through ParentSquare as well.

One Hour Delay

In the event of a One Hour delay, bus stop times would be moved exactly one hour from normally scheduled times.

Two Hour Delay

In the event of a Two Hour delay, bus stop times would be moved exactly two hours from normally scheduled times.

Herkimer Elementary School Parent Teacher Association (PTA)

2023-24 Officers

President—Vicki Burns

Vice-President—Amberlyn Gosier

Secretary—Heather Denton

Treasurer—Kelly Spence

The Herkimer Elementary School Parent Teacher Association is an active collaboration of parents and teachers who work to promote the welfare of children at home, school, and in the community. Its aim is to bring about a closer relationship between the home and school, as well as to act as a support group for many school activities. It operates under a set of bylaws that is regularly reviewed and adopted by the membership according to PTA guidelines.

The PTA works to make the educational experiences of your youth full and rewarding. This is accomplished in three ways:

1. PTA offers a forum for the discussion of educational concerns; keeping the lines of communication open as parents and teachers work toward common goals.
2. PTA offers information sharing through guest speakers. Speakers are invited based on the membership's interests and current issues facing the school community.
3. PTA provides for a variety of activities that enrich the lives of our/your children. PTA sponsors school assemblies, Pick A Reading Partner

(PARP), Staff Appreciation Day, and Pre-K and grade 5 celebrations. PTA also works to improve the quality of the educational experience through fundraising activities such as the Spring Carnival.

HES PTA meetings are held monthly, as announced in the school newsletter and on the school webpage. Membership is encouraged and highly recommended and is open to all parents/caregivers, grandparents, teachers, and staff of HES students. You may join the PTA at Open House or by attending any one of the PTA's monthly meetings. Annual membership costs \$5.00.

Home/School Communications

Official School Newspaper

The Times Telegram
(<https://www.timestelegram.com>)

ParentSquare

Herkimer Elementary is also using ParentSquare to communicate with families. Parents and caregivers should receive an invitation to join ParentSquare to receive notifications from the school via email, text and/or phone.

Parents are encouraged to download the free ParentSquare app so that the school can stay in contact with you.

Homework Requests

It is recommended that parents request homework when they contact the school nurse to report a child's absence. If you plan to pick up homework at the end of the school day, please request it before 9 AM so that the teachers have time to compile the work. It may not be possible to have the homework ready by the end of the day if the request is made after 9 AM.

Open House

Open House is always held within the first few weeks of school and is a wonderful opportunity

for parents/caregivers to meet their child's teacher and see their classroom. Please keep in mind this is a meet and greet event and teachers will not have time to conduct individual conferences at this time. Open House provides an opportunity for you to sign up for our November Parent/Teacher Conferences, when you will be able to conference with your child's teacher individually.

Parent-Teacher Conferences

Parent-Teacher Conferences are held in November. Parent-Teacher Conferences provide feedback on your child's educational progress. It is an opportune time to ask any questions regarding your child. First quarter report cards are also handed out at this time.

Newsletter

The object of the monthly school newsletter is to inform you of upcoming events, the breakfast and lunch menus, A-F Calendar, Extra-Curricular Schedule, important dates, changes in any school routines, and classroom news. It is a great resource to refer to if you have any questions about a particular month's events. Information from the newsletter is posted on the district's website each month.

Department of Educational Services and Curriculum

The Department of Educational Services and Curriculum provides a wide scope of services to students in the HCSD. These services include remedial education; special education; educational enrichment programming; and pupil personnel services, such as social work counseling, psychological testing, speech therapy, and occupational therapy.

Academic Intervention Services (AIS)

The New York State Education Department has mandated that schools provide AIS to students who demonstrate weaknesses in the content

areas. Students become eligible for this service as a result of their performance on both state and district tests. Parents/caregivers are notified if their children are eligible to receive services and the type and amount of service they will receive, and will receive progress reports from your child's teacher.

Special Education

A Comprehensive Special Education Program is made available to all students identified as educationally handicapped by HCSD's Committee on Special Education (CSE). Mrs. Correne Holmes is the chairperson for the CSE. The committee also consists of the child's parent/caregiver, teacher, the school psychologist, social worker, special education teacher, the occupational therapist, the speech therapist, and a parent representative. Both self-contained special education classes and resource programs, along with supplemental help, are available to these students at all grade levels. In addition, related services in speech therapy, counseling, and occupational therapy are offered. The type and amount of service each child receives are recommended by the CSE after a comprehensive evaluation of the child's ability has been conducted. Most students receive their programs in their home schools.

Social Work/Counseling Services

The school social worker provides a variety of services both to HCSD's students and parents. These services include consultation, referrals, and counseling. A referral is made to the school social worker, who then makes a determination of the services the student will receive. Parental permission for this service is required.

Psychological Services

The school psychologist provides evaluation services for students who are referred to the Committee on Special Education (CSE). Parental permission is required for a psychological

evaluation, which primarily includes intellectual testing and an educational achievement assessment. In addition, the school psychologist provides consultation to teachers, parents, and students and may be involved in providing counseling services to students.

Speech Therapy

The speech and language pathologist provides speech and language screening and/or evaluations for new students and students who are referred. HCSD also provides speech and language therapy for students who are identified as in need of this service. The comprehensive speech and language therapy services presently offered include articulation therapy, voice therapy, fluency therapy, and therapy to improve students' receptive and expressive language skills.

Physical Therapy

HCSD's physical therapy services are available to educationally handicapped students who have been identified as needing the service through a physical therapy evaluation. This program seeks to improve students' gross motor skills to successfully participate in classroom, gym, and playground activities. Intervention targets a child's motor coordination, speed, strength, endurance, running, and strength.

Occupational Therapy

HCSD's occupational therapy services are available to educationally handicapped students who have been identified as needing the service through an occupational therapy evaluation. This program seeks to improve students' fine/visual motor and visual perceptual skills. Intervention includes addressing foundational skills delays/difficulties that are impacting a child's ability to successfully engage in/complete functional classroom tasks.

Health

Attendance

Pursuant to Section 104.1 of the Commissioner's Regulation, school districts are required to adopt and implement a Comprehensive Student Attendance Policy. A complete copy of HCSD's attendance policy is available upon your request. The elementary portion appears in the "District Policy" section of this handbook. This policy dictates that attendance letters be sent home to all students with more than ten absences, regardless of whether or not the absence is defined as excused.

The district uses ParentSquare to make daily contact with the parent/caregiver of any child who is absent. Please call the school nurse at 315-866-8562, ext. 1022, stating why your child will not be in school. You will still receive a call from the automated system regardless if you call ahead or not.

When a child returns to school, he/she must have an excuse signed by a parent/caregiver. This excuse is given to the homeroom teacher and is kept on file for two years. (Ed. Law 3210 & BOE Policy 7231)

Illness

The district has always asked parents to keep students at home if they are not well enough to participate in school activities.

Each morning, parents should assess their child's health, and the health of others in the household. If your child is showing the following symptoms without a known cause, the child should stay home:

- Fever or chills
- Shortness of breath or difficulty breathing
- Fatigue
- Muscle or body aches
- Headache

- Recent loss of taste or smell
- Sore throat
- Congestion
- Nausea, vomiting or diarrhea

If your child is ill or sent home due to illness, your child should remain out of school until symptom free for at least 24 hours without the use of fever reducers or antinausea medication.

Head Lice Policy (Pediculosis)

1. Pediculosis does not pose a major health risk to our students or staff, but it is a condition that we want to limit the exposure of students to. As such, students may be screened for head lice when there is the possibility of exposure.
2. The mode of transmission is direct or indirect contact with infested headgear, combs, brushes, or clothing. The period of communicability is as long as the untreated lice are present.
3. If a student is thought to have head lice/nits, he/she is sent to the nurse's office to be checked. If a student is found to have live head lice, he/she will be sent home for treatment. The nurse will send treatment instructions home with the child.
4. The nurse may screen all students in the classroom that had the child with head lice/nits and any other family members who also attend the elementary school. The nurse may need to determine the extent of the infestation by screening students in the same class and grade level.
5. The parent/caregiver will be notified if a student is going to be sent home and will be asked to pick up the student.

- After the students have been treated at home, they must report to the nurse to be checked upon returning to school. For proof of treatment, please bring in box from treatment. If they still have head lice, they will be sent home again with treatment instructions.

If a child has live head lice, they may not attend any school functions unless the school nurse checks them. This would include evening and weekend activities such as practices, games, activity nights, evening concerts, assemblies, and any other school-sponsored events.

Family Trips/Emergencies

We realize from time to time it may become necessary to remove a student for a family trip or emergency.

When necessary, the following procedures should be followed:

- Notify the main office, the school nurse, and your student's teacher as soon as you know the dates of absences (for family trips).
- The parent/caregiver should contact his/her child's teacher to obtain whatever work the teacher deems appropriate. **The teacher will need a few days' notice to assemble the materials. *Please follow the procedure given under "Homework Requests."**
- Remember, homework is designed to be a practice of what has been taught; it is not a substitute for direct instruction that the child may be missing.

Physical and Dental Exam Requirements

Section 903 of New York State Education Law requires an annual physical exam for students in grades kindergarten, 1, 3, 5, 7 and 11. The physical exam requires a Body Mass Index and Weight Status report, and a dental health certificate supplement. The required forms are

available from the school nurse and are filed in your child's cumulative health record.

Immunizations

According to Public Health Law 2164 (8-a), students entering Pre-Kindergarten or Kindergarten are required to have up-to-date proof of immunization records on file in the nurse's office by the first day of school. If the student does not have vaccinations within 15 days of the start of school, the student cannot attend. If the student comes to school, they will be sent home.

<u>VACCINES</u>	<u>Pre-Kindergarten</u>	<u>K-5</u>
DTP or DTaP	4 doses	4-5 doses
Tdap	NA	NA (will need for 6 th)
Polio (IPV or OPV)	3 doses	3-4 doses
MMR	1 dose	2 doses
Hepatitis B	3 doses	3 doses
Type b Influenza (Hib)	1-4 doses	NA
PCV	1-4 doses	NA
Varicella (chickenpox)	1 dose	2 doses

Health and Hygiene

The school nurse will implement a class in puberty, health and hygiene for students in grade 5. Prior to the class, a booklet will be mailed home to you to review and discuss with your child. The class will consist of teaching, discussion, and the answering of questions related to puberty, health, and hygiene. These classes are NOT co-ed and are offered through physical education classes.

Classroom Snacks

If you are providing a snack for your child's classroom, please consider providing a healthy treat and send them in as single servings. Ask your child's teacher if there are any children

with food allergies in the class, and avoid sending in foods that a student in class is allergic to. Treats that are prepared in a commercial kitchen are preferred to homemade treats because there are strict Health Department guidelines that kitchens must follow and potential allergens are listed in the ingredients.

Medication Policy

The following is the policy for the administration of medication(s) at HCSD:

1. Prior to administering medication (including over-the-counter medication, creams, or lozenges) to any student, the school nurse shall have on file a written, signed authorization from the student's physician.
2. Prior to administering medication to any student, the school nurse shall have on file the authorization by the student's parents/caregivers.
3. All medication shall be stored in a safe and secure fashion to assure that only authorized personnel have access to such medication. Medications shall be delivered directly to the school nurse by the student's parent/caregiver.
4. No student shall be permitted to possess medication on school premises without appropriate documentation provided by the child's physician.
5. All medications must be in the originally labeled pharmacy bottle.

Accident Reports

If your child is injured during the school day, it is necessary for us to have an Accident Report on file. Generally, staff who witnessed the accident or the school nurse will complete this form. The nurse will notify the parents/caregivers of the incident that day.

Parent Notices

School districts are required by federal and state laws to provide certain notices to parents and students. Please note the required notices below:

Access to Student Records

This is to advise you of your rights with respect to student records pursuant to the Family Educational Rights and Privacy Act (FERPA). FERPA is a federal law designed to protect the privacy of student records. The law gives parents and students over 18 years of age (referred to in the law as "eligible students") the following rights:

1. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading.

Parents or eligible students may ask HCSD to amend a record that they believe is inaccurate or misleading by writing to the principal, clearly identifying the part of the record they want changed, and specifying why it is inaccurate or misleading. If HCSD decides not to amend the record as requested by the parent or eligible student, HCSD will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

2. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school

special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, HCSD discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.

3. The right to file a complaint with the U.S. Department of Education concerning alleged failures by HCSD to comply with the requirements of FERPA. The Office that administers FERPA is

Family Policy Compliance Office
U.S. Department of Education
600 Independence Avenue SW
Washington, DC 20202-4605

Student Information

Also, under the Family Educational Rights and Privacy Act (FERPA), parents/caregivers must be provided notice of the types of student information that it releases publicly and offer them a chance to object in writing to the release of such information that it releases publicly and offer them a chance to object in writing to the release of such information.

Permission to use student photographs for the newspaper and district website is requested in a notice that is sent home with students in September.

Consistent with the Family Educational Rights and Privacy Act (FERPA), the district has designated certain categories of personally identifiable student information that it may release without prior written consent. This is known as “directory information.” The purpose

of doing this is to enable student activities and accomplishments to be publicized and for the creation of such publications as the annual yearbook, programs for graduations, concerts and other special events, sports activity sheets and honor roll or recognition lists. Directory information can also be disclosed to outside organizations without a parent’s prior written consent. Outside organizations include, but are not limited to, companies that publish yearbooks or produce other materials for the schools.

If you do not want any or all of these types of information released pertaining to your child without your prior written consent, please contact the school in writing.

While the district will honor the request of any parent who has submitted written notification opting their child out of the release of directory information, the district is not responsible for media that cover news happenings, sporting events or other school events that are open to the public, such as plays and musical performances.

Student Privacy

Please be advised that you have the right to opt your child out of the following activities:

1. The collection, disclosure, and use of personal information gathered from students for the purpose of marketing or selling that information. This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purposes of developing, evaluating or providing educational products or services for, or to students, such as the following:
 - a. College or other postsecondary education recruitment, or military recruitment
 - b. Book clubs, magazines and programs providing access to low-cost literary products

- c. Curriculum and instructional materials used in schools
 - d. Tests and assessments used to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information for students or to generate other statistically useful data for the purpose of securing such tests and assessments, and the subsequent analysis and public release of the aggregate data from such tests and assessments
 - e. Student recognition programs
 - f. The sale by students of products or services to raise funds for school-related activities
2. The administration of any survey revealing information concerning one or more of the following:
- a. Political affiliations or beliefs of the student or the student's parent/caregiver
 - b. Mental or psychological problems of the student or the student's family
 - c. Sex behavior or attitudes
 - d. Illegal, anti-social, self-incriminating or demeaning behavior
 - e. Critical appraisals of other individuals with whom respondents have close family relationships
 - f. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians and ministers
 - g. Religious practices, affiliations or beliefs of the student or the student's parent/caregiver
 - h. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program)
3. The administration of any non-emergency, invasive physical

examination or screening that is required as a condition of attendance administered by the school, not necessary to protect the immediate health or safety of the student or other students, and not otherwise permitted or required by state law.

The term "invasive physical examination" means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injecting into the body, but does not include a hearing, vision, or scoliosis screening. It does not apply to any physical examination or screening required or permitted under state law, including those permitted without parental notification.

If there were to be activities noted above that you wished to "opt out" of on behalf of your child, you would be asked to notify the building principal within 10 days of the date you receive this notice.

If you have any questions about HCSD's Student Privacy Policy and your right to opt your child out of certain activities, please contact the building principal.

Homeless Students

Parents of homeless students and unaccompanied youths must be informed of their rights and provided contact information for the local liaison for homeless children and youth. Additional information can be provided by contacting Mrs. Michelle Ploss at 866-2230, extension 1001.

Limited English-Proficient Students

Parents are notified, via a letter from the building principal, if their child is participating in, or identified as eligible for, a language instruction program for limited English-proficient students. A copy of this letter

is available upon request to the building principal.

Parental Involvement Policy

A "Personalized Education Plan" (PEP) is provided at Parent Teacher Conferences in November to parents of children participating in programs assisted with Title I funds. Additional information can be provided by contacting Mrs. Michelle Ploss at 866-2230, extension 1001.

Pesticide Application Notice

Written notice is posted for students, parents/caregivers, and staff with at least a 48-hour notification prior to the application. Notice is provided by the building principal.

Asbestos Notice

The asbestos management plan is available to parents, teachers, and staff upon request to the building principal.

Staff Qualifications

Please be advised that in compliance with federal statutory and regulatory requirements, you may make written inquiry with respect to the following:

- Whether your child's classroom teacher has met NYS qualification and licensing criteria for the grade and subject areas in which they provide instruction
- Whether your child's teacher is teaching under emergency or other provisional status through which NYS qualification or licensing criteria have been waived
- The baccalaureate degree major of your child's teacher and any other graduate certification or degree held by your child's teacher, and the field of discipline of the certification or degree
- Whether your child is provided services by paraprofessionals and, if so, their qualifications

Any request for the above stated should be made in writing to the building principal.

Student Weight Status Category Reporting

Each student's health appraisal is required to include an assessment of Body Mass Index and determination of weight status category upon entry into school and in grades 2, 4, 7, and 10. Schools are required to report an aggregated summary of students' weight status categories to the State Health Department, consistent with confidentiality requirements. Parents/caregivers have the right to exclude their child's weight status information from the survey. Such a request must be made in writing to the school nurse at the time of the health appraisal.

District Policies

Attendance Policy

Philosophy

The Board of Education, in accordance with Section 104.1 (c) of the Regulations of the Commissioner of Education, establishes this comprehensive attendance policy. The objectives of this policy are to ensure the maintenance of an adequate record verifying the attendance of all children, to establish a mechanism to examine patterns of pupil absence and to develop effective intervention strategies to improve school attendance.

Policy

The Board, administration and staff of the district recognize that regular classroom attendance is an essential part of a successful educational program and that there is a critical relationship between academically engaged time and student performance.

Expectations for Good Attendance

Students are expected to attend scheduled classes. The insistence on good attendance serves as a clear and constant reminder of the importance of attendance in instruction, enabling the student to:

- a. Learn subject matter and earn good grades.

- b. Develop responsible work and study habits, and
- c. Prepare for the world of work.

Under New York State Education Law Section 3205, parents are responsible for the regular attendance of their children for instruction.

Absences

Excused Absences

Section 175.6 of the Commissioner’s regulations define the following as “excused absences:” personal illness, serious illness or death in the family, impassable roads or weather, religious observance, quarantine, court appearances, attendance at health clinics, approved cooperative work programs, approved college visits, military obligations, disciplinary detention of an incarcerated youth or any other reason approved by the Commissioner.

All instances of excused absence require a written parent/caregiver excuse. The excuse must identify the date/time of absence, reason for absence, tardiness or early departure and parent/ caregiver signature. Students failing to present an excuse prior to an early departure or upon reporting back to school following an absence or tardiness will be subject to a warning. Subsequent offenses will resort in progressive discipline and/or Department of Social Services contact.

Unexcused Absences

Most absences not mentioned above are interpreted under the law as “unexcused absences” including but not limited to vacation, shopping, baby-sitting, oversleeping, needed at home, or missing the bus. Any reason not listed as excused shall be deemed unexcused unless the Building Principal determines otherwise.

The two categories of unexcused absence are:

1. Unlawful Detention: Unlawful detention occurs when the pupil is absent with the knowledge and consent of his/her

parent/caregiver for other than an excused absence.

2. Truancy: A student who is absent from school without the consent of a parent/caregiver is considered to be truant.

Responsibility for Good Attendance

Successful implementation of this policy requires cooperation among all members of the educational community, including parents, students, teachers, administrators and all staff members.

Parent/Caregiver Responsibilities

1. It is the responsibility of parents/caregivers to ensure that their children attend school regularly and on time.
2. When a student is absent from school, it is the responsibility of the parents/caregivers to contact the school to report the absence and/or provide appropriate excuses when required (doctor’s verification).
3. Parents/caregivers must provide a written explanation of the absence for their child to be turned into their homeroom/first period teacher upon the student’s return to school.
4. Parents are required to provide their current home address, telephone number, emergency number(s) and a list of adults to contact in their absence.

Student Responsibilities

1. It is the responsibility of parents/caregivers to ensure that their children attend school regularly and on time.
2. When a student is absent from school, it is the responsibility of the parents/caregivers to contact the school to report the absence and/or provide

- appropriate excuses when required (doctor's verification).
3. Parents/caregivers must provide a written explanation of the absence for their child to be turned into their homeroom/first period teacher upon the student's return to school.
 4. Parents are required to provide their current home address, telephone number, emergency number(s) and a list of adults to contact in their absence.

Teacher/Staff Responsibilities

1. It is the responsibility of parents/caregivers to ensure that their children attend school regularly and on time.
2. When a student is absent from school, it is the responsibility of the parents/caregivers to contact the school to report the absence and/or provide appropriate excuses when required (doctor's verification).
3. Parents/caregivers must provide a written explanation of the absence for their child to be turned into their homeroom/first period teacher upon the student's return to school.
4. Parents are required to provide their current home address, telephone number, emergency number(s) and a list of adults to contact in their absence.

**Student Attendance Record Keeping/
Data Collection**

The record of each student's presence, absence, tardiness, and early departure shall be kept in a register of attendance in a manner consistent with Commissioner's Regulations. An absence, tardiness, or early departure will be entered as "excused" or "unexcused" along with HCSD code for the reason.

Attendance shall be taken and recorded in accordance with the following:

- a. For students in non-departmentalized kindergarten through grade five (i.e. self-contained classrooms and supervised group movement to other scheduled school activities such as physical education in the gym, assembly) student's presence or absence shall be recorded after the taking of attendance once per school day, provided that students are not dismissed from school grounds during a lunch period. Where students are dismissed for lunch, their presence or absence shall also be recorded after the taking of attendance a second time upon the student's return from lunch.
- b. For students in grades six through twelve or in departmentalized schools at any grade level (i.e., students pass individually to different classes throughout the day), each student's presence or absence shall be recorded by the teacher for each period of scheduled instruction except that where students do not change classrooms for each period of scheduled instruction, attendance shall be taken in accordance with paragraph "a" above.
- c. Any absence for a school day or portion thereof shall be recorded as excused or unexcused in accordance with the standards articulated in this policy.
- d. In the event that a student at any instructional level from kindergarten through grade twelve arrives late for or departs early from scheduled instruction, such tardiness or early departure shall be recorded as excused or unexcused in accordance with the standards articulated in this policy.

A record shall be kept of each scheduled day of instruction during which the school is closed for all or part of the day because of extraordinary circumstances including adverse weather

conditions, impairment of heating facilities, insufficiency of water supply, shortage of fuel, destruction of or damage to a school building, or such other cause as may be found satisfactory to the Commissioner of Education.

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

At the conclusion of each class period or school day, all attendance information shall be compiled and provided to the attendance officer who is responsible for attendance. The nature of the absence, tardiness, or early departure shall be coded on a student's record in accordance with the established HCSD/building procedures.

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

The attendance officer shall attempt to notify by telephone on the same day the parent/caregiver to a student who is absent, tardy, or departs early without proper excuse. The staff member shall explain HCSD's Comprehensive Student Attendance Policy, HCSD's/building intervention procedures, and, if appropriate, the relationship between student attendance and course credit. If the parent/caregiver cannot be reached by telephone, the attendance officer will provide such notification by mail.

Elementary School

The implementation of the attendance policy for the Herkimer Elementary School is not intended to encourage students to attend school when they are sick. Parents/caregivers are asked to use their judgment in determining attendance at the time of their child's illness. The school district understands that elementary aged students are subject to various childhood diseases/operations that may cause a child to be absent for a longer period of time. In these instances, consideration will be taken.

The attendance officer will provide the principal with updates of students who have accumulated 10, 15, 20, and 30 unexcused absences, tardiness, and early departures.

- a. Upon the **10th** absence from school, the principal or designee will send a letter home to advise the parents/caregivers of the situation, with a copy forwarded to the teacher.
- b. Upon the **15th** absence from school, the principal or designee will telephone the parents/caregivers to discuss the record of absences. A follow up letter will be sent and a copy forwarded to the teacher.
- c. Upon the **20th** absence from school, the principal or designee will request a meeting with the parents/caregivers and if appropriate, the student to discuss their attendance. The reasons for the absences, tardiness, or early departures and ways to reduce or eliminate them will be discussed. The classroom teacher will attend this meeting. A letter will be sent to the parents/caregivers summarizing the meeting and reinforcing the topics addressed.
- d. After the **30th** absence from school, the principal will issue a letter notifying the parents/caregivers that their child is in jeopardy of being retained in their current grade due to excessive absences. The issue of attendance will be considered in the recommendation of grade level placement for the following school year.

Appeals Process

If a student faces the denial of course credit due to excessive absences, the student or parents/caregivers may appeal the denial of course credit to an Attendance Review Committee by notifying the building principal in writing within two school days of being denied credit. The school will convene this committee

within two school days of receipt of this letter requesting an appeal.

This committee will be composed of the principal or designee, the attendance officer, two impartial teachers and the school social worker. Both the student and teacher are entitled to address the committee. The principal or designee will inform the student and/or parents/caregivers within two school days of the outcome of the appeal.

All decisions made under this appeals process may be appealed to the superintendent and BOE in order of succession within two school days of notification of decision.

Disciplinary Consequences

Unexcused absences, tardiness, and early departures will result in disciplinary sanctions as described in HCSD's Code of Conduct. Consequences may include, but are not limited to, in-school suspension, detention and denial of participation in interscholastic and extracurricular activities. Parents/caregivers will be notified by designated district personnel at periodic intervals to discuss their child's absences, tardiness, or early departures and the importance of class attendance and appropriate interventions. Individual buildings/grade levels will address procedures to implement the notification process to the parents/caregivers.

Intervention Strategy Process

In order to effectively intervene when an identified pattern of unexcused absences, tardiness or early departures occur, designated HCSD personnel will pursue the following:

- a. Identify specific pattern of unexcused absences, tardiness, or early departures
- b. Discuss strategies to directly intervene with specific pattern(s)
- c. Utilize appropriate HCSD and/or community resources which may include, but not be limited to, individual counseling session with school staff,

peer counseling groups, child study referral, SIP referral, PINS to address and help remedy student unexcused absences, tardiness, or early departures

- d. Implement changes, as approved by appropriate administration
- e. Monitor and report short and long term effects of intervention

Building Review of Attendance Records

The person identified as having responsibility for reviewing attendance records will be the building principal. The person responsible for initiating appropriate action to address unexcused student attendance according to the LEA's comprehensive attendance policy will be the building principal or designee.

Nondiscrimination Policy

The Herkimer Central School District provides education programs and services, does business with vendors and the public, provides equal access to the Boy Scouts and other designated groups, and makes decisions regarding employment without consideration of an individual's race, color, creed, religion, national origin (regardless of English language skills), age, sex, sexual orientation, marital status, military or veteran status, disability, genetic information or predisposing genetic characteristics, arrest record, prior criminal convictions, or domestic violence victim status; except when sex or age are a bona fide occupational qualification, when a criminal conviction is related to job duties, or when an individual's religion or disability warrants reasonable accommodation.

Dignity for All Students Act (DASA)

Plain Language Summary

In accordance with the Dignity for All Students Act, the Herkimer Board of Education (BOE) recognizes that a safe and supportive learning environment is essential for promoting student attendance and academic achievement. Incidents of discrimination, harassment and

bullying, including but not limited to taunting, intimidation, and cyber bullying (harassment or bullying through any form of electronic communication) can interfere with a student's ability to learn and the HCSD's ability to educate its students.

Therefore, HCSD is committed to promoting civility throughout the school and creating an environment that is free of discrimination, harassment, bullying, and cyber bullying.

HCSD prohibits any action on or off school property that creates or foreseeable creates a risk of substantial disruption within the school environment, or where it is foreseeable that the conduct might reach school property. This includes all forms of discrimination, harassment, bullying, and cyber bullying of students by school employees or other students. HCSD prohibits all forms of discrimination, harassment, bullying, or cyber bullying based on actual or perceived race, color, weight, national origin, ethnic group, religion or religious practice, disability, sexual orientation, or gender.

Students who fail to act in a respectful, dignified, and civil manner toward others while on school property or at a school sponsored function, may be subject to formal disciplinary action, including a referral detention, in-school suspension, short term out-of-school suspension, or long term out-of-school suspension. These consequences may also apply to students who engage in discrimination, harassment, bullying, or cyber bullying off school property when the behavior creates or foreseeable creates a risk of substantial disruption within the school environment, or where it is foreseeable that the conduct might reach school property.

HCSD will investigate and document every reported incident of discrimination, harassment, bullying, or cyber bullying. Incidents may be reported to the school by

students, parents/caregivers, school employees, or concerned community members. DASA liaisons will interview alleged victims, witnesses, and other relevant individuals. Disciplinary consequences will be assigned as appropriate according to the HCSD Code of Conduct.

Student Rights

Students have the right to take part in all district activities on an equal basis, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion or religious practice, disability, sexual orientation, or gender.

Students have the right to be protected from intimidation, harassment, discrimination, bullying, cyber bullying based on actual or perceived race, color, weight, national origin, ethnic group, religion or religious practice, disability, sexual orientation, or gender by school employees or other students.

Student Responsibilities

Students have the responsibility to respect one another and treat each other fairly, civilly and with dignity according to the Student Code of Conduct, other district policies, and the Dignity for All Students Act.

Students have the responsibility to promote an environment that is free from intimidation, harassment, discrimination, bullying, or cyber bullying.

Students have the responsibility to report incidents of discrimination, harassment, bullying, or cyber bullying that are experienced, witnessed, or otherwise brought to their attention. Incidents are to be reported in a timely manner to a DASA liaison.

Parent/Caregiver Rights and Responsibilities

Parents/caregivers have the responsibility to teach their children respect and dignity toward themselves and others, regardless of actual or

perceived race, color, weight, national origin, ethnic group, religion or religious practice, disability, sexual orientation, or gender.

Parents/caregivers have the responsibility to report incidents of discrimination, harassment, bullying, and cyber bullying that are witnessed or otherwise brought to their attention.

Incidents are to be reported in a timely manner to the Dignity Act liaison.

School Employee Responsibilities

School employees have the responsibility to maintain a climate of mutual respect and dignity.

School employees have the responsibility to confront issues of discrimination, harassment, bullying, and cyber bullying, or any situation that threatens the emotional or physical health and safety of any student, school employee, or any person who is lawfully on school grounds or at a school sponsored event.

School employees have the responsibility to address personal biases that may prevent equal treatment of all students in the school or classroom setting. School employees have the responsibility to report incidents of discrimination, harassment, bullying or cyber bullying that are witnessed or otherwise brought to their attention. School employees must orally report incidents to the Dignity Act liaison within one school day after witnessing or receiving a report of such an incident. School employees must also file a written report within two school days after making the oral report.

Dignity Act Liaisons

Designated staff in both schools are thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion or religious practice, disability, sexual orientation or gender.

The Dignity Act Coordinators will ensure that trained personnel will be accessible for

consultation and advice regarding the expectations of the Dignity for All Students Act.

To Report a DASA Violation contact:

Elementary School 866-8562

- Amanda Cruikshank, Social Worker
- Sara Lamanna, School Counselor
- Cristi Paragi, Elementary School Assistant Principal

High School 866-2230

- Zach Abbe, Middle School Principal

Dignity Act Coordinators:

- Mrs. Renee Vogt, Elementary School Principal
- Mr. Zach Abbe, High School Principal

Student Policies

Cafeteria

Students have the option to order a lunch in the morning. Each day, students have a choice between a featured entree, peanut butter and jelly sandwich or a featured sandwich.

Students are assigned a Personal Identification Number (PIN) for the SNAP system, which keeps track of your child's breakfast and lunch spending, including what items they purchased. You may contact the cafeteria directly at 866-8562, extension 1037, for information regarding your child's account.

If you have any questions, comments, or concerns regarding the school's cafeteria services, please call the Food Service Director, Mrs. Kate Dorr at 738-0848.

Non-Resident Students

The parents/caregivers of students who do not live in the Herkimer Elementary School District (HCSD) must obtain ANNUAL permission for their children to continue at Herkimer Elementary School.

Each year you must make a written request to the Superintendent of HCSD prior to the close

of the school year if you wish for them to continue in HCSD. The letter should be written to:

Mrs. Kathleen Carney
Superintendent
801 West German Street
Herkimer, New York 13350

Continued attendance in our school district will be strictly governed by the practices and policies of the HCSD.

In addition, it should also be understood that as a non-resident student, the student and the parents/caregivers must assume responsibility for daily transportation to and from school.

Destruction of Property

Students who destroy school property will be responsible for reimbursing HCSD for the cost. This includes, but is not limited to, books, paper towel holders, soap dispensers, toilet paper holders, classroom equipment, and bus seats. Checks should be made payable to the Herkimer Central School District.

Phone Calls Home

Although we try to keep outside calls to a minimum, on occasion it is necessary for a student to call home for various reasons. Students will not be allowed to use the school phone to make after-school arrangements, except in extenuating circumstances. These arrangements must be made in advance.

Recess

Classroom teachers are responsible for scheduling and supervising a recess period for their class at some time during the regular school day. This is at the teacher's discretion.

Textbooks

Textbooks are an important part of the instructional program and are costly for HCSD. Please insist that your child takes care of the textbooks loaned to him/her for the year. The cost of any textbook deliberately damaged will be passed on to the parents/caregivers.

Field Trips

Students will not be allowed to go on any field trips without permission from their parents/caregivers. A Permission Slip/Preference List was sent home on the first day of school for you to read over, select from options, sign, and return. The classroom teacher will provide details regarding each field trip in advance.

For students who require the administration of medication during the course of a field trip, in the absence of the school nurse or the parent/caregiver, a parent/caregiver may authorize another adult to administer medication to their child (Education Law 6908). An authorization form is available through the school nurse.

Teachers will notify parents, in advance, if they are considering not allowing their child to attend a field trip due to behavioral concerns. Field trips are considered a privilege for students, and repeated bus or student conduct reports may result in a loss of this privilege.

Teachers will make arrangements for those students to continue their academics at school and those students should be sent to school on the day of the trip.

Chaperones are arranged by the classroom teacher. All chaperones must adhere to the same rules as the students, including no use of electronic devices during the trip.

Electronic Devices/Toys

Students are NOT allowed to use cell phones, music players, or any headset during the school day. These items are costly and therefore should remain at home. Any item that can be considered a toy (including cards and video games) should also be left at home unless they are being used for classroom purposes with the teacher's consent.

If a student is found to be in possession of a cell phone, any electronic devices, or toys, the item may be taken from the student by a staff

member and held at the school for a parent/caregiver to pick up.

HCS D is not responsible for the cost of lost or stolen items.

Specials

Art

Students in grades K-5 will have art every sixth day. They will learn about a variety of artists from our country as well as countries around the world. Students will be exposed to many different art mediums, creating both two-dimensional and three-dimensional artwork.

Library

Students in grades K-5 will have library/STEM every sixth day. In addition to learning about the different genres, STEM activities will be embedded into the curriculum.

Music

Students in grades K-5 will have music once a week. Students are exposed to a variety of music history, songs, and an opportunity to enjoy beats and rhythms.

Physical Education (PE)

Students in grades K-5 will have Physical Education classes for 50 minutes 3 times a week.

Extracurricular Activities

Extracurricular Clubs

- Art Club (3)
- Concert Band
- Concert Chorus (3/4/5)
- Library Club (4)
- Newspaper Club (4)
- STEM Club (3/4/5)
- Student Council (5)
- Yearbook Club (5)

Art Club (3)

Students in grade three may participate in Art Club. Students with a passion for creating two and three dimensional art may join. They will create projects for themselves, their families, and the school community to enjoy.

Concert Band

Students who have taken lessons for at least one year may join Concert Band. Prepared students will play in the Winter and Spring Concerts. Highly motivated students have the option to participate at the NYSSMA Festival and even be nominated to play with the All-County Band. Concert Band will prepare students to play and perform in middle/high school and beyond.

Concert Chorus (3/4/5)

Students in grades three, four, and five may join the Elementary Chorus where they will learn the basics of singing, movement, and music reading. Students will perform in the Winter Concert and the Spring Concert. Highly motivated grade five students have the option to participate at the NYSSMA Festival and even be nominated to sing with the All-County Chorus.

Library Club (4)

The grade four Library Club is active in promoting reading at school and at home. The goal of the club is to foster a love of reading while exposing students to a wide range of genres through read-alouds, peer discussion, readers' theater and chapter book studies.

Newspaper Club (4)

Newspaper Club's mission is to promote writing, editing, and communication of events to the student body. Students are introduced to a variety of genres in journalism and study different models of communication information. Club members get to choose whether they want to write an article, a poem,

a survey, or news events, etc. They are introduced to the editing process as they work toward a published piece which is posted on the Herkimer website. Students also utilize technology to record short video clips which are shared on Twitter, the district website, and are shared with the student body at HES.

STEM Club (3/4/5)

STEM Club is available to any students in grade three, four, or five who have an interest in exploring applications of science, technology, engineering, and math (STEM). The STEM Club will use a variety of technological devices to expand the students' application of their math and science skills.

Student Council (5)

Student Council is open to students in grade five. Our goals are to learn and promote leadership skills, strive for good citizenship, respect all individuals in the school and community, involve all students in sharing ideas to make our school the best it can be, promote school spirit, give all students practice in democracy in action, and provide service to groups in our school and community.

Yearbook Club (5)

The Yearbook Club staff is composed of grade five students focused on one specific objective: to create the school's annual yearbook. The staff members take on many responsibilities to help complete the yearbook that is purchased by the students, faculty, and staff of HES. These responsibilities include, but are not limited to, choosing the yearbook cover and creating clip art for the class pages. They are also involved in producing and/or creating layouts for the clubs and activities section of the yearbook and using the yearbook website. The staff counts money, records orders, and then finally, fills the orders and delivers the yearbook in June when they arrive. Service to our school and community is also encouraged throughout the school year during special events.

Safety/Security Policies/Procedures

Throughout the course of the school year, especially in winter, it may be necessary to close school, or delay the opening of school.

Emergency Drills

HCSD is required to have a variety of safety drills throughout the school year. Some of these drills include fire drills, lockdown drills, evacuation drills, and emergency go-home early drills. It is critical for your child's safety that parents/caregivers follow the school's instructions in the event of an emergency. Parents/caregivers will be aware of some of these drills in our monthly newsletter, with the exception of routine fire drills. All pertinent information regarding an early dismissal or evacuation will be on the television and radio stations listed above.

We encourage parents/caregivers to watch and listen rather than call the school and tie up our phone lines. In addition, students do not have access to personal cell phones during school hours.

Visitors to the School/Building Security

Our school personnel must take appropriate steps to ensure that our school building and its inhabitants are safe and secure at all times.

To assist us with this, the following building rules will be in effect:

1. Whenever school is in session, any and all non-school personnel must enter the main door, check in at the iPad Kiosk, and obtain a Visitor's Tag.
2. Your Visitor's Tag must be prominently displayed while you are in the building.
3. At the completion of your visit, please check out at the iPad Kiosk and discard the Visitor's Tag.
4. Parents/caregivers and other visitors who are in the building to attend a scheduled special event (e.g. graduation

ceremony) will not be governed by these rules.

5. While we strongly encourage parents/caregivers to visit with classroom teachers, such visits must be pre-scheduled. This is especially the case when parents/caregivers want to see staff members while our children are arriving to school in the morning. Classroom teachers should be using this time to meet and greet the students and to get ready for the instructional day. This is not the time for unscheduled meetings with parents/caregivers. Your cooperation in assisting us to better ensure the security of your children here at school is sincerely appreciated.

Pick-up and Release of Students

Parents/caregivers picking up your child for any reason during the school day or as a change in routine at the end of the day are requested to send in a note that morning.

As part of a requirement of Section 3210 of the Education Law, we require a signed note for any change in the normal school routine.

If you are picking up your child(ren) at regular dismissal, you will do so in the front of the school. Grades K-5 student dismissal is at 2:55 PM.

- Pull all the way up in the front loop off from Gros Boulevard
- Display your student name sign in your passenger front window (this will be given to your child on the first day of school)
- Wait for your child to be dismissed to your car

Custody

Some of our children come from homes that have experienced a divorce or separation. The

school will need a copy of any Custody Order or Orders of Protection in order to ensure your child's safety.

Having a copy of these papers will guide us in not releasing your child to a person who by court order does not have the right to the child.

Bus Stop Safety

Kindergarten students must have a parent/caregiver waiting for them at the bus stop in order to be dropped off, otherwise, they will be brought to the high school. If no one is present at the bus stop, you will be notified and responsible to pick your child up promptly.

Per Birnie Bus' Policy, a parent/caregiver can give written permission for an older sibling to be responsible for the Kindergarten student getting off the bus and getting home. This written request must be submitted to Birnie Bus.

General neighborhood conflicts should be resolved by the parents/caregivers and are not a school matter. In most cases, parental supervision at the bus stop prevents problems from occurring. ***HCSD is not responsible for actions that take place at the bus stop.***

School Bus Rules

1. Be ready when the bus arrives. The bus driver is on a timed schedule and is unable to wait for students who may not be at the bus stop on time.
2. When crossing a highway before entering or after leaving the bus, do so IN FRONT of the bus with the driver's guidance.
3. When entering the bus, immediately be seated in the nearest available or assigned seat.
4. Remain properly seated, facing forward (no leaning out across the aisle or changing seats).
5. Keep the bus aisles clear of backpacks, instruments, etc.

6. Talk quietly and respectfully, without swearing or screaming.
7. No fooling around, harassing, fighting, or bullying is allowed.
8. No eating, drinking, or chewing gum on the bus.
9. No littering, spitting, or smoking on the bus.
10. Keep pens, pencils, and any other objects that may be dangerous in your backpack or book bag.
11. Keep your head and hands inside the bus windows at all times.
12. **Obey the driver**; the driver is responsible for the safety of all on the bus.

Violations of these rules by the student could result in a bus conduct report with disciplinary consequences or removal from the bus.

Please note that if there is a problem or concern with your child's pick-up, drop-off, or bus driver, your initial contact should be with Birnie Bus at 895-4150, ext. 221.

School Hours

The school opens for K-5 students at 7:30 AM.

Tardy

Any K-5 student is considered late after 8:20 AM. You must escort your child into the building and sign them in. Please be aware that chronic tardiness is addressed in HCSD's attendance policy.

Students are dismissed at 2:55 PM.

Acceptable Use of Telecommunications Guidelines

HCSD is committed to the goal of having electronic network facilities used in a responsible, efficient, and legal manner.

All users must acknowledge their understanding of the Acceptable Telecommunications rules as a condition of receiving a HCSD account or using the network facilities. Acceptable use of telecommunications includes activities that support teaching and learning. Use of HCSD accounts should be for assignments or research for school-related activities or courses. Users are encouraged to develop network uses which meet their individual needs and which take advantage of the functions of these networks.

HCSD makes no warranties of any kind, whether expressed or implied, for the service it is providing. HCSD will not be responsible for any damages students incur. Use of any information obtained via the Internet is at student's risk. HCSD specifically denies any responsibility for the accuracy or quality of information obtained through its services.

In order for students to obtain use of a HCSD account, students and their parents/caregivers must fill out the Student Application for Use of a Network Account on a yearly basis. The person using the account is responsible for its proper use.

Account owners are ultimately responsible for all activity under their account.

Rules and Regulations of Telecommunications
Herkimer Central School District reserves the right to update network guidelines as it deems appropriate.

Students are expected to abide by these generally accepted rules of usage. They include, but are not limited to, the following:

Educational Use

1. All use of telecommunications must be in support of education and research and be consistent with the mission statement of the HCSD.
2. Any use of the network for private, commercial, or for-profit purposes,

product advertisement, or political lobbying is prohibited, unless defined as part of the curriculum.

Student Access

1. On an annual basis, students and their parents must fill out and sign the Authorized Use Policy (AUP) form before using any HCSD technology.
2. All students using computer accounts are responsible for its proper use.
3. Students are NOT allowed in a setting with computers, unless they are part of a supervised setting.
4. Access to e-mail, list serves, chat rooms, newsgroups, etc. are prohibited, unless approved by the teacher and only used under direct supervision. In addition, students and parents/caregivers must fill out and sign the e-mail netiquette agreement.
5. Hate mail, chain letters, harassment, discriminatory remarks, and other behavior deemed unfit by HCSD are prohibited.
6. If approved by the Computer Technology Coordinator, students may contribute to HCSD's webpage. Material placed on the webpage must relate to the HCSD's educational goals or activities.
7. Pictures, names, video, and audio may appear on webpages or in video conferencing sessions. Pictures of students with first names only will be allowed.

System Security

1. Students are prohibited from attempting to access **someone else's user account**, whether in this school's network or any other schools' networks.
2. Attempts to log on as a **system administrator** is prohibited.

3. Students should **not misrepresent themselves** or other users on the network.
4. Students are not permitted to pass through to any other server.
5. Students should not tell anyone their passwords, as doing so will give that person access to the account.
6. Students shall not intentionally seek information about, obtain copies of, or modify files, other data, or passwords, belonging to other users.
7. Students should never leave their computers while logged onto the system. If students have to be away from their computers, they are required to log off first.
8. The network should not be utilized to disrupt the network use of others.
9. Use of the network to develop programs that harass other users or infiltrate a computer or computing system and/or damage the software/hardware components of a computer or computing system is prohibited, such as malicious attempts to harm or destroy data of another user, Internet, or any other networks. This includes, but is not limited to, the uploading or creation of computer viruses.
10. The use of diskettes is prohibited unless required by your teacher and scanned by an approved virus checker. Contact the technology department for more information regarding an up-to-date virus scanner.
11. Only educational software provided by HCSD is to be used on any HCSD computer.
12. Downloading files from the Internet is prohibited, unless approved by your teacher.
13. If a student can identify a security problem on the Internet, they must notify HCSD personnel.

14. Hardware/software shall not be destroyed, modified, or abused in any way.

Personal Safety

1. Communications and information accessible over the Internet cannot be assumed to be private. Therefore, users should **not reveal personal information** such as addresses, phone numbers, social security numbers, or credit card numbers.
2. Students may not order books, newsletters, or other products over the Internet.

Plagiarism/Copyright Infringement

1. All communications and information accessible via the network should be assumed to be private property. Standard copyright restrictions must be observed.
2. Plagiarism is strictly prohibited.
3. Copying or attempting to pirate software is in violation of copyright law and is prohibited.

Inappropriate Access to Material

1. Using profanity, obscenity, or language that may be offensive to other users is prohibited.
2. Use of the network to access or process pornographic material, inappropriate text files, or files dangerous to the

integrity of the LAN (local area network) is prohibited.

3. HCSD fully expects that students will follow their parent's/caregiver's instructions regarding additional material deemed inappropriate.
4. If a student mistakenly accesses inappropriate information, he/she should immediately tell their teacher or another HCSD employee. This will protect the student against a claim that he/she has intentionally violated HCSD rules.
5. Transmission of any material in violation of any U.S. or state regulation is prohibited.
6. Illegal activity is strictly forbidden.
7. Students will not engage in personal attacks, including prejudicial or discriminatory attacks.

Student's Rights

1. Students should expect only limited privacy in the contents of personal files on the HCSD's system. The situation is similar to the rights students have in the privacy of their locker.
2. HCSD reserves the right to confiscate and to review the contents of any digital storage device.

HCSD reserves the right to remove a user account if these policies are not followed.

Student Code of Conduct

I. Introduction

The Board of Education (BOE) is committed to providing a safe and orderly school environment where students may receive and HCSD personnel may deliver quality educational services without disruption or interference. Responsible behavior by students, teachers, other HCSD personnel, parents, and other visitors is essential to achieving this goal. This Code of Conduct has been developed consistent with Article 2-A of the Education Law, the Safe Schools Against Violence in Education Act (Chapter 181 of the Laws of 2000) and Section 100.2 of the implementing Commissioners Regulations, in collaboration with students, teachers, administrators, parent organizations, school safety personnel, and other school personnel.

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

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

II. Definitions

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

- **Cyberbullying:** harassment or bullying that occurs through any form of electronic communication
- **Disability:** (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
- **Disruptive student:** an elementary or secondary student under the age of 21 who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom
- **Gender:** a person's actual or perceived sex and includes a person's gender identity or expression

- **Harassment or bullying:** the creation of a hostile environment by conduct or by threats, intimidation, or abuse, including cyberbullying as defined in Education Law section 11(8), that either
 1. Has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities or benefits, or with the student’s mental, emotional and/or physical well-being, including conduct, threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause emotional harm; or
 2. Reasonably causes or would reasonably be expected to cause physical injury to a student or to cause a student to fear for his/her physical safety.
- **National Origin:** where your family comes from
- **School property:** in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of a public elementary or secondary school, or on a school bus, as defined in Vehicle and Traffic Law §142
- **School function:** any school-sponsored extracurricular event or activity
For the purposes of this policy, a “school function” is defined as any event, occurring on or off school property, sanctioned or approved by the school, including but not limited to, offsite athletic events, school dances, plays, musical productions, field trips, or other school sponsored trips.
- **Sexual Orientation:** a person’s actual or perceived heterosexuality, homosexuality, or bisexuality
- **Violent student:** a student under the age of 21 who does one or more of the following:
 1. Commits an act of violence upon a school employee or attempts to do so
 2. Commits an act of violence upon another student or any other person lawfully on school property or at the school function, or attempts to do so, while on school property or at a school function
 3. Possesses a weapon while on school property or at a school function
 4. Displays what appears to be a weapon while on school property or at a school function
 5. Threatens to use a weapon while on school property or at a school function
 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 HCSD property
- **Weapon:** a firearm as defined in 18 USC §921 for purposes of the Gun-Free Schools Act or any other gun, BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckle knife, box cutters, cane sword,

electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance that can cause physical injury or death when used to cause physical injury or death.

For purposes of this policy, “hazing” is defined to mean committing an act against a student, or coercing a student into committing an act, that creates a risk of emotional, physical, or psychological harm to the student, in order for the student to be initiated into or affiliated with a student organization, or for any other purpose. The term “hazing” includes, but is not limited to, humiliating, degrading or dangerous activities; substance abuse of alcohol, tobacco, or illegal drugs; any activity that intimidates or threatens the student with ostracism, or adversely affects the health or safety of the student; or any activity that causes or requires the student to perform a task or act that is a violation of state or federal law or HCSD policies/regulations.

This Code of Conduct applies to all acts of harassment or bullying that occur on school property or at a school function, as well as to acts occurring off school property when (i) those acts create or would foreseeably create a risk of substantial disruption within the school environment, and (ii) it is foreseeable that the conduct, threats, intimidation, or abuse might reach school property.

III. Student Rights and Responsibilities

A. Student Rights

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

1. Take part in all HCSD activities on an equal basis regardless of race, color, creed, national origin, religion, gender or sexual orientation, or disability
2. Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty in connection with the imposition of the penalty
3. Access school rules and, when necessary, receive an explanation of those rules from school personnel
4. Learn in an environment free of discrimination and harassment based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex
5. Participate equally in all school activities regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender, or sex
6. Have complaints about school-related incidents investigated and responded to.

B. Student Search and Seizure

1. In order to provide and maintain a safe and appropriate environment for students to learn the following guidelines pertaining to student search and seizure are established.

2. The BOE hereby authorizes administrators to undertake searches of students and their possessions (e.g. pocket contents, book bags, handbags, etc.) should the circumstances arise, based upon reasonable individualized suspicion. In the event of search and seizure, administrators must at all times take great care in searching the person and personal effects of the student. The following rules will be observed:
 - a. The search may be undertaken if HCSD employees have prior reasonable individualized suspicion that a student has violated or is violating the law, HCSD policy or regulation or school rules.
 - b. "Reasonable individualized suspicion" is a flexible concept requiring the application of experience and common sense. Determinations should be made on a case-by-case basis, with due consideration of all circumstances. Factors which must be considered in determining whether a school official has sufficient cause to search a student include but are not limited to:
 - The prevalence and seriousness of the problem for which the search is directed
 - The urgency to make the search without delay
 - The reliability of the facts upon which to base a reasonable suspicion that the particular student has possession of evidence leading to a violation of school regulations
 - The probability that evidence will be discovered
 - Students will be asked to empty their pockets and otherwise comply with reasonable search requests. If a student refuses, the parents/caregivers will be contacted. The police will be contacted in the event that a law enforcement search is required. The student will remain under direct supervision until the search.
 - Whenever an administrator conducts a search, the circumstances thereof are to be set forth in a written report to be filed with the superintendent or his/her designee.
 - c. Strip searches are generally not authorized, except in extreme circumstances that involve life safety issues and law enforcement is not available. In the event of circumstances that present unusual questions, the superintendent or his/her designee must authorize such a search.
 - d. Strip searches are generally not authorized, except in extreme circumstances that involve life safety issues and law enforcement is not available. In the event of circumstances that present unusual questions, the superintendent or his/her designee must authorize such a search.
 - e. Students have no reasonable expectation of privacy rights in school lockers, desks or other school storage places, and HCSD exercises overriding control over such school property. Lockers, desks, and other school storage places may be subject to inspection at any time by school officials.
 - Student lockers, desks, or other school storage places are the property of HCSD and remain at all times under the control of HCSD. Students have no expectations of privacy therein. Students are expected, however, to assume

full responsibility for the security of their lockers, and HCSD is not responsible for stolen items. A list of the locker or lock combinations to all student lockers shall be kept in the office of the building principal.

- HCSD retains the right to inspect student lockers, desks, or other storage spaces at any time without a search warrant, without notice, and without student consent. Inspections may be conducted by authorized school personnel and/or law enforcement officials and may be conducted with the assistance of drug-detecting dogs.
- f. Trained canines or related technologies may be utilized by HCSD in searches of students' possessions, school lockers, cars, desks, or other school storage with prior approval of the plan by the building principal and superintendent.
3. The police may search a student, or his/her locker in the presence of the principal or his/her designee, if they have a valid warrant to do so or if they have "probable cause" to believe that the student is in possession of contraband. When police are permitted to interview students in school, the students have the same Constitutional rights they have outside the school. Parents/caregivers will be notified as soon as possible. If police wish to speak to a student concerning an out-of-school matter (in the absence of a warrant or probable cause for suspicion), they will be directed by school authorities to take the matter up directly with the student's parents/caregivers.

C. Student Responsibilities

All HCSD students have the responsibility to

1. Contribute to maintaining a safe and orderly school environment that is conducive to learning and to show respect to other persons and to property.
2. Be familiar with and abide by all HCSD policies, rules, and regulations dealing with student conduct.
3. Attend school every day unless they are legally excused and be in class, on time, and prepared to learn.
4. Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.
5. React to direction given by teachers, administrators, and other school personnel in a respectful, positive manner.
6. Control their anger.
7. Ask questions when they do not understand.
8. Seek help in solving problems that might lead to discipline.
9. Dress appropriately for school and school functions.
10. Accept responsibility for their actions.
11. Conduct themselves as representatives of HCSD when participating in or attending school-sponsored extracurricular events and to hold themselves to the highest standards of conduct, demeanor, and sportsmanship.
12. Act and speak respectfully about issues/concerns.
13. Use non-sexist, non-racist, and other non-biased language.

14. Respect and treat others with tolerance and dignity regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex.
15. Use communication that is non-confrontational and is not obscene or defamatory.
16. Report acts of bullying, discrimination, harassment, and other inappropriate actions that hurt others.

IV. Essential Partners

A. Parents/caregivers

All parents/caregivers are expected to

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

B. Teachers

All HCSD teachers are expected to

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex, with the intent of strengthening students' self-concept and promote confidence to learn.
2. Be prepared to teach.
3. Demonstrate interest in teaching and concern for student achievement.
4. Know school policies and rules, and enforce them in a fair and consistent manner.
5. Communicate to students and parents/caregivers.
 - a. Course objectives and requirements
 - b. Marking/grading procedures
 - c. Assignment deadlines
 - d. Expectations for students

- e. Classroom discipline plan
- 6. Communicate regularly with students, parents/caregivers, and other teachers concerning growth and achievement.
- 7. Report orally to their principal, the superintendent, or designee any incident of harassment, bullying and/or discrimination that they witness or that is reported to them, not more than one day later and file a written report not later than two school days after the initial oral report.

C. Guidance Counselors

- 1. Assist students in coping with peer pressure and emerging personal, social, and emotional problems.
- 2. Confront issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
- 3. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
- 4. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a teacher's or staff member's attention in a timely manner.
- 5. Initiate teacher/student/counselor conferences and parent/caregiver/teacher/student/counselor conferences, as necessary, as a way to resolve problems.
- 6. Regularly review with students their educational progress and career plans (secondary only).
- 7. Provide information to assist students with career planning (secondary only).
- 8. Encourage students to benefit from the curriculum and extracurricular programs.
- 9. Report orally to their principal, the superintendent, or designee any incident of harassment, bullying and/or discrimination that they witness or that is reported to them, not more than one day later and file a written report not later than two school days after the initial oral report.

D. Principals

- 1. Promote a safe, orderly, and stimulating school environment, supporting active teaching and learning.
- 2. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex, with the intent of strengthening students' confidence and promote learning.
- 3. Ensure that students and staff have the opportunity to communicate regularly with the principal and approach the principal for redress of grievances.
- 4. Evaluate on a regular basis all instructional programs.
- 5. Support the development of and student participation in appropriate extracurricular activities.
- 6. Be responsible for enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.
- 7. Report to the superintendent or designee any incident of harassment, bullying and/or discrimination that they witness or that is reported to them, not more than one day later.

E. Superintendent

1. Promote a safe, orderly, and stimulating school environment, supporting active teaching and learning.
2. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national ethnic group, religion, religious practice disability sexual orientation, gender, or sex, with the intent of strengthening students' confidence and promote learning.
3. Review with HCSD administrators the policies of the BOE and state and federal laws relating to school operations and management.
4. Inform the BOE about educational trends relating to student discipline.
5. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
6. Work with HCSD administrators in enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.
7. Process in a timely manner all reports of harassment, bullying, and/or discrimination, including insuring that an appropriate investigation is conducted and appropriate reports are made to law enforcement.

F. Board of Education (BOE)

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

V. Student Dress Code

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

The responsibility for student dress and general appearance shall rest with individual students and parents/caregivers. However, the BOE requires students to attend school in appropriate dress that meets health and safety standards and does not interfere with the learning process. The BOE also requires students to wear appropriate protective gear in certain classes (including, but not limited to, home and careers, technology, physical education, science). In addition, the BOE prohibits attire bearing an expression or insignia which is obscene or libelous, or which advocates racial, religious, or gender prejudice. The superintendent and other designated administrative personnel shall have the authority to

require a student to change his/her attire should it, in their opinion, be deemed inappropriate according to the above guidelines. Administrators may discipline students if their dress or grooming endangers their own or others' physical health and safety, or if the dress or grooming is so distracting that it interferes with the learning process. Clothing which is or which bears messages which are lewd, vulgar, obscene, or sexually provocative, as well as clothing bearing messages advocating illegal activities, including drug or alcohol use, is likely to distract students from learning and is therefore forbidden.

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

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

VI. Prohibited Student Conduct

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

The best discipline is self-imposed, and students must learn to assume and accept responsibility for their own behavior, as well as the consequences of their misbehavior. HCSD 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 BOE recognizes the need to make its expectations for student conduct while on school property or engaged in a school function specific and clear. The rules of conduct listed below are intended to do that and focus on safety and respect for the rights and property of others. Students who will not accept responsibility for their own behavior and who violate these school rules will be required to accept the penalties for their conduct.

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

A. Engage in conduct that is disorderly (examples)

1. Running in hallways
2. Making unreasonable noise
3. Using language or gestures that are profane, lewd, vulgar, or abusive
4. Obstructing vehicular or pedestrian traffic
5. Engaging in any willful act which disrupts the normal operation of the school community
6. Trespassing

7. Students are not permitted in any school building, other than the one they regularly attend, without permission from the administrator in charge of the building.
 8. Computer/electronic communications misuse, including any unauthorized use of computers, software, or Internet/Intranet account; accessing inappropriate websites; or any other violation of HCSD's acceptable use policy.
- B. Engage in conduct that is insubordinate (examples)
1. Failing to comply with the reasonable directions of teachers, school administrators, or other school employees in charge of students or otherwise demonstrating disrespect
 2. Lateness for, missing or leaving school without permission, failing to follow sign-in/sign-out procedures
 3. Skipping detention
- C. Engage in conduct that is disruptive (example)
- Failing to comply with the reasonable directions of teachers, school administrators, or other school personnel in charge of students.
- D. Engage in conduct that is violent (examples)
1. Committing an act of violence (such as hitting, kicking, punching, or scratching) upon a teacher, administrator, or other school employee or attempting to do so
 2. Committing an act of violence (such as hitting, kicking, punching, or scratching) upon another student or any other person lawfully on school property or attempting to do so
 3. Possessing a weapon (authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function)
 4. Displaying what appears to be a weapon
 5. Threatening to use any weapon
 6. Intentionally damaging or destroying the personal property of a student, teacher, administrator, other HCSD employee, or any person lawfully on school property, including graffiti or arson
 7. Intentionally damaging or destroying HCSD property
- E. Engage in any conduct that endangers the safety, morals, health, or welfare of others (examples)
1. Lying to school personnel
 2. Stealing the property of other students, school personnel, or any other person lawfully on school property or attending a school function
 3. Defamation, which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them
 4. Discrimination, which includes the use of a person's actual or perceived race, color, creed, national origin, weight, ethnic group, religion, religious practice, gender, sexual orientation, or disability as a basis for treating another in a negative manner
 5. Harassment or bullying, as defined in Section II of the Code of Conduct of Conduct, labeled "Definitions"

6. Intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm
 7. Selling, using, or possessing obscene material
 8. Using vulgar or abusive language, cursing, or swearing
 9. Using, possessing, or distributing tobacco products including cigarettes, cigars, pipes or chewing or smokeless tobacco
 10. Possessing, consuming, selling, distributing, or exchanging alcoholic beverages, or illegal substances, or being under the influence of either.
 - a. "Illegal substances" include, but are not limited to, inhalants, marijuana, synthetic marijuana or cannabinoids, including but not limited to, items labeled as incense, herbal mixtures or potpourri, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any substances commonly referred to as "designer drugs."
 11. Inappropriately using or sharing prescription and over-the-counter drugs
 12. Gambling
 13. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner
 14. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher
- F. Engage in misconduct while on a school bus (example)

It is crucial for students to behave appropriately while riding on HCSD buses, to ensure their safety and that of other passengers and to avoid distracting the bus driver. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. Excessive noise, pushing, shoving, and fighting will not be tolerated.

- G. Engage in any form of academic misconduct (examples)
- Plagiarism
 - Cheating
 - Copying
 - Altering records
 - Assisting another student in any of the above actions
- H. In addition to the preceding standards of conduct, HCSD prohibits discrimination and harassment against any student by employees or students that creates a hostile environment by conduct (with or without physical conduct) or verbal statements, intimidation, or abuse. We consider a hostile environment to be created when actions or statements directed at a student either (1) has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities, or benefits, or with the student's mental, emotional, or physical well-being including conduct that reasonably causes or would reasonably be expected to cause emotional harm, or (2) reasonably causes or would reasonably be expected to cause physical injury to a student or to cause a student to fear for their physical safety.

This prohibition applies to all acts of harassment or bullying that occur on school property or at a school function, as well as to acts occurring off school property when

(i) those acts create or would foreseeably create a risk of substantial disruption within the school environment, and (ii) it is foreseeable that the conduct, threats, intimidation, or abuse might reach school property.

The prohibition of discrimination includes, but is not limited to, threats, intimidation, or abuse based on the student's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender, or sex.

VII. Age Appropriate Restatement of Policy

Students should never feel that it is not safe to come to school and/or participate in all school activities. They should never be prevented from concentrating on their schoolwork because another student or a school staff member is teasing, making fun of them, pushing them around, or threatening in some way because of race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender, or sex, or any other reason.

Students may not act toward another student in a way that reasonably might make them feel threatened or unsafe, or that might reasonably make them unable to concentrate on school work, or because of their race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender, or sex, or any other reason. It is against school rules for a student to behave in this manner by physical actions or verbal statements, including electronic messages.

VIII. Reporting and Responding to Violations

A. Reporting Possible Violations

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

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

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

The principal or his/her designee must notify the appropriate local law enforcement agency of those Code of Conduct violations that constitute a crime and substantially affect the

order or security of a school as soon as practical, but in no event later than the close of business the day the principal or his/her designee learns of the violation. The notification may be made by telephone and followed by a letter mailed on the same day as the telephone call is made. The notification must identify the student and explain the conduct that violated the Code of Conduct and constituted a crime.

B. Responding to Reports of Possible Harassment or Discrimination

1. In addition to the procedures described below for removal of disruptive students and possible suspension from attendance, HCSD provides a procedure for responding to reports of possible discrimination or harassment against students by another student, an employee, or any other person on school property or at a school function. The process is described in HCSD's Equal Opportunity and Nondiscrimination Policy.
2. HCSD has also designated a Dignity Act Coordinator for each school. Those coordinators are:

Herkimer Elementary School
Renee Vogt, Principal 315-866-8562

Herkimer Jr./Sr. High School
Mary Tomaso, Principal 315-866-2230

The Dignity Act Coordinators are trained in methods to respond to human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender, and sex. They are available to speak with any person who has witnessed possible discrimination or harassment, or if that person has experienced treatment that may be prohibited discrimination or harassment.

C. No Retaliation for Reporting

No act of retaliation may be directed at any person who makes a good faith report of conduct by another person that may reasonably be a violation of this Code of Conduct, or who assists in, or is part of, the investigation of such a report. To engage in such retaliation is considered a violation of this Code of Conduct.

IX. Disciplinary Penalties, Procedures, and Referrals

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

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

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

Responses to acts of harassment, bullying and/or discrimination against students by students shall use measured, balanced, and age-appropriate remedies and procedures, with the goals of prevention and education, as well as intervention and discipline. We will consider the nature and severity of the conduct, the developmental age of the student engaging in the conduct, the student's prior disciplinary record, and the impact of the conduct on the student at whom it was directed.

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 (CSE) and discipline, if warranted, shall be administered consistent with the separate requirements of this Code of Conduct for disciplining students with a disability or presumed to have a disability. A student identified as having a disability shall not be disciplined for behavior related to his/her disability.

A. Penalties

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

1. Oral warning: any member of HCSD staff
2. Written warning: bus drivers, hall and lunch monitors, coaches, guidance counselors, teachers, principal, superintendent
3. Written notification to parent/guardian: bus driver, hall and lunch monitors, coaches, guidance counselors, teachers, principal, superintendent
4. Detention: teachers, principal, superintendent
5. Restitution for damage to property: principal, superintendent
6. Work detail: principal, superintendent
7. Suspension from transportation: director of transportation, principal, superintendent
8. Suspension from athletic participation: coaches, athletic director, principal, superintendent
9. Suspension from social or extracurricular activities: activity director, principal, superintendent
10. Suspension of other privileges: principal, superintendent
11. In-school suspension: principal, superintendent

12. Removal from classroom by teacher: teachers, principal
13. Short-term (five days or less) suspension from school: principal, superintendent, BOE
14. Long-term (more than five days) suspension from school: principal, superintendent, BOE
15. Permanent suspension from school: superintendent, BOE

B. Procedures

The amount of due process a student is entitled to receive before a penalty is imposed depends on the penalty being imposed. In all cases, regardless of the penalty imposed, the school personnel authorized to impose the penalty must inform the student of the alleged misconduct and must investigate, to the extent necessary, the facts surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to the school personnel imposing the disciplinary penalty in connection with the imposition of the penalty.

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

1. Detention

Teachers, principals, and the superintendent may use after-school detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate. Parents/caregivers will receive notification of detentions assigned. Students will be provided appropriate transportation home following detention.

2. Suspension from transportation

If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring, in writing, such misconduct to the principal's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the principal or the superintendent or their designees.

In such cases, the student's parent/guardian 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, HCSD 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/guardian will be provided with a reasonable opportunity for an informal conference with the principal or the principal's designee to discuss the conduct and the penalty involved.

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

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

4. In-School suspension

The BOE recognizes the school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the BOE authorizes principals and the superintendent to place students who would otherwise be suspended from school as the result of a Code of Conduct violation in "in-school suspension."

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/guardian will be provided with a reasonable opportunity for an informal conference with HCSD officials imposing the in-school suspension to discuss the conduct and the penalty involved.

5. Teacher disciplinary removal of disruptive students

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

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 an academic class for up to three days. The removal from class applies to the class of the removing teacher only. For elementary classrooms it applies to the specific academic class.

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

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

Notice should be provided by telephone with a formal written notice to follow in a timely fashion. The teacher who ordered the removal will be required to attend the informal conference.

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

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

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

The principal or principal's designee may overturn a removal at any point between receiving the referral form issued by the teacher and the close of business on the day following the 48-hour period for the informal conference, if a conference is requested. No student removed from the classroom by the classroom teacher will be permitted to

return to the classroom until the principal makes a final determination, or the period of removal expires, whichever is less.

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

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

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

In light of this information, it appears that a teacher may remove a disruptive student with a disability from the classroom under the following scenarios, so long as the removal would not constitute a change in placement:

- a. A student with a disability does not have a behavior intervention plan (BIP) or IEP that includes specific strategies to address a student's behavior precipitating the removal
- b. Where a student has a (BIP) or IEP that addresses specific behaviors, the plan has been implemented consistently and in good faith, but the plan is not working (that is, the student engages in disruptive behavior even though prescribed behavior or management strategies are being implemented)
- c. Where the student has an IEP or (BIP), but the disruptive behavior precipitating the removal is "new" and of a different character than the behavior addressed in the IEP
- d. The student is afforded the opportunity to continue to appropriately progress in the general curriculum
- e. The student continues to receive the services specified in his/her IEP
- f. The student continues to participate with nondisabled students to the extent they would have in their current placement

6. Suspension from School

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

The BOE retains its authority to suspend students, but places primary responsibility for the suspension of students with the superintendent and the principals.

Any staff member may recommend to the principal that a student be suspended. All staff members must immediately report and refer a violent student to the principal for a violation of the Code of Conduct. All recommendations and referrals shall be made in

writing unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases a written report is to be prepared as soon as possible by the staff member recommending the suspension.

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

a. Short Term (five 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/caregivers in writing that the student may be suspended from school. The written notice must be provided by personal delivery, express or overnight, mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension at the last known address for the parents/caregivers. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting the parents/caregivers. 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/caregivers of the right to request an immediate informal conference with the principal. Both the notice and informal conference shall be in the dominant language or mode of communication used by the parents/caregivers. At the conference, the parents/ guardians shall be permitted to ask questions of complaining witnesses under such procedures as the principal may establish.

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

After the conference, the principal shall promptly advise the parents/caregivers in writing of his/her decision. The principal shall advise the parents/caregivers that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the superintendent within five business days, unless they can show extraordinary circumstances precluding them from doing so. The superintendent shall issue a written decision regarding the appeal within 10 business days of receiving the appeal. If the parents/caregivers are not satisfied with the superintendent's decision, they must file a written appeal to the BOE with HCSD Clerk within 10 business days of the date of the superintendent's decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the BOE may be appealed to the Commissioner of Education within 30 days of the decision.

b. Long Term (more than five days) Suspension from School

When the superintendent or principal determines that a suspension for more than five days may be warranted, he/she shall give reasonable notice to the student and the student's parents/caregivers 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/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/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 BOE that will make its decision based solely upon the record before it. All appeals to the BOE must be in writing and submitted to HCSD Clerk within 10 business days of the date of the superintendent's decision, unless the parents/caregivers can show that extraordinary circumstances precluded them from doing so. The BOE may adopt in whole or in part the decision of the superintendent. Final decisions of the BOE may be appealed to the Commissioner of Education within 30 days of the decision.

c. Permanent suspension

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

C. Minimum Periods of Suspension

1. Students who bring a weapon to school

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

- a. Student's age
- b. Student's grade in school
- c. Student's prior disciplinary record
- d. The superintendent's belief that other forms of discipline may be more effective
- e. Input from parents/caregivers, teachers, and/or others

f. Other extenuating circumstances

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

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

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

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

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

D. Referrals

1. Counseling

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

2. PINS (person in need of supervision) Petitions

HCSD may file a PINS petition in Family Court on any student under the age of 18 who demonstrates that he/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 or other illegal substance in violation of Penal Law § 221.05 (a single violation of § 221.05 will be a sufficient basis for filing a PINS petition)
3. Juvenile Delinquents and Juvenile Offenders

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

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

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

E. Prohibition of Corporal Punishment

- 1. HCSD recognizes the responsibility of all school personnel, including administrators, faculty and other employees, to see that proper standards of school behavior are maintained. All school personnel are expected to help in maintaining proper levels of supervision.
- 2. No teacher, administrator, officer, employee, or agent of HCSD shall use corporal punishment against a student.
- 3. As used in this section, corporal punishment means any act of physical force upon a student for the purpose of punishing that student, except as otherwise provided in subdivision 4 of this section.
- 4. In situations in which alternative procedures and methods not involving the use of physical force cannot reasonably be employed, nothing contained in this section shall be construed to prohibit the use of reasonable physical force for the following purposes:
 - a. To protect oneself from physical injury;
 - b. To protect another student, teacher, or any other person from physical injury;
 - c. To protect the property of the school or others; or
 - d. To restrain or remove a student whose behavior is interfering with the orderly exercise and performance of HCSD functions, powers and duties, if that student has refused to comply with a request to refrain from further disruptive acts.
- 5. The superintendent is hereby directed to develop and implement a reporting procedure which will enable HCSD to summarize complaints relative to the

alleged administration of corporal punishment. Such summaries will include references to the substance of each/all complaints, the result(s) of the investigation of each/all complaints, and whatever action(s), if any, was/were taken by the administration of HCSD. The summary of each/all complaints shall be available for submission to the Commissioner of Education in accordance with Commissioner's Regulations (semi-annually, by January 15th and July 15th of each year).

X. Alternative Instruction

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

XI. Discipline of Students with Disabilities

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

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

A. Authorized Suspensions or Removals of Students with Disabilities

1. For purposes of this section of the Code of Conduct, the following definitions apply.
 - Interim Alternative Education Setting (IAES): 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
 - Suspension: a suspension pursuant to Education Law § 3214
 - Removal: 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

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 BOE, the superintendent, or a 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 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 or the student causes bodily injury to another person at school, on school premises, or at a school function.
 - Weapon: the same as "dangerous weapon" under 18 U.S.C. §930(g)(w) which includes "a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious (2bodily injury, except.[for] a pocket knife with a blade of less than 2 1/2 inches in length"
 - Controlled substance: a drug or other substance identified in certain provisions of the federal Controlled Substances Act specified in both federal and state law and regulations applicable to this policy
 - Illegal drugs: a controlled substance except for those legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or any other federal law

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

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

1. HCSD's CSE shall
 - a. Conduct functional behavioral assessments to determine why a student engages in a particular behavior, and develop or review behavioral intervention plans whenever HCSD is first suspending or removing a student with a disability for more than 10 school days in a school year or imposing a suspension or removal that constitutes a disciplinary change in placement, including a change in placement to an IAES for misconduct involving weapons, illegal drugs or controlled substances.

If subsequently, a student with a disability who has a BIP and who has been suspended or removed from his/her current educational placement for more than 10 school days in a school year is subjected to a suspension or removal that does not constitute a disciplinary change in placement, the members of the CSE shall review the BIP and its implementation to determine if modifications are necessary.

If one or more members of the CSE believe that modifications are needed, the school HCSD shall convene a meeting of the CSE to modify such plan and its implementation, to the extent the committee determines necessary.

- b. Conduct a manifestation determination review of the relationship between the student's disability and the behavior subject to disciplinary action whenever a decision is made to place a student in an IAES either for misconduct involving weapons, illegal drugs, or controlled substances or because maintaining the student in his current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension that constitutes a disciplinary change in placement.
2. The parents/caregivers of a student who is facing disciplinary action, but who has not been determined to be eligible for services under IDEA (Individuals with Disabilities Education Act) 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 HCSD is deemed to have had knowledge that their child was a student with a disability before the behavior precipitating disciplinary action occurred. If HCSD 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, 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.
3. 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 HCSD had knowledge the student was a student with a disability, HCSD either
 - a. Conducted an individual evaluation and determined that the student is not a student with a disability, or
 - b. Determined that an evaluation was not necessary and provided notice to the parents of such determination, in the manner required by applicable law and regulations.

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

However, if a request for an individual evaluation is made while such non-disabled student is subjected to a disciplinary removal, an expedited evaluation shall be conducted and completed in the manner prescribed by applicable federal and state law and regulations. Until the expedited evaluation is

completed, the non-disabled student who is not a student presumed to have a disability for discipline purposes shall remain in the educational placement determined by HCSD, which can include suspension.

4. HCSD shall provide parents/caregivers 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.
5. The procedural safeguards notice prescribed by the Commissioner shall accompany the notice of disciplinary removal. The parents/caregivers 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/caregivers of non-disabled students under the Education Law.
6. 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 of Conduct.
7. 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.
8. 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 of Conduct.

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 of Conduct, if
 - a. HCSD 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.

- 1) During the pendency of an expedited due process hearing or appeal regarding the placement of a student in an IAES for behavior involving weapons, illegal drugs or controlled substances, or on grounds of dangerousness, or regarding a determination that the behavior is not a manifestation of the student's disability for a student who has been placed in an IAES, the student shall remain in the IAES pending the decision of the impartial hearing officer or until expiration of the IAES placement, whichever occurs first, unless the parents and HCS D agree otherwise.
- 2) If school personnel propose to change the student's placement after expiration of an IAES placement, during the pendency of any proceeding to challenge the proposed change in placement, the student shall remain in the placement prior to removal to the IAES, except where the student is again placed in an IAES.

2. An expedited due process hearing shall be completed within 15 business days of receipt of the request for a hearing. Although the impartial hearing officer may grant specific extensions of such a time period, he/she must mail a written decision to HCS D 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. HCS D may report a crime committed by a child with a disability to appropriate authorities, and such action will not constitute a change of the student's placement.
2. The superintendent shall ensure that copies of the special education and disciplinary records of a student with disabilities are transmitted for consideration to the appropriate authorities to whom a crime is reported.

XII. Visitors to the Schools

The BOE encourages parents/caregivers and other HCS D citizens to visit HCS D'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 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:

- A. Anyone who is not a regular staff member or student of the school will be considered a visitor.
- B. All visitors to the school must report to the office of the principal upon arrival at the school. There they will be required to sign the visitor's register and will be issued a visitor's identification badge, which must be worn at all times while in the school or on school grounds. The visitor must return to the office and sign out the identification badge to the principal's office before leaving the building.
- C. Visitors attending school functions that are open to the public during non-school hours, such as parent-teacher organization meetings or public gatherings, are not required to register.
- D. Parents or citizens who wish to observe a classroom while school is in session are required to arrange such visits in advance with the classroom teacher(s), so that class disruption is kept to a minimum.
- E. Teachers are expected not to take class time to discuss individual matters with visitors.
- F. 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.
- G. All visitors are expected to abide by the rules for public conduct on school property contained in this Code of Conduct.

XIII. In-Service Education Programs

At the start of each school year, HCSD shall provide all staff with in-service education regarding HCSD policy for conduct on school grounds and at school functions, methods for promoting a safe and supportive school climate, and ways of discouraging discrimination and/or harassment against students by other students or school employees.

XIV. Public Conduct on School Property

HCSD 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 of Conduct, "public" shall mean all persons when on school property or attending a school function including students, teachers and HCSD personnel.

The restrictions on public conduct on school property and at school functions contained in this Code of Conduct are not intended to limit freedom of speech or peaceful assembly. HCSD recognizes that free inquiry and free expression are indispensable to the objectives of HCSD. The purpose of this Code of Conduct 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 HCSD property or the personal property of a teacher, administrator, other HCSD employee or any person lawfully on school property, including graffiti or arson
3. Disrupt the orderly conduct of classes, school programs or other school activities
4. Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program
5. Intimidate, harass or discriminate against any person on the basis of race, color, creed, national origin, religion, age, gender, sexual orientation, or disability
6. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed
7. Obstruct the free movement of any person in any place to which this Code of Conduct applies
8. Violate the traffic laws, parking regulations, or other restrictions on vehicles
9. Possess, consume, sell, distribute, or exchange alcoholic
10. beverages, controlled substances, or be under the influence of either on school property or at a school function
11. Use tobacco products on school property or at a school function
12. Possess or use weapons on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by the school HCSD
13. Loiter on or about school property
14. Gamble on school property or at school functions
15. Refuse to comply with any reasonable order of identifiable school HCSD officials performing their duties
16. Willfully incite others to commit any of the acts prohibited by this Code of Conduct
17. Violate any federal or state statute, local ordinance, or BOE policy while on school property or while at a school function

B. Penalties

Persons who violate this Code of Conduct shall be subject to the following penalties:

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

C. Enforcement

The principal or his/her designee shall be responsible for enforcing the conduct required by this Code of Conduct.

When the principal or his/her designee sees 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 designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The principal or 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 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.

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

XV. Dissemination and Review

A. Dissemination of Code of Conduct

The BOE shall ensure community awareness of these provisions and of the Code of Conduct by

1. Posting the complete Code of Conduct on HCS D's Internet Website, including any annual updates or amendments thereto.

2. Provide copies of a summary of the Code of Conduct to all students, in an age-appropriate version, written in plain language, at a school assembly to be held at the beginning of each school year.
3. Provide by mail a plain language summary of the Code of Conduct to all persons in a parental relation to the students before the beginning of each school year and making the summary available thereafter upon request.
4. Provide each existing teacher with a copy of the complete Code of Conduct and a copy of any amendments to the Code of Conduct as soon as practicable following initial adoption or amendment of the Code of Conduct, and providing new teachers with a complete copy of the current Code of Conduct upon their employment.
5. Make complete copies of the Code of Conduct available for review by students, parents or persons in parental relation to students, other school staff, and community members.
6. Provide training to teachers, administrators, and staff designed to address the concepts and issues incorporated in the Dignity Act, including, but not limited to, guidelines on promoting a safe and supportive school climate while discouraging, among other things, discrimination or harassment against students and/or school employees.
7. Provide safe and supportive school climate concepts in HCSD curriculum.

HCSD shall develop and implement a program of instruction in grades Kindergarten through 12 that supports development of a school environment free of harassment, bullying and/or discrimination, that raises student and staff awareness and sensitivity to harassment, bullying, and discrimination, that instructs in the safe and responsible use of the internet and electronic communications and that includes a component on civility, citizenship and character education in accordance with Education Law. Such component shall instruct students on the principles of honesty, tolerance, personal responsibility, respect for others, observance of laws and rules, courtesy, dignity, and other traits which will enhance the quality of their experiences in, and contributions to, the community.

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

B. Review of Code of Conduct

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

Before adopting any revisions to the Code of Conduct, the BOE 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 of Education no later than 30 days after adoption.

Index of Acronyms

AUP: Authorized Use Policy

BIP: Behavioral Intervention Plan

BOE: Board of Education

CSE: Committee on Special Education

HCSD: Herkimer Central School District

IAES: Interim Alternative Education Setting

IDEA: Individuals with Disabilities Education Act

IEP: Individualized Education Plan

LAN: Local Area Network
OPAC: Online Public Access Catalog

PE: Physical Education

PIN: Personal Identification Number

PINS: Person in Need of Supervision

SNAP: Supplemental Nutrition Assistance Program