

# West Valley Central School District

## Grades 7-12 Student Information and Code of Conduct Revised June 2008



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## **WVCS Mission Statement**

*WVCS believes that all people can learn and that learning is a life long experience. Our responsibility is to:*

- *Provide an educational atmosphere conducive to all learners*
- *Hold the staff to high expectations as they facilitate the achievement of all students according to the NYS standards*
- *Facilitate cooperation between parents, the community and the school*
- *Work to educate the “whole child” academically, emotionally, physically and socially.*

## 2. Academic Policy

Students who are failing one or more courses (including BOCES classes) and intend to participate in extracurricular activities must participate in Academic Study Hall for at least 2 hours per week until the end of the marking period or whenever the next progress report is issued (usually every 5 weeks). Academic Study Hall will be offered by teachers with whom students have made prior arrangements to stay after 3:00 p.m., or before 8:00 a.m. If a student does not participate in or fails to meet the Academic Study Hall requirement and is failing one or more courses they will be placed on the Academic Ineligibility List for the next week (Monday morning to Monday morning). Students may become eligible for participation in extracurricular activities again by raising their grades to a passing average or by attending the mandatory academic study halls for one week.

### **Academic Study Hall (ASH)**

1. Students participating in ASH will be required to plan their ASH time for the week early in the week, before serving any ASH time.
2. To complete the plan, students will use an "ASH Student Form" which is available in the Guidance Office. Before serving any ASH time, this plan (form) must be signed by all of the teachers whose class the student is failing. The teachers signing the form will consider their own availability for ASH time prior to agreeing to other teachers providing ASH time to their students.
3. Students will be required to keep track of their own ASH time by recording the dates and times served on their ASH form and by having the teachers' signatures verifying the information.
4. Students will be required to hand in their completed ASH forms to the Guidance Office by end of lunch periods on Friday or the last day of school for that week.
5. If a student does not complete his ASH time by the end of homeroom on Friday, or missed the deadline to turn it in, or hands in a form without the required signatures, the student will be placed on the **Academic Ineligibility List (AI)** for the next week. If a student turns in this ASH form late and the ASH time is complete and all signatures are on the form, then he or she may choose to accept the consequences of "failure to follow procedures" on the disciplinary form, instead of being placed on the AI list.
6. Forms with changed times must have the teacher's signature a second time, after the change for verification.
7. Two (2) hours of ASH are required each week OR 30 minutes per day that school is opened (Mondays through Thursdays). 30 minutes of the 2 hour requirement may be served in the After School Study program held in the Library (Mon-Thurs) if teachers are not available for ASH. Students may serve some of their ASH time in the after school program "Corner Café" if a teacher (or the adult director of the program) is supervising and able to sign the ASH sheet. The "Corner Café" can not be used for two consecutive hours of time.
8. No exceptions for illness, appointments, work, etc. will be accepted for not serving ASH time (Remember: the best way to avoid conflicts is to stay off the failure list!).
9. Academic Ineligibility - means students may not participate in extra-curricular activities. Students who fail to meet ASH requirements are placed on AI. Students on AI list shall leave school property at the end of the school day and may not return until the following day unless serving ASH time or detention.
10. A student may become eligible again by completing the ASH time for one week or by passing all courses on the next 5 week or quarter average report. Both the ASH list and the Academic Ineligibility List will be posted each Friday by the end of the day.
11. If a student has an extreme situation, such as a death in the family or extended legal absences for illness, he/she may request an appeal meeting. A student in the middle school may ask to appeal any instance of AI, not only the above reasons, and the appeals committee will determine the outcome on a case by case basis. The appeal committee will include the principal, the dean and the guidance secretary who handles the ASH forms and procedures.

12. Students who have a quarterly average (GPA) below 60% will be placed on **Academic Ineligibility** for the next quarter - regardless of ASH time served.
13. Students who have failing year-end averages in a course and do not successfully complete summer school will start off the next school year participating in ASH for the mandatory 5 weeks. The guidance counselor or secretary can sign ASH sheet plans for students in this situation. ASH time can be completed with any teacher. If a student fails a course for the year, but is not taking any classes within the WVCS building the following year, it would be a valid reason for an appeal.
14. Continued placement on the Academic Ineligibility List may result in required participation in study skills program and/or group counseling to address issues regarding repeated failures.
15. Continued failure of core and required courses at West Valley may jeopardize continued participation and/or enrollment in BOCES vocational programs.
16. **Parent Notification:** Grades will be sent home by progress reports or report cards (approx. every 5 weeks). Any student in danger of failing will have a progress report mailed home. Teachers may send Progress Reports at times other than the usual 5 week report.
17. Students with placements outside of the building for the entire school day will have individualized plans created for and within their programs to meet the ASH requirements.

### 3. Code of Conduct

- I. **Introduction:** The Board of Education ("Board") is committed to providing a safe and orderly school environment where students may receive and district personnel may deliver quality educational services without disruption or interference. Responsible behavior by students, teachers, other district personnel, parents and other visitors is essential to achieving this goal. The district has a long-standing set of expectations for conduct on school property and at school functions. These expectations are based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty and integrity. To this end, the Board adopts this code of conduct ("code"). Unless otherwise indicated, this code applies to all students, school personnel, parents and other visitors when on school property or attending a school function.
- II. **Definitions:** For purposes of this code, the following definitions apply.
  - a. "Disruptive student" means an elementary or secondary student who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.
  - b. "Parent" means parent, guardian or person in parental relation to a student.
  - c. "School property" means in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of a public elementary or secondary school, or in or on a school bus, as defined in Vehicle and Traffic Law §142.
  - d. "School function" means any school-sponsored extra-curricular event or activity.
  - e. "Violent student" means a student who:
    1. Commits an act of violence upon a school employee, or attempts to do so.
    2. Commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at the school function, or attempts to do so.
    3. Possesses, threatens to use, or displays what appears to be a, weapon while on school property or at a school function.
    4. Knowingly and intentionally damages or destroys property not theirs on school property or at a school function.

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

## **4. Student Rights and Responsibilities**

### **A. Student Rights**

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

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

### **B. Student Responsibilities**

All district students have the responsibility to:

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

## **5. Essential Partners**

**All essential partners are expected to model the provisions of this code of conduct.**

**Parents:** All parents are expected to:

1. Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community.
2. Send their children to school ready to participate and learn and dressed and groomed in a manner consistent with the student appearance code.
3. Ensure their children attend school regularly and on time. Ensure absences are excused.

4. Help their children understand that in our society appropriate rules are essential to maintain a safe, orderly environment.
5. Convey to their children a supportive attitude toward education and school rules to help their children understand them.
6. Build good relationships with teachers, other parents and their children's friends to help their children deal effectively with peer pressure.
7. Inform school officials of changes in the home situation that may affect student conduct or performance.
8. Provide a place for study and ensure homework assignments are completed.

**Teachers:** All district teachers are expected to:

1. Maintain a climate of mutual respect and dignity, which will strengthen students' self-concept and promote confidence to learn.
2. Be prepared to teach and inspire a lifelong interest in learning.
3. Demonstrate interest 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:
  - a. Course objectives and requirements
  - b. Marking/grading procedures
  - c. Assignment deadlines
  - d. Expectations for students
  - e. Classroom discipline plan.
6. Communicate regularly with students, parents and other teachers concerning growth and achievement.

**Guidance Counselors**

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

**Deans**

1. A Dean functions as a member of a team which assists the principal, primarily in the area of discipline.
2. The main responsibility of a dean is to administer the school code of conduct consistently and equitably.
3. Deans will work with students to work through whatever is necessary to enable them to make better choices in the future.
4. The Deans will meet regularly with the principals.

**Principal**

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
2. Ensure that students and staff have the opportunity to communicate regularly with the principal and approach the principal for redress of grievances.
3. Evaluate on a regular basis all instructional programs in collaboration with the curriculum coordinator.
4. Support the development of and student participation in appropriate extracurricular activities.
5. Be responsible for enforcing the code of conduct and ensuring that all cases are resolved.

**Superintendent**

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
2. Review with district administrators the policies of the board of education and state and federal laws relating to school operations and management.
3. Inform the board about educational trends relating to student discipline.
4. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
5. Work with district administrators in enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.

**Board of Education**

1. Collaborate with student, teacher, administrator, and parent organizations, school safety personnel and other school personnel to develop a code of conduct that clearly defines expectations for the conduct of students, district personnel and visitors on school property and at school functions.
2. Review and discuss with the superintendent annually the districts code of conduct.
3. Adopt the code of conduct annually.
4. Lead by example by conducting board meetings in a professional, respectful, courteous manner.

## **6. Student Appearance Code**

All students are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions. Clothing should be clean, well-mended and properly fitted. Students and their parents have the primary responsibility for acceptable student dress and appearance. Teachers and all other district personnel should exemplify and reinforce acceptable student dress that is safe, appropriate, and does not disrupt or interfere with the educational process. Help students develop an understanding of appropriate appearance in the school, community, and workplace.

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

- a. Be safe, appropriate, and does not disrupt or interfere with the educational process.
- b. Exclude extremely brief garments such as tube tops, net tops, halter tops, spaghetti-straps, plunging necklines (front and/or back), exposed midriffs, mini-skirts, short-shorts (should be finger tip length at least) and muscle shirts or other see-through garments are not appropriate.
- c. Ensure that underwear is completely covered with outer clothing.
- d. Include footwear at all times. Footwear that is a safety hazard will not be allowed. Cloth soled footwear is considered unsafe and is therefore not allowed.

- e. Not include the wearing of hats or other headgear in the school except for a medical or religious purpose or at athletic events. Materials (like bandanas) used as hair bands need to be 3" or smaller in width. Coats, backpacks and large purses must be put in lockers.
- f. Not include items that are vulgar, obscene, libelous or attack others on the basis of race, color, religion, creed, national origin, gender, sexual orientation or disability.
- g. Not reference or imply the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities.

Each building principal or his or her designee shall be responsible for informing all students and their parents of the student dress code at the beginning of the school year. 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 in-school suspension for the day. Just because a student has attended one or more classes dressed inappropriately does not mean that a student may not be referred for disciplinary action later in 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.

## 7. Prohibited Student Conduct

The Board of Education expects all students to conduct themselves in an appropriate and civil manner, with proper regard for the rights and welfare of other students, district personnel and other members of the school community, and for the care of school facilities and equipment. The best discipline is self-imposed, and students must learn to assume and accept responsibility for their own behavior, as well as the consequences of their misbehavior. District personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in self-discipline. The Board recognizes the need to make its expectations for student conduct while on school property or engaged in a school function 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 subjected to consequences for their conduct. Students may be subject to disciplinary action, up to and including suspension from school, when they:

- A. Engage in conduct that is disorderly. Examples of disorderly conduct include:
  - 1. Running in hallways.
  - 2. Making unreasonable noise.
  - 3. Using language or gestures that are profane, lewd, vulgar or abusive.
  - 4. Obstructing vehicular or pedestrian traffic.
  - 5. Engaging in any willful act which disrupts the normal operation of the school community.
  - 6. Trespassing. Students are not permitted in the school outside of the regular school day unless they are in an approved activity or with permission from a school administrator.
  - 7. Computer/electronic communications misuse, including any unauthorized use of computers, software, or internet/intranet account; accessing inappropriate websites; or any other violation of the district's acceptable use policy.
- B. Engage in conduct that is insubordinate. Examples of insubordinate conduct include:
  - 1. Failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students or otherwise demonstrating disrespect.
  - 2. Lateness for, missing or leaving school without permission.
  - 3. Skipping detention.
- C. Engage in conduct that is disruptive. Examples of disruptive conduct include, but not limited to: Disrupting school or causing or attempting to cause the disruption or obstruction of any lawful mission, process, or function of the school, including any school-sponsored activity, by violence, force, noise, coercion, threat, intimidation, passive resistance, or other disorderly conduct, or urging other students to disrupt or to obstruct the process or function of school by the use of same.
- D. Engage in conduct that is violent. Examples of violent conduct include:
  - 1. Committing an act of violence (such as unwanted touching, hitting, kicking, punching, and scratching) upon any person or animal.
  - 2. Possessing a weapon, displaying what appears to be, or threatening the use of a weapon.
  - 3. Intentionally damaging or destroying property not theirs, including graffiti or arson or property.
  - 4. Threats of violence electronic, verbal or written.
- E. Engage in any conduct that endangers the safety, morals, health or welfare of others. Examples of such conduct include:
  - 1. Lying or false reporting to school personnel or public officials.
  - 2. Stealing property

3. Defamation, which includes making false or public statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them.
4. Discrimination, which includes the use of race, color, creed, national origin, religion, gender, sexual orientation or disability as a basis for treating another in a negative manner.
5. Harassment, which includes a sufficiently severe action or pattern of actions or statements directed at an identifiable individual or group which are intended to be or which a reasonable person would perceive as seriously annoying, ridiculing, or demeaning.
6. Intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm.
7. Hazing, whether voluntary or not, which includes any intentional or reckless act directed against another for the purpose of initiation into, affiliating with or maintaining membership in any school sponsored activity, organization, club or team.
8. Selling, viewing, or possessing obscene material.
9. Vulgar or abusive language, cursing or swearing.
10. Possessing, abusing, consuming, selling, distributing or exchanging of illegal substances, or being under the influence. including, but are not limited to:
  - a. tobacco products
  - b. alcoholic beverages
  - c. controlled substances such as prescription and over-the-counter drugs.
  - d. illegal substances such as inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any substances commonly referred to as “designer drugs.”
11. Gambling.
12. Indecent exposure, that is, exposure of the private parts of the body in a lewd or indecent manner.

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

- G. Engage in any form of academic misconduct. Examples of academic misconduct include:
1. Plagiarism.
  2. Cheating.
  3. Copying.
  4. Altering records.
  5. Assisting another student in any of the above actions.

## **8. Reporting Violations**

All students are expected to promptly report violations of the code of conduct to a teacher, guidance counselor, the building principal or his or her designee. Any student observing a student possessing a weapon, alcohol or illegal substance on school property or at a school function shall report this information immediately to a teacher, the building principal, the principal's designee or the superintendent. All district staff who are authorized to impose disciplinary sanctions are expected to do so in a prompt, fair and lawful manner. District 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 of the student involved and the appropriate disciplinary sanction if

warranted, which may include permanent suspension and referral for prosecution. The building principal or his or her designee must notify the appropriate local law enforcement agency of those code violations that constitute a crime and substantially affect the order or security of a school as soon as practical, but in no event later than the close of business the day the principal or his or her designee learns of the violation. The notification may be made by telephone, followed by a letter mailed on 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.

## **9. Consequences of Student Behavior**

Use of progressive discipline is the expectation of the code of conduct. The Board of Education recognizes that there may be cases where the severity or aggravating circumstances may cause a disciplinary action up to, and including, expulsion for a violation otherwise listed with a lesser consequence. The listed penalties are guidelines; school officials have the right to supersede the guidelines when warranted.

### **DETENTION ONLY:**

- Teacher discipline
- Unexcused Late to class  
Teachers will assign a detention on the occurrence of the student's 3<sup>rd</sup> unexcused late to class and every one thereafter for the quarter or the year, according to the teacher's policies
- Missing homework/class-work
  - Students serving detention for these reasons will be allowed to work on homework and class-work during detention.
- Unexcused Leaving Early or Unexcused Tardy to school  
Students will serve a detention on the occurrence of the 4<sup>th</sup> unexcused tardy to school and every one thereafter during the first semester. Students inexcusably tardy more than nine times will be assigned ISS for each unexcused tardy after that point until the end of the first semester. The process will "reset" and repeat for the second semester. The same rule will apply to leaving school early unexcused.

### **MINOR DISCIPLINE**

- Disruption of class
- Disrespect staff
- Skipping class
- Copying homework (or "sharing" for the purpose of copying)
- Inappropriate hallway, classroom, or school behavior
- Disrespect others
- Forgery (passes, excuses, etc.)
- Lying (bearing false witness)
- Violation of student dress code
- Harassment
- Cell phone violation
- Not reporting for detention
- Possession/use of squirt gun
- Riding/driving to BOCES without permission
- Leaving cafeteria without permission during lunch
- Failure to follow stated procedures
- Failure to follow computer procedure

1<sup>st</sup> Offense

Student warned  
Parent notified  
(cell phone: taken until parent picks up)

2<sup>nd</sup> Offense

Parent notified  
Detention served  
(cell phone: confiscated for 1 week)

3<sup>rd</sup> Offense

Parent notified  
Detention served  
(cell phone: confiscated for 1 week)

4<sup>th</sup> Offense

Parent conference  
ISS/OSS served  
(cell phone: confiscated for 1 week)

Additional incidents will be given additional suspensions and may lead to Superintendent's hearing.

### **MAJOR DISCIPLINE**

- Possession or use of tobacco products
- Possession, use, distribution of "look-alikes"
- Fighting
- Profanity or obscenity
- Theft
- Vandalism
- Forgery of staff signature
- Plagiarism
- Cheating on test
- Harassment or bullying
- Trespassing
- Insubordination
- Student initiation/hazing
- AUP violation (Acceptable Use Policy) for Computers/Internet
- Truancy
- Verbal/physical threat to school employee
- Reckless endangerment

**ALL MAJOR DISCIPLINE OFFENSES ACCUMULATE AS A UNIT.  
EACH OFFENSE TAKES THE STUDENT TO THE NEXT STEP OF DISCIPLINE.**

1<sup>st</sup> Offense

ISS/OSS served 1-5 days  
Parent notified and conference held  
Possible BOE hearing  
Possible law enforcement contact

2<sup>nd</sup> Offense

ISS/OSS served 1-5 days  
Parent notified and conference held  
Possible BOE hearing  
Possible law enforcement contact

3<sup>rd</sup> Offense

ISS/OSS served 1-5 days  
Parent notified and conference held  
Superintendents' hearing for disciplinary review and possible expulsion

Possible law enforcement contact

### **MAJOR THREATS**

- False Fire alarms
- Possession, use or distribution of explosives, weapons, drugs or alcohol
- Striking or assaulting school employee

Parent advised or notified by letter and phone

Parent conference - in person or by phone

Out of school suspension - up to five days

Involvement of law enforcement agency

Superintendents' hearing for disciplinary review and possible expulsion

## **10. Corporal Punishment**

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

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

- a. Protect oneself, another student, teacher or any person from physical injury.
- b. Protect the property of the school or others.
- c. Contain or remove a student whose behavior interferes with the orderly exercise and performance of school district functions, powers and duties, if that student has refused to refrain from further disruptive acts. The district will file all complaints about the use of corporal punishment with the Commissioner of Education in accordance with Commissioner's regulations.

## **11. Student Searches and Interrogations**

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

The Board authorizes the superintendent and his or her designee's to conduct searches of students and their belongings if the authorized designee has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the district code of conduct. An authorized school official may conduct a search of a student's belongings that is minimally intrusive, such as touching the outside of a book bag, without reasonable suspicion, so long as the school official has a legitimate reason for the very limited search.

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

possesses physical evidence that they violated the law or the district code, or get the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought. Whenever practicable, searches will be conducted in the privacy of administrative offices and students will be present when their possessions are being searched.

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

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

#### **B. Strip Searches**

A strip search is a search that requires a student to remove any or all of his or her clothing, other than an outer-wear such as a “hoodie”, coat, or jacket. If an authorized school official believes it is necessary to conduct a strip search of a student, the school official may do so only if the search is authorized in advance by the superintendent or the school attorney. The only exception to this rule requiring advanced authorization is when the school official believes there is an emergency situation that could threaten the safety of the student or others. Strip searches may only be conducted by an authorized school official of the same sex as the student being searched and in the presence of another district professional employee who is also of the same sex as the student. In every case, the school official conducting a strip search must have probable cause – not simply reasonable cause – to believe the student is concealing evidence of a violation of law or the district code. In addition, before conducting a strip search, the school official must consider the nature of the alleged violation, the student’s age, the student’s record and the need for such a search. School officials will attempt to notify the student’s parent by telephone before conducting a strip search, or in writing after the fact if the parent could not be reached by telephone.

#### **C. Documentation of Searches**

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

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

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

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

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

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

Before police officials are permitted to question or search any student, the building principal or his or her designee shall first try to notify the student's parent to give the parent the opportunity to be present during the police questioning or search. If the student's parent cannot be contacted prior to the police questioning or search, the questioning or search shall not be conducted. The principal or designee will also be present during any police questioning or search of a student on school property or at a school function. Students who are questioned by police officials on school property or at a school function will be afforded the same rights they have outside the school.

This means:

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

## 12. Computer Network

Internet access is available to students and teachers at West Valley Central School. Our goal is to promote educational excellence at West Valley by facilitating resource sharing, innovation and communication.

The Internet is an electronic means of connecting billions of computers and users all over the world. Students and teachers have access to:

- Electronic mail communication with people all over the world
- Information and news, as well as the opportunity to correspond with scientific, industrial, and research institutions, etc. and their employees
- Public domain and shareware of all types
- Discussion groups on many topics ranging from American history to the environment to music and politics
- Access to many University Library Catalogs, the Library of Congress, CARL and ERIC

With access to computers and people all over the world, comes the availability of material that may not be considered to be of educational value in the context of the school setting. On a global network it is impossible to control all materials and an industrious user may discover controversial information. We at West Valley firmly believe that the valuable information and interaction available on this worldwide network far outweighs the possibility that users may access material that is not consistent with the educational goals of this District.

Smooth operation of the network relies upon the proper conduct of the end users who must adhere to strict guidelines. Use of the Internet requires efficient, ethical and legal utilization of the network resources. If a West Valley user violates any of these provisions, his or her account could be terminated and future access possibly denied.

### **AUP (Acceptable Use Policy) and UNACCEPTABLE USES OF THE NETWORK INCLUDE:**

- Using profanity, obscenity or other language that may be offensive to other users.
- Reposting (forwarding) personal communication without the author's consent.
- Copying commercial software in violation of copyright laws.
- Viewing or searching for pornographic content.
- Attempts to bypass the network filters.
- Using the network for financial gain, for commercial activity or for any illegal activity.

- Placing downloaded programs, files, or software of any kind on District computers for permanent storage or use without the permission of the network administrator(s).

The person to whom an account is issued is responsible at all times for its proper use. Network users should change their password frequently. Users should not give a password to another user.

Because access to the Internet provides connections to other computer systems located all over the world, users (and parents of student users) must understand that neither the West Valley Central School District nor any district staff member controls the content of the information available on these other systems. Some of the information available is controversial and, sometimes may be offensive. The West Valley Central School District does not condone the use of such materials.

### **NETWORK ACCEPTABLE USE REGULATIONS:**

The network account is free to users. It is a privilege to receive an account. A Responsible user of the network may keep a West Valley account as long as the user is a staff member or student in the West Valley Central School District.

• **Responsible users may-** Use the network to research assigned classroom projects. Use the network to explore other computer systems.

• **Responsible users:**

- May NOT use the network for any illegal purpose.
- May NOT use impolite or abusive language.
- May NOT violate the rules of common sense or etiquette.
- May NOT alter computer files that do not belong to the user.
- May NOT send or receive copyrighted material without permission.
- May NOT send or receive material protected by trade secret or obscene material.
- May NOT share his or her password with anyone.
- May NOT use another person's password.
- May NOT reveal personal addresses or phone numbers of themselves or their colleagues.
- May NOT use the network in such a way that would disrupt the use of the network by other users.
- May NOT vandalize or attempt to harm or destroy data of another user or internet agency. This includes, but is not limited to, the uploading of computer viruses.
- May NOT use the computers to play un-educational games (online or off), use un-educational online journals (blogging), or anything else that would fall under non-educational computer use.

The West Valley Network system administrator will have access to all user accounts. The system administrator may close an account at any time as required. The District administration may request the system administrator to deny, revoke, or suspend specific user accounts.

The West Valley Central School District makes no warranties of any kind, whether expressed or implied, for the service it is providing. WVCS will not be responsible for any damages suffered. This includes loss of data resulting from delays, non-deliveries, mis-deliveries, or service interruptions caused by its own negligence or your errors or omissions. Use of any information obtained via West Valley is at your own risk. West Valley specifically denies any responsibility for the accuracy or quality of information obtained through its services.

## 13. Attendance

### CODE OF STUDENT ATTENDANCE

The primary purpose of a school is to educate its students to become responsible citizens and to prepare them for entry-level employment or higher education. All students are required by state law to attend school every day unless they have a legal excuse. Legal excuses include personal illness, death in the family, religious observances, quarantine and required court attendance. The West Valley Central School Board of Education expects students to be regular in their attendance.

### DAILY ATTENDANCE PROCEDURES AND POLICIES

1. Attendance will be taken during each class period and submitted electronically to the attendance officer.
2. All students should strive for perfect attendance. To qualify for perfect attendance, students must be in school until 11:00 a.m. before being excused. Funerals will not count against perfect attendance.
3. Following any absence, a student must report to the attendance/guidance office and present a written excuse from the parent or guardian. A phone call is not sufficient. New York State requires schools to have written excuse notes from parents/guardians for all absences and tardiness. They are required to be on file for several years.
4. Tardy/late to school is defined as entering homeroom after the first homeroom bell or entering school at any point thereafter. Students will serve a detention on the occurrence of the 4<sup>th</sup> unexcused tardy/late to school and every one thereafter for each semester. For a tardy to school to be excused students must have an "excused reason" and must bring in a note signed by the parent when they enter school. If the parent calls the attendance office before the student arrives tardy, the note may be turned in on the following day. The only "excused reasons" for being tardy are : personal sickness, medical appointment, pre-arranged college visit, court appearance, religious observance, or funeral. Consequences for unexcused tardies are outlined in the section titled "Consequences of student behavior."
5. Students leaving school for any reason during the day before 2:58 must have a note signed by a parent that states the reason for leaving early. This note must be approved by the attendance office before homeroom. Students who wish to go home due to illness must get approval from the health office. Students leaving school early for any reason must then sign-out in the attendance office. The only "excused reasons" for leaving school early are: personal illness, medical appointment, documented pre-arranged college/university visit, court appearance, and funeral.
6. Students entering school any time after homeroom must sign-in at the attendance office.

### MINIMAL ATTENDANCE PROCEDURE

1. In order to earn credit for a class, students may not have more than 20 unexcused absences from class for a full credit course or more than 10 unexcused absences from class for a half credit course.
2. Excused absences from class include:
  - school sponsored activities
  - music lessons
  - mandated counseling with guidance counselor or school psychologist
  - educational field trips
  - pre-arranged college visit
  - extended illness with doctor's excuse
  - court appearances
  - religious observances

- death in the immediate family
  - Upward Bound
  - County Government
  - Horizons
  - days missed with tutoring provided by the school
3. All other absences are considered unexcused.

### **STEPS - MINIMAL ATTENDANCE PROCEDURE**

1. Parents will be notified of the number of absences as part of the quarterly report cards.
2. Parents will also be notified by letter when unexcused absences reach 15 for a full credit course and 7 for a half credit course. Copies will be given to the guidance counselor to alert those support personnel of a possible problem the student may be having. A conference may be held with the student, parent, principal, guidance counselor and teacher. The student may be required to sign a written statement indicating that the student understands the severity of this situation, his/her intention to improve and the next step he/she faces if the absenteeism continues.
3. If 21 unexcused absences for a full credit course, or 11 for a half credit course, are reached, the student forfeits the opportunity to receive credit for the course.
4. The student or parent/guardian may file a written appeal with the Superintendent. An Attendance Committee consisting of the Principal, attendance officer, guidance counselor, school health office, one elementary teacher and/or one secondary teacher may then consider that appeal. In any appeal there must also be documentation from the classroom teacher that missed classes and homework assignments have been made up by the student. The committee may allow credit for said course as long as all other course requirements have been met by the student who is appealing.

### **SPECIAL COURSE REQUIREMENTS**

1. Any student who reaches Step 4 of the Minimal Attendance Procedure for physical education class will be advised that Physical Education is required of all students and students must have two credits of physical education for graduation, unless medically excused. The student will be counseled by the Principal who will work with the counselor and teachers. The student will be advised of the necessity of Physical Education and will remain in the course.
2. Students transferring from outside the district will have their attendance prorated for the year.

### **PERFECT ATTENDANCE POLICY K- 12**

The students receive a Certificate of Perfect Attendance and/or a ribbon when they have achieved perfect attendance for the year.

### **DISCIPLINARY CONSEQUENCES:**

Unexcused tardies, early departures will result in disciplinary action consistent with the district's code of conduct. Those penalties may include detention or in-school suspension. Students may also be denied the privilege of participation in or attending extracurricular events.

### **ATTENDANCE/GRADE POLICY:**

Students are expected to attend all scheduled classes. Consistent with the importance of classroom participation, unexcused absences may affect a student's class participation grade for the marking period.

## **14. Miscellaneous Topics**

## **FIRE DRILLS**

Fire drills are required by law and are an important safety precaution. It is essential that everyone obey orders promptly, and clear the building by the prescribed route as quickly as possible. The teacher in each classroom will be responsible for giving proper instructions. Anyone pulling a false alarm bell will be turned over to the proper authorities and an arrest will be made. The law requires 12 fire drills a year.

## **STUDENT AGENDAS**

Student Agendas are required for all 7<sup>th</sup>-12<sup>th</sup> grade students. These planner notebooks are supplied by the school and should be carried by students at all times. (Lose it? The first replacements costs \$5.00 and must be purchased in the Guidance Office. Cost increases with each additional agenda lost during the year. You may be assigned a new agenda and placed on the Restricted Activity List until the fee is paid.) Students should use the Agenda to record daily and long term assignments and other notes concerning classes and schedules. Parents and teachers can use them to communicate on student progress. They replace all paper hall passes and students must have them at all times in the hallways and in class. If a student has no more passes in the back of his agenda, he may obtain a new pass page from the guidance office. He must come to the guidance office with his agenda, and a new page will be stapled in.

## **HALL PASSES**

A pass will be honored only if:

- It is recorded in the student's agenda
- It is filled out completely, including time, date, destination and staff member signature
- The issuing teacher is responsible for the pass

## **STUDY HALL RULES**

1. All students are to bring paper, pencils, assignments, homework and books to study.
2. There should not be any general talking. However, at the teacher's discretion, students may be allowed to talk quietly or work in small groups.
3. Students who leave study halls and go to see another teacher, will have a pre-signed pass before they leave.
4. All study halls must have a sign-out and sign-in time sheets for students
5. Absolutely no eating in study halls.

Students who misbehave in study halls (which are considered a class) are subject to discipline for failing to attempt or reasonably complete assigned work.

## **6. PASSES FROM STUDY HALL**

- Agenda must be pre-signed by teacher if you are signing out of study hall to go to another room.
- Sign in and out on a form provided by office.
- If you have signed out of study hall, you must be in the place you designated unless you have returned to the study hall teacher for permission to go somewhere else.
- Whether a student may have permission to sign out, the number of times that a student signs out per day or per week, and the amount of time is left to the discretion of the teacher/supervisor. Restroom passes are generally three minutes per leave.

## **REVOKING A STUDY HALL PASS**

- 1st - Warning from teacher
- 2nd - No sign out list
- 3rd - Detention and/or no sign out list

## **PERMANENT PASS**

- Requires a schedule change in the guidance office

- May be issued at any time after the first full week of school only when a teacher can adequately supervise the student
- The teacher requesting the pass assumes total supervisory responsibility for the student and his/her conduct
- Must be signed by the requesting teacher, study hall teacher, guidance counselor and parents.  
*(The four parts of this request when completed will be given to guidance, main office, parents, supervising teacher and study hall teacher.)*

### **REVOKING A PERMANENT PASS**

When a permanent pass is revoked it may not be re-issued from that study hall for the rest of the school year. A permanent pass may be revoked for any of the following reasons:

1. Failing one subject
2. Failure to meet demands of issuing teacher
3. Found in hall without proper pass signed in agenda

Any permanent pass may be revoked at the discretion of the issuing teacher or the administration. Having a failing grade in a course at the end of a ten week marking period will cause the permanent pass to be revoked for the next quarter.

### **LEAVING SCHOOL**

Every effort should be made to schedule appointments at times other than when school is in session. When a student is not in school, he/she may be missing important class work that will be difficult to make up later. If an appointment must be made during school hours, a written note should be sent to the attendance office at the beginning of homeroom. This note must be approved before the student leaves school. Notes not approved by the attendance office should be referred to the Principal. The attendance office and the Principal routinely verify appointments listed on the notes. All notes must include the student's destination.

### **LOCKERS**

Lockers are in school as a privilege for student use, both hall and gym. They are school property. It is the students' responsibility to maintain their lockers and keep them locked. The school cannot and will not be responsible for thefts or break-ins beyond its normal responsibility. Students should not give their locker combinations to other students or share lockers. It is the students' responsibility to keep their lockers clean.

### **TEXTBOOKS**

Careful records of the condition of each book are kept through the use of textbook cards or lists. Should a student in any way deface the textbook or lose it, they will be responsible to pay for the worth of the book. Any textbook obligation which has not been taken care of by the end of the course, will result in the student being placed on the "Restricted Activity" list until restitution has been made.

### **DANCES**

- Guests must be students of other secondary schools and have the guest form signed by the principal of the home school.
- Seniors may be given the privilege of bringing guests that are out of high school for certain designated dances (Homecoming, Winter Ball, and Prom).
- All students must remain within the building during a dance. Once a student leaves the building he/she will not be able to re-enter and his/her parents may receive a phone call informing them that the student has left the dance early.
- All music played must use appropriate language. The edited version of songs must be played. If there is a student DJ and inappropriate music is played, the student will face consequences per the discipline section of the handbook and at the dean's discretion. If a professional or semi-professional DJ is hired, the contract should include the expectations for edited music and the final payment should be made after the event. (In

special circumstances, the complete payment may be made before the event with prior approval of the superintendent.)

- Students on the Restricted Activity list may attend if they give the Dean what is owed or; if they agree to accept a “failure to follow procedure” and agree to bring what is owed the following school day. If either of these procedures is not followed, students will receive an “insubordination” and I.S.S. the following day. Students on AI who come to the dance without permission will be sent home, or restricted to the district office for the duration of the dance, and the Dean may assign I.S.S. the next school day.

### **LAVATORIES**

The lavatories are not a place to use for visiting purposes. It is the responsibility of ALL students to keep the lavatories clean. Students are not to loiter in these areas. If a student continually violates this policy, detentions will be assigned.

### **HEADPHONES-CD PLAYERS- MP3 PLAYERS- TAPE RECORDERS-RADIOS-ELECTRIC GAMES**

There are to be NO headphones, CD players, MP3 players, tape recorders, radios, electric games, or any personal music devices brought to any classes during regular hours. These items may be confiscated and kept in the principal’s office. Reasons for this policy include possible vandalism, theft, loud noise and educational disruption.

The use (or non-use) of personal music devices during non-class periods is always at the discretion of the supervising adult.

### **CELL PHONES**

Students may not bring pagers or cell phones to class at any time. Pagers and cell phones may not be used at any time during the school day, and should be left in the student’s locker or vehicle with the power turned off.

### **INAPPROPRIATE ARTICLES**

Some items that may be acceptable at home are not appropriate for school. Occasionally a teacher needs to put away a student’s toys or attractions. Such articles are eventually returned, either to the pupil or the parents, whichever seems more appropriate.

### **DISPLAYS OF AFFECTION**

Public display of affection such as kissing, embracing, etc. are not appropriate behavior in school and will not be permitted. If a situation persists, parents will be notified and/or a parent conference may be held with students, parents and school personnel.

### **BACKPACKS, BOOKBAGS, ETC.**

Backpacks, book bags or any other containers to carry school supplies are not allowed in school hallways or classrooms. ALL backpacks, book bags, etc. are to be stored in the student’s locker throughout the school day.

### **RESTRICTED ACTIVITY LIST**

If a student owes money or supplies of any value (uniforms, calculators, books, etc.) to the school, (or any individual school department or account) and does not pay or return these supplies in a reasonable amount of time, the adult responsible for the money or supplies will give the student’s name to the guidance secretary. The student will then be placed on the “Restricted Activity Warning List.” As soon as a student returns the supplies or pays the money due, he should ask for a note/receipt from the same adult. When the student has given the note/receipt to the guidance secretary, he will be crossed off the warning list. After one week on this list, if debt has not been paid or the supplies have not been returned, the student will be moved to the Restricted Activities list. Students on the “RA” list are not allowed to participate in extracurricular activities of any sort until they have followed the above procedure to have their name removed from the list.

## **BEFORE SCHOOL**

Students may not be in the hallways before 7:55. If they are working with a teacher before school, they must go directly to that teacher's room. Students arriving early should be in the cafeteria until 7:55.

## **AFTER SCHOOL**

At the end of all school days (3:00), all students must be with a staff member or mentor if they remain in the school building.

In order to ride the late bus, students must sign up for the late bus by the end of school. Students must also present a bus pass to the bus driver with appropriate signatures indicating that the student was with a staff member or mentor since the end of the school day.

**Students on suspension (ISS or OSS) on Academic Ineligibility (AI) or Restricted Activity (RA) must leave school property at the end of the school day and may not return until the following day.** The only exceptions are if the student is serving detention, or if the student has been granted special permission from the principal. On AI or RA there is one additional exception. A student on these lists may be on school property at the end of the school day while serving required ASH time.

## **ELLCOTTVILLE BOCES VO-TECH**

Transportation: All students must ride the bus provided by the school unless he/she has obtained prior written permission. Permission to drive may be granted under certain circumstances when the appropriate forms are filled out and signed by parents, BOCES administration and WVCS administration. The form must be on file before a student begins to drive to or from BOCES.

If BOCES classes are cancelled due to any emergency (weather, illness, impassable road, etc.), the following procedures will be used:

1. All BOCES students are to report to the guidance office to determine where they are going to be for the periods they are in the building and are not scheduled for a regular class. The guidance counselor will conduct this meeting and compile a list.
2. Students wishing to leave the premises will be given the opportunity to make phone contact with their parents to obtain permission.
3. The list then will be distributed to all teachers in the secondary.

Any student found wandering the hall will be sent to the office, pass revoked and assigned to studyhalls for the remainder of the half day (with no sign-out privileges).

## **15. Cafeteria**

The school cafeteria is maintained as a vital part of the health program of the school. A well-balanced lunch is offered at a reasonable price, and students are encouraged to participate in the varied lunch program. A "Class A" lunch program is provided. Students have a choice of the main meal, soup and sandwiches, hot dogs, pizza, etc.

Cafeteria Rules:

- Deposit all litter in garbage cans.
- Return all trays and utensils to the dishwashing area.
- Leave the table and floor around your place in a clean condition.
- Follow the requests of cafeteria workers or teachers in charge of the cafeteria.
- All food will be eaten in the cafeteria.
- No open food or drinks should be taken from the cafeteria.
- Do not use profanity.
- Do not throw food.

FAILURE TO COMPLY WITH REASONABLE REQUESTS OF THE LUNCH MONITORS MAY RESULT IN STUDENTS BEING RESTRICTED FROM THE CAFETERIA.

The School Lunch Act states that no other food or candy can be sold in the vicinity of the cafeteria or during lunchtime.

**Students who wish to eat breakfast must do so before homeroom. They must be in homeroom at the starting bell and they may not “sign out” to go to breakfast.**

## **16. Transportation**

### **BUS REGULATIONS**

Safe reliable transportation for our students is always a concern of parents and staff. West Valley has always been very fortunate to have a transportation system second to none. Safe drivers and safe buses have made this part of the school day pleasant for students for many years. We strive to have the best routing and timing to get our students to school safely and, on time. Parents can do several things to help with this job:

1. Try to establish a morning routine so that students have time for a proper breakfast, dressing and organization of materials for school.
2. Allow about five minutes variation in bus arrival time.
3. Get to know the bus driver. He/She is the student's first and last contact with school each day.

If there is a question about transportation or bus drivers, please contact the Superintendent at 942-3293.

### **BUS REGULATIONS - STUDENT RESPONSIBILITIES**

Students are expected to accept certain responsibilities in return for the privilege of riding the school bus. Please understand that a student may lose his/her privilege if he/she fails to follow bus rules and directions of the bus driver. The student must be on time at the bus stop which means getting there prior to the arrival of the bus.

1. Please review with the student the following important rules:
2. Always go to the correct bus stop and ride the bus assigned.
3. Respect other people's property and stay off lawns and gardens.
4. Stay safely out of the road while waiting.
5. Line up with the other students when the bus arrives.
6. Be courteous to one another.
7. Don't crowd or push.
8. Look out for younger children.

### **RULES FOR BUS PASSENGERS**

1. Stay seated until bus comes to full stop.
2. Unacceptable language is not allowed.
3. Keep bus neat and clean.
4. Windows must remain closed unless students have permission to open them.
5. No fighting or quarreling is allowed on the bus.
6. Students may not change seats after they are seated on the bus.
7. Always face forward while riding the bus.
8. The bus driver is in complete charge of students.
9. There is to be no food or drink consumed on the bus.

10. There are no radios on the bus.
11. A student must be 15 feet from the bus before the bus can move. Because of this, no students should be going to the family mailbox until the bus is out of sight of the student.

### **MISBEHAVIOR ON THE BUS**

The driver shall report all incidents directly to the Dean or Principal.

- 1st offense  
Warning and parents notified by letter.
- 2nd offense  
Parents notified by letter.  
After school detention or In-School Suspension.  
Student in danger of losing his/her bus privileges.
- 3rd offense  
Loss of bus privileges for a length of time to be determined by the dean or principal.

**NOTE:** For the safety of all students in West Valley, if the bus incident is severe enough, loss of bus privileges may occur at any stage of the disciplinary process.

### **SCHOOL BUS BAGGAGE**

The New York State Department of Transportation has certain regulations concerning items which may be transported on district school buses. The district must comply with these regulations while permitting students to carry necessary items on the school bus whenever possible.

Baggage which can be held comfortably on the student's lap may be carried on the bus. Most items that are too big and/or bulky may be tied down under the seat or secured at the rear of the bus in a cargo net. No items may be permitted which protrude into the aisle hampering normal or emergency exiting.

There are some items which may NOT be carried on school buses, including glass containers, flammable products, aerosol cans, certain live insects or animals, etc.

The Department of Transportation states that the bus driver is responsible for determining what will be carried on the school bus. Questions are to be directed to the student's bus driver or the Principal.

### **OTHER TRANSPORTATION: MOTOR VEHICLES**

No unlicensed cars or trucks are to be on school property for any reason. To prevent injury to those people on the school's campus, motorbikes, ATVs and snowmobiles are not permitted on school property. Violators will be warned or reported to the local law enforcement agency. Students may lose their privilege of driving to school if their driving is seen as a danger to the student population or themselves

### **DRIVING TO SCHOOL**

If a student is permitted to drive (or ride a bicycle or walk to school) here are a few guidelines to help instruct him/her on school rules.

1. Students will be expected to complete a parking/driving permit form.
2. Drivers and passengers must come into the school building as soon as they arrive in the parking lot. Students may not sit in parked vehicles in the parking lot.
3. Drivers should try not to arrive at school earlier than 7:53 am. Students arriving at school before 7:53am should go to the cafeteria. Students should not be in any other part of the building.
4. Once a student vehicle has arrived at school, it may not leave again until the close of school at 2:57pm, unless with special permission from the Principal. Students that drive to school and decide to leave while school is in session, without permission, will have their car use suspended from school property.

5. Student drivers should not carry passengers without parental knowledge and consent. Parents may want to check their insurance before allowing extra riders.
6. No student may ride home with another without permission from his/her parents.
7. Ensure that all traffic regulations are followed and safety precautions are taken.

**Other rules:**

Bicycles should be securely locked to the bike rack.

Skateboards are not to be on school property.

## **17. Athletic Policy**

### **1. STATEMENT OF POLICY AND DEFINITIONS**

- A. Participation in athletics and cheerleading activities requires keen minds and healthy bodies and high levels of training and conditioning. Individual performance and team success are dependent upon the following universally recognized training rules both in school practice, and in those times between practices when pupils are away from school. In addition to encouraging pupils to develop their athletic skills, the district encourages and promotes excellent sportsmanship, citizenship and sound morals. Pupils participating in athletics and cheerleading have more than usual exposure to public opinion. The actions of such pupils are more likely to be exposed to the judgement of their peers, professionals and the public. The district recognizes its obligation to encourage maximum precautions to protect the morals and reputations of the pupils. In particular, students wearing the letter of the school are uniquely identified with the school district and their actions and behavior reflect on them as individuals and on the school district.
- B. This athletic policy has been adopted to promote excellent sportsmanship and citizenship; to protect the health, safety and welfare of the students engaged in strenuous physical activity; to ASSIST the students in building sound moral characters; and to instruct them to avoid activities which will have an adverse impact upon their physical well-being and their moral character.
- C. "Pupil" as used herein means a pupil participating in athletics or cheerleading.

### **2. CONDITIONS FOR PARTICIPATION IN ATHLETICS AND CHEERLEADING**

- A. The pupil must have an approved physical examination.
- B. The pupil must be provided with and shall read a copy of this athletic policy, acknowledge the receipt of same and return a signed copy of this athletic policy to the school signed by the pupil and a parent/guardian of the pupil.

### **3. TRAINING RULES**

- A. Consumption and use of alcohol and controlled substances have been determined to be adverse to good health, and possibly a violation of law. In order to protect the health of participants and to encourage good conditioning for successful athletic competition, the consumption by a pupil or possession by a pupil of tobacco, alcohol or controlled drugs, whether on school grounds or off school grounds shall be deemed a violation of the athletic policy.
- B. A pupil charged with violating the New York State Vehicle and Traffic Law relating to the use of alcohol while operating a motor vehicle, or charged with violating laws relating to the use of drugs, controlled substances or alcohol, or the giving of alcohol to others shall be deemed to have violated the athletic policy.

### **4. OTHER RULES AND REGULATIONS**

- A. Athletes must be in school by the end of fourth period in order to practice or play in a game that day unless there are extenuating circumstances satisfactory to the coach.
- B. Athletes must ride the bus to and from games. Parents may request athletes to ride home with other parents or themselves.
- C. Athletes on the Academic Ineligibility List will not be allowed to practice or play games.

- D. Athletes permanently suspended for the season will not receive certificates or other letter awards.
- E. Students on school suspension may not practice or play during the period of suspension. Students may practice or play after detention.
- F. Athletes who are suspended from a sports team may not join or participate in any way on another team during the remainder of that sports season.

#### 5. COACHES AUTHORITY

Coaches may establish other rules as they deem necessary and prudent for the participation of pupils in sports and cheerleading. They may use their judgement in handling problems that may develop during the season that are not specifically covered in this policy.

#### 6. REPORTING OF VIOLATIONS OF ATHLETIC POLICY

Coaches, responsible adults and employees of West Valley Central School District may report, in writing, actions of the pupils which are contrary to the athletic policy to the Superintendent. The Superintendent will review the alleged violation with the coach. Persons providing information must be willing to give evidence at a hearing scheduled in accord with this policy.

#### 7. RIGHT TO HEARING

At the time a pupil is advised of the information or charges which accuse the pupil of violating the athletic policy, the pupil shall also be advised that he/she has the right to have a his/her parent or guardian appear informally before the coach to discuss the factual situation underlying the proposed disciplinary action to be taken against the pupil. The pupil and the parent/guardian shall both be advised to the proposed disciplinary action to be taken via use of Appendix A of the policy.

#### 8. APPEAL PROCEDURES

A pupil or the pupil's parents/guardians may appeal the disciplinary action taken by the coach. Such appeal shall be made to the athletic council by notification given to the Superintendent. A hearing by the athletic council shall be scheduled not later than five school days from the date of receipt of the notice of appeal. The pupil and the persons in parental relationship to the pupil shall have the right to appear before the athletic council. The appeal will be decided by a majority vote of coaches and the athletic director. To render a decision the council must have five members present with the majority voting to uphold or deny the appeal. A written notice of the decision will be sent to the pupil and the Superintendent.

#### 9. HEARSAY AND RUMORS

Hearsay and rumor may be investigated by the coach but no disciplinary action shall be taken against a pupil unless there is adequate proof of a violation or an admission of a violation by the pupil.

#### 10. DISCIPLINARY ACTION

Athletes who violate the athletic policy shall:

1. be dismissed from the team upon the first offense for the remainder of the season and
2. upon the second offense, be barred from the athletic competition for the remainder of the school year.

#### 11. OTHER DISCIPLINARY MEASURES

The athletic policy shall not be deemed exclusive or supersede any other policies or discipline codes of the school. For example, the discipline code of the school may require suspension from the school at the same time that this athletic policy requires suspension from team activities. Pupils are subject to this athletic policy and any other discipline codes or rules and regulations of West Valley Central School.

#### 12. RECORDING OF VIOLATIONS

A written record of violations and action taken shall be kept on file in the Superintendent's office.

#### 13. NON-ENFORCEMENT OF TRAINING RULES BY COACHES

Coaches who fail to cooperate in enforcing or carrying out athletic department policies will be subject to reprimand and possible dismissal from their coaching positions.

#### 14. ACCIDENT INSURANCE

The district provides supplemental accident insurance coverage for students in all school-sponsored activities, including athletics. A non-duplicating \$25.00 deductible policy is provided to cover the more serious claims of those who do not have family insurance plans. This coverage does not include eyeglasses, contact lenses, injuries at home and injuries covered by no fault automobile insurance. An insurance brochure is handed out to all students during the first few weeks of school. All injuries must be reported to the school health office the same day of the injury.

## PARENT INFORMATION

### 18. Immunizations

The Board of Education recognizes its responsibility under the Public Health Law to ensure that the children under its charge are immunized against measles, polio, diphtheria, mumps, rubella, Haemophilus influenza type b (Hib), and hepatitis B. The Board, therefore, requires that a physician's certificate or some other acceptable evidence of immunization be submitted for all children entering and presently attending school.

The Board directs the Administration not to permit any child lacking evidence of immunization to remain in school for more than fourteen (14) days, or thirty (30) days for an out-of-state transferee who can show an effort to obtain the necessary evidence of certification. The administration will notify the local health authority of the name and address of the child, as well as to provide the person in parental relations to the child who has been denied admission or attendance a statement of his/her duty regarding immunization and a consent form prescribed by the Commissioner of Health. The school shall cooperate with the local health authorities to provide a time and place for the immunization of children when necessary.

The only exceptions to this policy are as follows:

- a) If a child whose parent, parents, or guardian hold genuine and sincere religious beliefs which are contrary to the practices required, no certificate shall be required as a prerequisite to such children being admitted or received into school or attending school;
- b) If a physician will certify that administering a vaccine to a particular child is detrimental to the child's health, the requirement may be waived by the Board.

### 19. School Accident Insurance

The school is not responsible for any medical expenses due to a student's accident whether on or off school property. The Board of Education has elected to assist families in meeting medical obligations related to accidents by contracting for student accident insurance. The insurance provided by the school is supplemental. That is, it takes into consideration coverage which the parents may have through their own insurance. The parents' accident and health insurance pays the first portion of the costs related to an accident. The school's insurance then covers much of the remaining costs. Parents must first file with their insurance company, and then submit their unaidable portion of the claim to the school's insurance company.

This accident insurance covers all students Pre-K-12 and is provided by the school at no cost to parents. We recommend that families have their own accident insurance. However, this is not a requirement for students to participate in sports. The policy provided by school is sufficient for participation in sports. Pupils will be allowed to participate in sports if their families do not have their own accident insurance.

## **20. Disciplinary 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 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.
2. Suspension from transportation: If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the building principal's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the building principal or the superintendent or their designees. In such cases, the student's parent will become responsible for seeing that his or her child gets to and from school safely. Should the suspension from transportation amount to a suspension from attendance, the district will make appropriate arrangements to provide for the student's education. A student subjected to a suspension from transportation is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the building principal or the principal's designee to discuss the conduct and the penalty involved.
3. Suspension from athletic participation, extra curricular activities and other privileges: A student subjected to a suspension from athletic participation, extra-curricular activities or other privileges is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the district official imposing the suspension to discuss the conduct and the penalty involved.
4. In-school suspension: The board recognizes the school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the board authorizes building principals and the superintendent to place students who would otherwise be suspended from school as the result of a code of conduct violation in "in-school suspension." The in-school suspension teacher will be a certified teacher. A student subjected to an in-school suspension is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the district official imposing the in-school suspension to discuss the conduct and the penalty involved.
5. Teacher disciplinary removal of disruptive students: A student's behavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In most instances the classroom teacher can control a student's behavior and maintain or restore control over the classroom by using good classroom management techniques. These techniques

may include practices that involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain his or her composure and self-control in an alternative setting. Such practices may include, but are not limited to: (1) short-term “time out” in an elementary classroom or in an administrator’s office; (2) sending a student into the hallway briefly; (3) sending a student to the principal’s office for the remainder of the class time only; or (4) sending a student to a guidance counselor or other district staff member for counseling. Time-honored classroom management techniques such as these do not constitute disciplinary removals for purposes of this code. On occasion, a student’s behavior may become disruptive. For purposes of this code of conduct, a disruptive student is a student who is substantially disruptive of the educational process or substantially interferes with the teacher’s authority over the classroom. A substantial disruption of the educational process or substantial interference with a teacher’s authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher’s instructions or repeatedly violates the teacher’s classroom behavior rules. A classroom teacher may remove a disruptive student from class for up to two days. The removal from class applies to the class of the removing teacher only.

If the disruptive student does not pose a danger or on-going threat of disruption to the academic process, the teacher must provide the student with an explanation for why he or she is being removed and an opportunity to explain his or her version of the relevant events before the student is removed. Only after the informal discussion may a teacher remove a student from class. If the student poses a danger or ongoing threat of disruption, the teacher may order the student to be removed immediately. The teacher must, however, explain to the student why he or she was removed from the classroom and give the student a chance to present his or her version of the relevant events within 24-hours. The teacher must complete a district-established disciplinary removal form and meet with the principal or his or her designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the removal form. If the principal or designee is not available by the end of the same school day, the teacher must leave the form with the secretary and meet with the principal or designee prior to the beginning of classes on the next school day. Within 24-hours after the student’s removal, the principal or another district administrator designated by the principal must notify the student’s parents, in writing, that the student has been removed from class and why. The notice must also inform the parent that he or she has the right, upon request, to meet informally with the principal or the principal’s designee to discuss the reasons for the removal. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the student’s removal at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents. The principal may require the teacher who ordered the removal to attend the informal conference. If at the informal meeting the student denies the charges, the principal or the principal’s designee must explain why the student was removed and give the student and the student’s parents a chance to present the student’s version of the relevant events. The informal meeting must be held within 48 hours of the student’s removal. The timing of the informal meeting may be extended by mutual agreement of the parent and principal. The principal or the principal’s designee may overturn the removal of the student from class if the principal finds any one of the following:

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

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

educational programming and activities until he or she is permitted to return to the classroom. Each teacher must keep a complete log (on a district provided form) for all cases of removal of students from his or her class. The principal must keep a log of all removals of students from class. Removal of a student with a disability, under certain circumstances, may constitute a change in the student's placement. Accordingly, no teacher may remove a student with a disability from his or her class until he or she has verified with the principal or the chairperson of the Committee on Special Education that the removal will not violate the student's rights under state or federal law or regulation.

6. Suspension from school: Suspension from school is a severe penalty, which may be imposed only upon students who are insubordinate, disorderly, violent or disruptive, or whose conduct otherwise endangers the safety, morals, health or welfare of others. The board retains its authority to suspend students, but places primary responsibility for the suspension of students with the superintendent and the building principals. Any staff member may recommend to the superintendent or the principal that a student be suspended. All staff members must immediately report and refer a violent student to the principal or the superintendent for a violation of the code of conduct. All recommendations and referrals shall be made in writing unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases a written report is to be prepared as soon as possible by the staff member recommending the suspension. The superintendent or principal, upon receiving a recommendation or referral for suspension or when processing a case for suspension, shall gather the facts relevant to the matter and record them for subsequent presentation, if necessary.

a. Short-term (5 days or less) suspension from school: When the superintendent or principal (referred to as the "suspending authority") proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law §3214(3), the suspending authority must immediately notify the student orally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student's parents in writing that the student may be suspended from school. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting the parents. The notice shall provide a description of the charges against the student and the incident for which suspension is proposed and shall inform the parents 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. At the conference, the parents shall be permitted to ask questions of complaining witnesses under such procedures as the principal may established. The notice and opportunity for an informal conference shall take place before the student is suspended unless the student's presence in school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process. If the student's presence does pose such a danger or threat of disruption, the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable. After the conference, the principal shall promptly advise the parents in writing of his or her decision. The principal shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the superintendent within five business days, unless they can show extraordinary circumstances precluding them from doing so. The superintendent shall issue a written decision regarding the appeal within 10 business days of receiving the appeal. If the parents are not satisfied with the superintendent's decision, they must file a written appeal to the Board of Education with the district clerk within 10 business days of the date of the superintendents' decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the Board may be appealed to the Commissioner within 30 days of the decision.

b. Long-term (more than 5 days) suspension from school: When the superintendent or building principal determines that a suspension for more than five days may be warranted, he or she shall give reasonable notice to the student and the student's parents of their right to a fair hearing. At the hearing the student shall have the right to be represented by counsel, the right to question witnesses against him or her and the right to present witnesses and other evidence on his or her behalf. The superintendent shall personally hear and determine the proceeding or may, in his or her discretion, designate a hearing officer to conduct the hearing. The hearing officer shall be authorized to administer oaths and to issue subpoenas in conjunction with the proceeding before him or her. A record of the hearing shall be maintained, but no stenographic transcript shall be required. A tape recording shall be deemed a satisfactory record. The hearing officer shall make findings of fact and recommendations as to the appropriate measure of discipline to the superintendent. The report of the hearing officer shall be advisory only, and the superintendent may accept all or any part thereof. An appeal of the decision of the superintendent may be made to the Board that will make its decision based solely upon the record before it. All appeals to the Board must be in writing and submitted to the district clerk within 10 business days of the date of the superintendent's decision, unless the parents can show that extraordinary circumstances precluded them from doing so. The Board may adopt in whole or in part the decision of the superintendent. Final decisions of the board may be appealed to the Commissioner within 30 days of the decision.

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

## **21. 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) The student's age.
- b) The student's grade in school.
- c) The student's prior disciplinary record.
- d) The superintendent's belief that other forms of discipline may be more effective.
- e) Input from parents, teachers 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 parents will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

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

## **22. 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, the district will take immediate steps to provide alternative means of instruction for the student.

## **23. Discipline of Students with Disabilities**

The Board recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior. The Board also recognizes that students with disabilities enjoy certain procedural protections whenever school authorities intend to impose discipline upon them. The Board is committed to ensuring that the procedures followed for suspending, removing or otherwise disciplining students with disabilities are consistent with the procedural safeguards required by applicable laws and regulations. This code of conduct affords students with disabilities subject to disciplinary action no greater or lesser rights than those expressly afforded by applicable federal and state law and regulations.

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

1. For purposes of this section of the code of conduct, the following definitions apply.
  - a) A "suspension" means a suspension pursuant to Education Law § 3214.
  - b) A "removal" means a removal for disciplinary reasons from the student's current educational placement other than a suspension and change in placement to an interim alternative educational setting (IAES) ordered by an impartial hearing officer because the student poses a risk of harm to himself or herself or others.
  - c) An "IAES" means a temporary educational placement for a period of up to 45 days, other than the student's current placement at the time the behavior precipitating the IAES placement occurred, that enables the student to continue to progress in the general curriculum, although in another setting, to continue to receive those services and modifications, including those described on the student's current individualized education program (IEP), that will enable the student to meet the goals set out in such IEP, and include services and modifications to address the behavior which precipitated the IAES placement that are designed to prevent the behavior from recurring.
2. School personnel may order the suspension or removal of a student with a disability from his or her current educational placement as follows:
  - a) The Board, the district (BOCES) superintendent of schools or a building principal may order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed five consecutive school days and not to exceed the

amount of time a non-disabled student would be subject to suspension for the same behavior.

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

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

1. The district's Committee on Special Education shall:
  - a) Conduct functional behavioral assessments to determine why a student engages in a particular behavior, and develop or review behavioral intervention plans whenever the district is first suspending or removing a student with a disability for more than 10 school days in a school year or imposing a suspension or removal that constitutes a disciplinary change in placement, including a change in placement to an IAES for misconduct involving weapons, illegal drugs or controlled substances. If subsequently, a student with a disability who has a behavioral intervention plan and who has been suspended or removed from his or her current educational placement for more than 10 school days in a school year is subjected to a suspension or removal that does not constitute a disciplinary change in placement, the members of the CSE shall review the behavioral intervention plan and its implementation to determine if modifications are necessary. If one or more members of the CSE believe that modifications are needed, the school district 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 of a student who is facing disciplinary action, but who has not been determined to be eligible for services under IDEA and Article 89 at the time of misconduct, shall have the right to invoke applicable procedural safeguards set forth in federal and state law and regulations if, in accordance with federal and state statutory and regulatory criteria, the school district is deemed to have had knowledge that their child was a student with a disability before the behavior precipitating disciplinary action occurred. If the district is deemed to have had such knowledge, the student will be considered a student presumed to have a disability for discipline purposes.
  - a) The superintendent, building principal or other school official imposing a suspension or removal shall be responsible for determining whether the student is a student presumed to have a disability.
  - b) A student will not be considered a student presumed to have a disability for discipline purposes if, upon receipt of information supporting a claim that the district had knowledge the student was a student with a disability, the district either:
    - 1) conducted an individual evaluation and determined that the student is not a student with a disability, or
    - 2) determined that an evaluation was not necessary and provided notice to the parents of such determination, in the manner required by applicable law and regulations. If there is no basis for knowledge that the student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as any other non-disabled student who engaged in comparable behaviors. However, if a request for an individual evaluation is made while such non-disabled student is subjected to a disciplinary removal, an expedited evaluation shall be conducted and completed in the manner prescribed by applicable federal and state law and regulations. Until the expedited evaluation is completed, the non-disabled student who is not a student presumed to have a disability for discipline purposes shall remain in the educational placement determined by the district, which can include suspension.
    - 3) The district shall provide parents with notice of disciplinary removal no later than the date on which a decision is made to change the placement of a student with a disability to an IAES for either misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in his/her current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension or removal that constitutes a disciplinary change in

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

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

#### **D. Expedited Due Process Hearings**

1. An expedited due process hearing shall be conducted in the manner specified by the Commissioner's regulations incorporated into this code, if:
2. The district requests such a hearing to obtain an order of an impartial hearing officer placing a student with a disability in an IAES where school personnel maintain that it is dangerous for the student to be in his or her current educational placement, or during the pendency of due process hearings where school personnel maintain that it is dangerous for the student to be in his or her current educational placement during such proceedings.
3. 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.
4. During the pendency of an expedited due process hearing or appeal regarding the placement of a student in an IAES for behavior involving weapons, illegal drugs or controlled substances, or on grounds of dangerousness, or regarding a determination that the behavior is not a manifestation of the student's disability for a student who has been placed in an IAES, the student shall remain in the IAES pending the decision of the impartial hearing officer or until expiration of the IAES placement, whichever occurs first, unless the parents and the district agree otherwise.
5. 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.
6. An expedited due process hearing shall be completed within 15 business days of receipt of the request for a hearing. Although the impartial hearing officer may grant specific extensions of such time period, he or she must mail a written decision to the district and the parents within five business days after the last hearing date, and in no event later than 45 calendar days after receipt of the request for a hearing, without exceptions or extensions.

## **24. Referral to Law Enforcement and Judicial Authorities**

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

- A. The district may report a crime committed by a child with a disability to appropriate authorities, and such action will not constitute a change of the student's placement.

- B. 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.

## **25. Child Protective Services Investigations**

Consistent with the district's commitment to keep students safe from harm and the obligation of school officials to report to child protective services when they have reasonable cause to suspect that a student has been abused or maltreated, the district will cooperate with local child protective services workers who wish to conduct interviews of students on school property relating to allegations of suspected child abuse, and/or neglect, or custody investigations. All requests by child protective services to interview a student on school property shall be made directly to building principal or his or her designee. The principal or his or her designee shall set the time and place of the interview. The principal or designee shall decide if it is necessary and appropriate for a school official to be present during the interview, depending on the age of the student being interviewed and the nature of the allegations. If the nature of the allegations is such that it may be necessary for the student to remove any of his or her clothing in order for the child protective services worker to verify the allegations, the school nurse or other district medical personnel must be present during that portion of the interview. No student may be required to remove his or her clothing in front of a child protective services worker or school district official of the opposite sex. A child protective services worker may not remove a student from school property without a court order, unless the worker reasonably believes that the student would be subject to danger of abuse if not he or she were not removed from school before a court order can reasonably be obtained. If the worker believes the student would be subject to danger of abuse, the worker may remove the student without a court order and without the parent's consent.

## **26. Visitors to the School**

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

- A. Anyone who is not a regular staff member or student of the school will be considered a visitor.
- B. All visitors to the school must report to the office of the principal upon arrival at the school. There they will be required to sign the visitor's register and will be issued a visitor's identification badge, which must be worn at all times while in the school or on school grounds. The visitor must return the identification badge to the principal's office before leaving the building.
- C. Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings, are not required to register.
- D. Parents or citizens who wish to observe a classroom while school is in session are required to arrange such visits in advance with the classroom teacher(s), 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 or 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.

## **27. Public Conduct on School Property**

The district is committed to providing an orderly, respectful environment that is conducive to learning. To create and maintain this kind of an environment, it is necessary to regulate public conduct on school property and at school functions. For purposes of this section of the code, "public" shall mean all persons when on school property or attending a school function including students, teachers and district personnel. The restrictions on public conduct on school property and at school functions contained in this code are not intended to limit freedom of speech or peaceful assembly. The district recognizes that free inquiry and free expression are indispensable to the objectives of the district. The purpose of this code is to maintain public order and prevent abuse of the rights of others. All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner. In addition, all persons on school property or attending a school function are expected to be properly attired for the purpose they are on school property.

"Be it resolved, that the West Valley Central School Board of Education hereby prohibits the practice of loitering on school grounds, at any time, by persons who are not attending classes at WVCS and have no other apparent cause to be on school property. This provision extends to persons of all ages." (April 2004)

#### **A. Prohibited Conduct**

No person, either alone or with others, shall:

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

#### **B. Penalties**

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

1. Visitors. Their authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection.
2. Students. They shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.

3. Tenured faculty members. They shall be subject to disciplinary action as the facts may warrant in accordance with Education Law §3020-a or any other legal rights that they may have.
4. Staff members in the classified service of the civil service entitled to the protection of Civil Service Law §75. They shall be subject to immediate ejection and to disciplinary action as the facts may warrant in accordance with Civil Service Law §75 or any other legal rights that they may have.
5. Staff members other than those described in subdivisions 4 and 5. They shall be subject to warning, reprimand, suspension or dismissal as the facts may warrant in accordance with any legal rights they may have.

**C. Enforcement**

The building principal or his or her designee shall be responsible for enforcing the conduct required by this code. When the building principal or his or her designee sees an individual engaged in prohibited conduct, which in his or her judgment does not pose any immediate threat of injury to persons or property, the principal or his or her designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The principal or his or her designee shall also warn the individual of the consequences for failing to stop. If the person refuses to stop engaging in the prohibited conduct, or if the person's conduct poses an immediate threat of injury to persons or property, the principal or his or her designee shall have the individual removed immediately from school property or the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the person. The district shall initiate disciplinary action against any student or staff member, as appropriate, with the "Penalties" section above. In addition, the district reserves its right to pursue a civil or criminal legal action against any person violating the code.

## **28. Emergency School Closings and Information**

If hazardous conditions make it necessary to close school, open late or dismiss early or late, the following radio & television stations will be asked to broadcast the announcements. When school is closed because of hazardous conditions, all after school and evening activities are generally cancelled. When in doubt, a call to the advisor of the activity is recommended.

## RADIO

WGR 550 am Buffalo  
WBEN 930 am Buffalo  
WEBR 970 am Buffalo  
WSPQ 1330 am Springville  
WHDL 1450 am Olean  
WBUF 93.0 fm Buffalo  
WPIG 95.7 fm Olean  
WYRK 106.5 fm Buffalo

## TELEVISION

Channel 2 WGRZ Buffalo  
Channel 4 WIVB Buffalo  
Channel 7 WKBW Buffalo

### Opening Late

Sometimes early morning conditions are unfavorable but seem to be improving. When this occurs the school bus run may be postponed for one or two hours. For example, if the bus usually stops for students at about 7:30 a.m., it will be there at about 8:30 a.m. if it has been announced that the "buses will run one hour late." If school does open late, please do not drop students off at school before the adjusted opening time and leave them unattended. (Teachers and other staff also may be late to school because of weather conditions.)

### Dismissing Early

Occasionally mid-day conditions make it wise to dismiss earlier than usual. It is a good idea to make sure that all students understand exactly what to do and where to go should an early dismissal be necessary when parents or guardians are not at home. The students will be transported to the residence that parents/guardians designated during emergencies. **Each September, parents/guardians are sent an emergency dismissal form for each student with the emergency people to be listed with phone numbers when parents/guardians cannot be reached.**

## 29. BOARD OF EDUCATION POLICIES

### A. SUBJECT: STUDENT EVALUATION

Policy 7210

#### 1. Placement

Placement within the system, with respect to building, teacher, and grade or special class shall be at the discretion of the school administration and shall be subject to review and change at any time. In making such decision, the administrator will be guided by the performance in class, past records, parent/legal guardian and teacher recommendations, standardized test scores, and any other appropriate sources of information. The final decision shall rest with the school administration.

#### 2. Promotion and Retention

The procedures to be followed by the staff regarding promotion and retention will be developed by the Superintendent who will consider recommendations from the faculty, the Shared Decision Making team, the administrators and the Board of Education. The procedures will be continually evaluated in the light of School District Policy. A Principal may establish written standards for promotion or retention within the school units to which the students are assigned (Pre-K-6; 7-12) subject to the guidelines of the Superintendent and the approval of the Board of Education. (See "Repeating Courses Failed in Grades 7-12" pg. 40)

#### 3. High School Promotion (Grades 7-12)

To "be a member of the Class" means to sit in the homeroom of that class, and to participate in Class meetings and class activities of that Class. If, in September, a student has earned less than the specific number of credits (units) to be promoted to the next grade; and if the student completes enough credits by the end of January during that year, s/he may advance to the next grade and become a member of the Class to which s/he would normally belong. One-half credit shall be awarded for the successful completion of a half-year (20 week) course. One credit shall

be awarded for the successful completion of a one year (40 week) course. Three credits shall be awarded for the successful completion of one year (40 weeks) of a Vocational Technical course at BOCES.

- For a student to be a member of the 7th grade, s/he must have successfully completed the requirements for passing the 6th grade.
- For a student to be a member of the 8th grade, s/he must have successfully completed the 7th grade courses (refer also to “Repeating Courses Failed”).
- For a student to be a member of the 9th Grade (Freshman) Class, s/he must have successfully completed 8<sup>th</sup> grade subjects (refer also to “Repeating Courses Failed”).
- For a student to be a member of the 10th Grade (Sophomore) Class, s/he must have earned a minimum of 5.5 units of credit.
  
- For a student to be a member of the 11th Grade (Junior) Class, s/he must have earned a minimum of 11 units of credit.
  
- For a student to be a member of the 12th Grade (Senior) Class, s/he must have earned a minimum of 16.5 units of credit, and also be able to complete the requirements for graduation by the end of the Senior year.

Note: For a student to be eligible to attend a BOCES Vocational-Technical program, she/he must have earned at least 11 credits toward graduation and be a member of the Junior Class in good academic standing. IF, by special arrangement, a 9th or 10th grade student is granted permission by the Superintendent to attend a Vo-Tech program, his/her parents or guardians will be required to acknowledge in writing, that the student is unlikely to be able to graduate from WVCS with his/her Class, and that s/he will likely need to be content with a BOCES VoTech certificate of graduation. ALL students who wish to attend the BOCES GED program, including the Alternative GED program must have earned at least 11 units of credit toward graduation.

Summer School is offered to all students and is the financial responsibility of the student. It is the suggested alternative for repeating 7 –11<sup>th</sup> grade classes in order to avoid retention and to pass on to the next grade.

The above provisions are subject to student and or parent/guardian appeal to the Superintendent who will review the situation and make a determination of decision, which shall be final.

**B. WEIGHTING OF COURSE GRADES Policy # 7212 (a)** Adopted 8/7/00  
(End of year final average/class ranking computation only)

Beginning with students who were in the 9<sup>th</sup> grade in 1999, the following system of grade weighting will be used for the purpose of class ranking at the end of each year:

- Passing a basic Regents course and the Regents examination with a minimum grade of 65% will be weighted by a factor of times 1.05. (Basic Regents courses are defined as Course I, Global Studies, US History, Earth Science, and Comprehensive English/ELA)
- Passing a Regents course beyond those that are basic, and a Regents examination will be weighted by a factor of times 1.075.
- AP or College Equivalent courses which are passed with a minimum grade of 65% will be weighted by a factor of times 1.10.
- Passing grades earned by students in a BOCES Vocational-Technical course which carries three credits, will have that grade multiplied by three as final class ranking averages are computed. All other grades will be counted once.

## **ACCUMULATED CREDIT WEIGHTING**

(End of year, final average/class ranking computation only)

For students who entered 9<sup>th</sup> grade in 1999 or thereafter, an additional opportunity to gain weighting credit will be provided only for students whose accumulated credits are three less than the number of class periods per day. For example, in an eight period day, the minimum number of accumulated credits is five. Therefore, Accumulated Credit Weighting (ACW) would apply to the student's final average if more than five credits are earned on the following scale:

- One credit earned above the minimum, an ACW of 1.02 is applied to the final average.
- Two credits earned above the minimum, an ACW of 1.04 is applied to the final average.
- Three credits earned above the minimum, an ACW of 1.06 is applied to the final average.

Notes: The final average earned by a student could include a weighted grade average PLUS an Accumulated Credit Weighting.

Student rank will be reported as "raw average" and "weighted average". The weighted average will be used to determine class rank for the purposes of reporting to colleges and universities, as well as the determination of the Valedictorian and Salutatorian of the graduating class. The class rankings, using weighted averages, will be computed at the end of the school year, except for the Senior year when the student's rankings will be determined at the end of the third quarter. This rank will serve to report the final class ranking, including the selection of the Valedictorian and the Salutatorian.

Adopted 8/7/00

### **C. Repeating Courses Failed in Grades 7 – 12**

In order to pass a course in the 7<sup>th</sup> and the 8<sup>th</sup> grades, a student must earn a final grade of at least 65%. Students failing the equivalent of 2 or more full year subjects are required to attend and successfully complete summer school in order to be promoted. Students failing the equivalent of 3 full year subjects are required to take and successfully complete 2 summer school courses in order to be promoted to the next grade. Students failing the equivalent of 4 full year subjects will be retained in the grade - without the option of summer school. Students unwilling or unable to attend summer school will be retained in their present grade level.

In order to receive a unit of credit in a Regents course a student must earn a final grade of 65% **and** pass the Regents examination with a 65%. The calculation of the final grade will be based upon a weighting of 20% for each quarter and 20% for the final exam grade.

In order to receive a local unit of credit a student must earn a final grade of 65%. The calculation of the final grade will be based upon a weighting of 20% for each quarter and 20% for the final exam grade. To receive local credit in a course where a Regents examination is required, a student must achieve a final score on the exam as specified at the time by the Board of Education, generally 55% or more during the phase in period.

In order to receive a unit of study in grades 7-8 a student must earn a final grade of 65%. The calculation of the final grade will be based upon a weighting of 20% for each quarter and 20% for the final exam grade.

In grades 9-12 if a student does not achieve these standards, s/he will be required to repeat the course failed. A semester course will be repeated for a semester, a full year course will be repeated for the entire year. The exception and the suggested alternative is for the student to repeat the failed course in summer school.

A student who has failed a course may only double courses once during his/her high school program in any of the core academic areas of Mathematics, Science, English and Social Studies.

Courses that are sequential in nature (Course I, II, III; Spanish I, II, III) cannot be doubled – the prerequisite course must be passed before a student is allowed to enroll in the subsequent course.

#### **D. 55/65 Passing Grade for Graduation**

When the New York State Board of Regents approved higher academic standards for all high school students, it recognized some students would require a “safety net” during the phase-in period. In particular, all students are now required to pass Regents examinations in order to receive a local diploma. One feature of the “safety net” is an opportunity for local Boards of Education to approve variances to the passing grade on Regents examinations. In other words, and depending on when a student enters the ninth grade, s/he may receive credit towards a local diploma by passing the Regents exam with a grade of at least a 55%. In all cases, students must pass the exams with a 65% in order to receive a Regents diploma.

The West Valley Board of Education decided to take advantage of this option and has approved the following passing grades for required Regents exams. Take note that the requirements apply to a student based upon the year in which s/he entered the 9<sup>th</sup> grade.

- For students who first enter grade nine in September 1996, 1997, 1998 and 1999, a score of 55% on the English Regents exam shall be considered passing for a local diploma.
- For students who first enter grade nine in September 1997, 1998, 1999 and 2000, a score of 55% on a Regents math exam shall be considered passing for a local diploma.
- For students who first enter grade nine in September 1998 and 1999, a score of 55% on the US History and Government Regents exam shall be considered passing for a local diploma.
- For students who first enter grade nine in September 1998 and 1999, a score of 55% on the Global Studies Regents exam shall be considered passing for a local diploma.
- For students who first enter grade nine in September 1999 and 2000, a score of 55% on a Regents science exam shall be considered passing for a local diploma.

Nov. 3, 2003 : The Board Of Education agreed to accept the proposed diploma requirements based on Regents action to allow local options to extend the 55% low-pass standard for a local high school diploma, and the 65% option to earn a Regents diploma. This action extends to the cohort of students entering 9<sup>th</sup> grade in September 2004 and continues until that cohort graduates in June, 2008.

## **30. Library Policy**

### **THEFT OR MUTILATION**

The West Valley Central Library considers the theft, the willful mutilation or defacement of library materials or property, the illegal removal of library materials or property, and the fraudulent attempt to obtain library materials or to gain access to library facilities, to be serious offenses. Such offenses include but are not limited to:

- a. the theft of any library materials or property;
- b. the unauthorized removal of any library materials or property by failing to check out the materials at the Circulation desk or by failing to obtain other appropriate authorization;
- c. the removal of any part of library books, journals, or other research materials;
- d. the defacement in any way, of library materials or property including the writing, highlighting or underlining by any means in or on any library materials;

- e. the damage of library materials, furniture or equipment by food or drink or other means;
- f. the deliberate or willful tampering with the configuration of library workstations;
- g. any violation of the District **Acceptable Use Policy**

If the actions of an individual are clearly in violation of the acceptable behavior, procedures, codes and regulations as stated in The West Valley Student Handbook and Code of Conduct, the student shall be referred to the dean for disciplinary sanction under the Major Discipline Offenses.

### **ENFORCEMENT AND SANCTIONS**

Staff Librarians will monitor behavior within the Library and may request individuals or groups to cease and desist from any behavior deemed to limit the rights of others to use or have access to library materials, services or facilities.

The application of sanctions is determined solely by the School Administration.

Staff Librarians shall advise the alleged offender of the substance of the complaint, and provide a fair but informal opportunity for response. After considering the evidence and submissions of the alleged offender, and any further evidence or submissions which, in the discretion of Library Staff may be relevant or helpful, the LMS shall dismiss the complaint or impose one or more of the following:

- h. write a referral to the dean;
- i. suspend library privileges and/or prohibit access to the Libraries for varying periods;
- j. levy charges and/or fines for the replacement of library materials or property in accordance with Administrative Regulations or Board Policies of the West Valley High School District.

### **APPEALS**

The principal or dean shall make all decisions regarding whether or not a user has violated these regulations and may deny, revoke, or suspend a user's access at any time. The decision of the principal or dean shall be final.

## **31. Dissemination and Review**

### **Dissemination of Code of Conduct**

The Board will work to ensure that the community is aware of this code of conduct by:

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

The board will sponsor an in-service education program for all district staff members to ensure the effective implementation of the code of conduct. The superintendent may solicit the recommendations of the district staff, particularly teachers and administrators, regarding in service programs pertaining to the management and discipline of students. The board of education will review this code of conduct every year and update it as necessary. In conducting the review, the board will consider how effective the code's provisions have been and whether the code has been applied fairly and consistently. The board may appoint an advisory committee to assist in reviewing the code and the district's response to code of conduct violations. The committee will be made up of representatives of student, teacher, administrator, and parent organizations, school safety personnel and other school personnel. Before adopting any revisions to the code, the board will hold at least one public hearing at which school personnel, parents, students and any other interested party may participate. The code of conduct and any amendments to it will be filed with the Commissioner no later than 30 days after adoption.