

# Cincinnatus Central School

## STUDENT CODE OF CONDUCT 2021-2022



**Meeting Students' Needs  
Awakening their Minds  
Touching their Hearts**

## STUDENT CONDUCT AND DISCIPLINE

### Section 1: STUDENT RIGHTS AND RESPONSIBILITIES

The school district is committed to providing a safe and productive learning environment within its schools. In accordance with New York State's "Dignity for All Students Act" ("DASA") the Cincinnati Central School District is committed to promptly addressing incidents of harassment and/or discrimination of students that impede students' ability to learn. This includes cyberbullying that is defined by harassment or bullying by any form of electronic communication, and includes incidents occurring off school property that create or would foreseeably create a risk of substantial disruption within the school environment.

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 person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
- 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.

All district students have the responsibility to:

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

**Definitions:**

- **School Property** means in or within any building, structure, athletic playing field, playground, parking lot, or land contained within the real property boundary line of a public elementary or secondary school, and in, or on, a school bus.
  
- **School Bus** means every motor vehicle owned by a public or governmental agency or private school and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities, or, privately owned and operated for compensation for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities.
  
- **School Function** means **any** school-sponsored extracurricular event or activity **on or off school grounds including sporting events and field trips.**
  
- **Disability** means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment, provided, however, that in all provisions of this article dealing with employment, the term must be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held.
  
- **Employee** means any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to Title Nine B of article five of the Social Services Law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact.
  
- **Sexual Orientation** means actual or perceived heterosexuality, homosexuality, or bisexuality.
  
- **Gender** means actual or perceived sex and includes a person's gender identity or expression.
  
- **Discrimination and Harassment** means an intentional act against any student, on school property or at a school function, that creates a hostile environment by conduct, with or without physical contact by verbal threats, intimidation or abuse, of such a severe nature that it:
  - (a) has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional physical well-being;

Or

(b) Reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety.

Such conduct shall include, but is not limited to, threats, intimidation, or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex, or other basis.

• ***Cyberbullying***: Including, but not limited to, the use of cell phones, e-mail, social media platforms, chat rooms or social networking (or other electronic modalities) to harass, threaten, or intimidate someone by means of video, pictures or words. Types of cyber-bullying may include but are not limited to posting, sending or forwarding inappropriate or derogatory messages or images, viruses, humiliating messages, sharing private information, sending hateful or defamatory remarks.

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

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

• ***Violent student*** means a student under the age of 21 who:

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

• ***Weapon*** means a firearm as defined in 18 USC §921 for purposes of the Gun-Free Schools Act. 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, slingshot, metal knuckle knife, box cutters, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance that can cause physical injury or death when used to cause physical injury or death.

## Section 2: PROHIBITED STUDENT CONDUCT

A student shall be subject to disciplinary action in relation to the following:

- (1) Being under the influence of an alcoholic beverage, drinking an alcoholic beverage or in possession of an alcoholic beverage on school premises (including buildings or grounds) or on a bus going to or from a school function or a school-sponsored function. Alcoholic beverages shall mean and include alcohol, spirits, liquor, wine, beer and cider having alcoholic content.
- (2) The use, possession, sale or gift of any drug or controlled substance, including marijuana, look-alike drugs, designer drugs or any instruments for the use of such drugs, controlled substance or marijuana such as a pipe, syringe or other paraphernalia, while on school premises (including buildings or grounds) or on a bus going to or from a school function or school-sponsored function. Exception is any drug taken in accordance with a current prescription signed by a physician that is to be taken by that particular student at the time in question.
- (3) Stealing, lying, cheating, plagiarism or other acts of dishonesty.
- (4) Verbal or physical intimidation.
- (5) Fighting or causing physical harm to another.
- (6) Disrespect toward a faculty member.
- (7) Engaging in acts of misconduct while on the school bus.
- (8) Possession or use of a weapon, which constitutes a firearm or destructive device, on school premises. School premises include school grounds, school buildings, or a school bus.
- (9) Possession or use of knives or other weapons on school premises. A school premise includes school grounds, school buildings, or a school bus.
- (10) Failure to comply with the reasonable directions of a teacher, administrator or other school employee.
- (11) Engaging in acts of sexual harassment, harassment, or discrimination as defined in this code.
- (12) Using in either words, clothing, or signs, profane, lewd, vulgar, abusive language or words which may incite or offend another person.
- (13) Selling, using or possessing obscene material.
- (14) Lateness for, missing or leaving school or class without permission or an excuse given by a faculty member.
- (15) Any willful act that disrupts the normal operation of the school community.
- (16) Smoking a cigarette, cigar or pipe, or using or being in possession of tobacco, including chewing or smokeless tobacco, **vapes or e-cigarettes**, on school premises (including buildings or grounds) or on a bus going to or from a school function or a school-sponsored function.

Examples of behaviors that warrant disciplinary action include, but are not limited to, the following:

- Violation of dress code
- Violent behavior
- Disruptive behavior
- Use of vulgar and abusive language

- Intimidation
- Violation of the Acceptable Use Policy
- Insubordination – refusing to comply with a reasonable directive from any Cincinnati Central School staff member, willfully failing to adhere to the Cincinnati Central School Code of Conduct, leaving school grounds without permission, using obscene or vulgar language, or being verbally disrespectful to staff.
- Lateness, cutting class, truancy
- Skipping detention
- Acts of dishonesty (including lying, stealing, defamation, discrimination, plagiarism, copying, cheating, and complicity in the above behaviors)
- Harassment, which includes a sufficiently severe action or a persistent, pervasive pattern of actions or statements directed at an identifiable individual or group, which are intended to be or which a reasonable person would perceive as ridiculing or demeaning. Includes violations of district policy **7550 – Bullying: Peer Abuse in the Schools.**
- Hazing, which includes any intentional or reckless act directed against another for the purpose of initiation into, affiliating with or maintaining membership in any school-sponsored activity, organization, club or team.
- Selling, using, possessing obscene materials
- Possession, use of tobacco products, including vapes or e-cigarettes
- Possession, consumption, sale, distribution, exchange of alcoholic beverages or illegal substances
- Inappropriately using or sharing prescription and over-the-counter drugs
- Gambling
- Indecent exposure
- Public display of affection
- Willful and deliberate making of a false report of fire or other catastrophe, misuse of 911, discharging a fire extinguisher

### **Student Dress Code**

All students are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions. Students and their parents have the primary responsibility for acceptable student dress and appearance. Teachers and all other district personnel should exemplify and reinforce acceptable student dress and help students develop an understanding of appropriate appearance in the school setting. Students are required to attend school in appropriate dress that meets health and safety standards and does not interfere with the learning process. Students are also required to wear appropriate protective gear in certain classes (including, but not limited to: technology, physical education, science).

A student's dress, grooming and appearance shall:

- Be safe and appropriate for the school-setting.
- Extremely brief garments such as short skirts, (spandex mini-skirts), short shorts, tube tops, net tops, halter tops, spaghetti straps (straps must be at least two fingers in width), plunging necklines (front and/or back), see-through garments, and other garments that bare the midriff or back are not appropriate. Students must wear pants, shorts, skirts,

dresses, and shirts appropriately at the waist level to ensure that all abdomen (chest and stomach) and back areas are completely covered. Clothing worn for physical education classes or athletic purposes must be acceptable to the instructor and/or coach.

- Avoid wearing strapless tops and/or dresses during the school day.
- Not wear tank tops/muscle shirts that have armholes that are more than the size of one's palm when placed under the arm.
- Not wear jeans with holes in them where skin is visible inappropriately
- Ensure that underwear is completely covered with outer clothing.
- Include footwear at all times. Footwear that is a safety hazard will not be allowed. Elementary students will wear proper footwear during physical education class and recess.
- Not include items that are vulgar, obscene, libelous, or denigrate others because of a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
- Not promote and/or endorse the use of alcohol, tobacco, or illegal drugs and/or encourage other illegal or violent activities.
- **Students will be allowed to wear hats and hoods in the hallways and common areas of the school building such as the Visitors' Center and cafeteria. Hats and hoods should not interfere with the educational processes of the school, must not show or promote drugs, alcohol, weapons, or tobacco/vaping products, and should be removed politely if asked by a school employee. Teachers may expect students to remove their hats and hoods in their respective classrooms. Exceptions are hats worn for a medical or religious purpose. The Principals may use their discretion for when students may wear hats or hoods.**

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. 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. Determinations of what is appropriate/inappropriate shall be the decision of the administrator.

### **Public Display of Affection**

Although it is understood that school does provide an opportunity for social interaction, it is expected that students will conduct themselves in an appropriate manner. A public display of affection can make others uncomfortable.

Examples of appropriate public displays of affection are:

- Holding hands while walking down the hall
- A quick kiss or hug

Examples of inappropriate public displays of affection are:

- Touching each other inappropriately (other than holding hands)
- Holding bodies close to each other

- Prolonged kissing

If any faculty member, staff member, or administrator witnesses an inappropriate public display of affection, the students will be informed of their inappropriate behavior. Failure to comply, and correct the situation will be considered insubordination and the individual(s) may be subject to disciplinary action.

### **Bus Rules**

The conduct of each student while riding on the school buses to and from school is extremely important to the physical safety of everyone on the bus. All parents, as well as the students, should be constantly aware of the rules that guide behavior on the school bus. Students riding spectator buses or who are going on field trips are required to observe the same bus rules. It is very important for the school and the home to work together to enforce bus rules and bus behavior.

The following guidelines will govern student conduct on school buses:

- The bus driver is in charge of the bus. The driver's instructions are to be obeyed promptly by all passengers.
- Upon boarding the bus, students will select a seat and remain seated for the duration of the trip. Feet will remain out of the aisle. All parts of a student's body and all objects will remain inside the bus. Bus drivers may assign seats when they feel it is necessary.
- Students will not bring objects on the buses that are, in the judgment of the driver, potentially dangerous or distracting to other students or the driver.
- Students are to be at their bus stop prior to the bus's arrival. Students who are approaching the bus stop as the bus arrives and who make no effort to be on time may be left behind.
- **Students may use cell phones or electronic devices to listen to music, watch videos, etc, as long as they use headphones or earbuds. Playing loud music or videos through speakers is not permitted.**
- Student actions that have the effect of distracting the driver or otherwise interfering with the driver's ability to operate the vehicle in a safe manner are prohibited. Such actions may include, but are not limited to the following:
  1. Throwing objects within or out of the bus
  2. Harassing or fighting with other passengers
  3. Extending head, hands, arms, or legs out of bus windows
  4. Operating or otherwise tampering with emergency exits
  5. Eating, drinking, smoking, and the possession or use of drugs or alcohol
  6. Creating excessive noise, including verbal abuse of fellow passengers and the use of profanity
  7. Causing damage to the vehicle (students responsible for damages will be billed for the repairs)
  8. Tampering with the vehicle's operating or safety controls
  9. Obstructing the driver's vision
  10. Threatening, verbally abusing, attacking or swearing at the driver

### **Misconduct on School Buses**

If a student acts inappropriately on a bus, the bus driver shall issue a warning and/or bring such misconduct to the attention of the Building Principal by filling out a bus referral form. Disciplinary measures for misconduct on school buses may include a Principal's conference with the student, and may include a Principal's conference with the student's parent. The Principal will take disciplinary action deemed appropriate, up to and including suspension of riding privileges.

Building Principals are authorized to suspend students from bus riding privileges for extended periods of time when the nature of the offense or the recalcitrance of the student warrants such action. Parents will be informed by the Building Principal of violations of the Code of Conduct and of disciplinary actions taken.

### **Cafeteria Rules**

The food people eat each day makes a difference in the way they look and feel, and how well they grow and learn. The Cincinnati Central School cafeteria provides a **free** breakfast and lunch for any student who attends our district.

A great opportunity exists for students to enjoy a hot breakfast from 8:00 – 8:15 a.m. any morning **free of charge**. Students in grades 7-12 who eat breakfast in school will report to the cafeteria immediately upon entering the building. Students will eat their breakfast in the cafeteria and then immediately report to their homeroom/period 1 class. Breakfast foods will not be allowed to leave the cafeteria. **The exception to this is for any student going to a morning BOCES program – those students may pick up their free breakfast food in the cafeteria and then return to the bus loop to board the BOCES bus.**

Cafeteria rules include the following:

- Cooperate with cafeteria staff and supervisors.
- Keep in a straight, orderly line while waiting to be served.
- Behave appropriately with no boisterous behavior such as shouting from table to table, making loud noises, hopping over tables and/or chairs, running, or pushing.
- Eat, clear the table and floor around you of all litter and spills, and return your tray.
- Place all waste materials in appropriate containers.
- Handle food and silverware appropriately. The student involved will pay for any damaged cafeteria equipment.
- Take no food or drink from the cafeteria. Food brought in from home is to be eaten in the cafeteria at appropriate times.
- Remain in the cafeteria for the entire lunch period unless a pre-signed pass from the teacher of your destination is presented to the cafeteria monitor.

Failure to follow the guidelines for the cafeteria may result in disciplinary action. We discourage students from bringing cans or plastic containers of soda (not nutritional) to the cafeteria – glass containers are not allowed.

## **Food and Drink in Classrooms and Hallways**

There should be no eating of food in the hallways. Students may carry a water bottle. No GLASS containers, please.

## **Senior Lounge**

The Senior Lounge is a privilege extended to seniors who act as good role models for underclassmen in the school community. The seniors have two areas to use for this privilege including the bus loop foyer near Wilbur Auditorium and the quad area outside. The expectations are as follows:

- Seniors only
- If failing any class, not permitted in the lounge
- Only during study halls and lunch (seniors must sign out first)
- Sitting on the tables is prohibited
- No projectiles of any kind
- Low noise level
- Area kept clean - No garbage or food mess left behind
- Must be on time to next class
- Must remain in the area and not wander unless signing out for another destination
- May use electronic devices/cell phones in Senior Lounge in compliance with the rules/restrictions\*
- Playing cards is permitted in Senior Lounge only; gambling prohibited

\*Seniors may use electronic devices/cell phones in the Senior Lounge given the following rules/restrictions:

- If students wish to listen to music while in the Senior Lounge, they must use headphones.
- Texting, Facebook, phone calls, and other ways of communicating are permitted unless contacting others who are in class or elsewhere in the building, outside of the Senior Lounge. If a senior is found communicating with other students in the school building the senior will lose the Senior Lounge privilege for 5 school weeks.
- If it is discovered that electronic devices/cell phones are being used in the Senior Lounge for bullying, harassment or cheating purposes, consequences will be carried out according to the Code of Conduct and the seniors involved will lose the Senior Lounge privilege for at least 5 school weeks.
- **If seniors are caught outside of the Senior Lounge using their electronic device/cell phone, consequences will be carried out according to the Code of Conduct and Senior Lounge privileges will be revoked accordingly.**
- **All seniors must sign an agreement promising to abide by this set of rules/restrictions, posted in the lounge, prior to using this privilege and the Senior Lounge.**

Acceptable behavior is an expectation or privileges may be revoked at any time. When a senior demonstrates behaviors that require disciplinary consequences, this privilege will be revoked as follows: Lunch detention/detention (each detention = revoked for 2 school days), ½ day ISS

(revoked for 1 school week), full day ISS (revoked for 2.5 school weeks), OSS (per offense, revoked for 5 school weeks).

### **Elementary Philosophy/Behavior**

We all recognize Character Education as an important part of our children's lives. At Cincinnatus Elementary, we will be focusing on the social skills as outlined by our philosophy and expectations for our children. We hope to encourage students to live by the adage, "*Character is doing what's right, even when no one is looking.*" We want our students to "have the courage to do the right thing" and to be young people of positive character.

### **Teachers are expected to be the first line of defense in handling student discipline issues.**

As an Elementary school, we embrace an approach to teaching and learning that fosters safe, challenging, and joyful elementary classrooms. This approach consists of practical strategies for bringing together social and academic learning throughout the school day. We foster learning environments where children thrive academically, socially, and emotionally.

### **Elementary Classroom Expectations**

Students are responsible for being familiar with and abiding by posted classroom expectations. Students who disrupt classroom instruction may be given a time-out. The procedure allows the student time to reflect on their inappropriate behavior while also allowing the teacher to continue instruction. Time-outs may occur in the student's classroom, another classroom, or the office, depending on frequency and severity. Repeated inappropriate and/or unsafe behavior will result in further disciplinary action as determined by the Principal. Please refer to the Student Rights and Responsibilities section.

### **Playground Expectations Grades UPK-4**

- We will play safely with our hands and feet to ourselves.
- We will follow the rules of games and swings.
- We will use kind words.
- We will respect property.
- Games that involve throwing are to be done safely. Potentially harmful objects shall not be thrown.
- Candy or gum is prohibited on the playground.

Repeated inappropriate and/or unsafe behavior will result in further disciplinary action as determined by the Principal. Please refer to the Student Conduct and Discipline section.

Students will go outside for recess when weather permits. The temperature must be 20 degrees or above (including wind chill). Use of the website [www.wunderground.com](http://www.wunderground.com) determines our local weather for recess purposes.

### **Cell Phone/Electronic Devices in School**

**Instructional time in the classroom is essential for quality instruction and the learning of our students. Problems and distractions sometimes arise when students bring electronic devices to school for non-educational purposes. Generally speaking, electronic use, including cell phones, is not allowed during the school day for non-educational purposes. If there is a situation where an individual student(s) needs to use electronic devices for**

**educational purposes, prior permission must be sought from the Principal by filling out the Electronic Device Acceptable Use Form. Permission will be granted on an individual basis and at the Principal's discretion.**

Teachers have a responsibility to establish how cell phones will be used in their classroom – not a total ban on cell phone use.

When not in use, the cell phone or electronic device must be silenced or turned off.

Students will be allowed to use their phones in between classes to check texts, but they must be in class and phones put away when class begins

Consequences:

1<sup>st</sup> offense – cell phone is confiscated, stored in the HS office until the end of the day

2<sup>nd</sup> offense – cell confiscated, stored in HS office, picked up by parent/guardian after student calls home to inform parent

3<sup>rd</sup> offense – cell phone confiscated, stored in HS office, parent/guardian picks it up, progressive disciplinary consequences at the Principal's discretion

Students will be allowed to use their cell phones/devices on the buses to listen to music, etc, however, students will need to use headphones or earbuds to avoid creating excessive noise from multiple devices being used at the same time

The use of personal electronic devices should never compromise the mental, emotional, or physical safety of any student, employee, visitor, or volunteer. The following activities are strictly prohibited during school hours and school events: the taking, receiving, disseminating, and/or posting of inappropriate videos or pictures of students, staff, visitors, or volunteers; texting inappropriate or threatening messages or pictures to students, staff, visitors, or volunteers; bullying students, staff, visitors, or volunteers. The use of any electronic devices during examinations, other than those sanctioned by the instructor or proctor in charge of testing is strictly prohibited. "Inappropriate" includes sexual, violent, threatening, drugs/alcohol messages or images.

**Students in grades 5 and 6 should not have cell phones out during school hours, including lunch and recess time. Teachers can expect students to put their phones away during the school day and students should expect teachers to remind them to put their phones away.**

Students may use the phones in the Guidance Office, Visitor's Center and/or the UPK-4 and 5-12 Offices with permission.

Parents/Guardians may call these offices at any time if there is an emergency and/or it is necessary to contact their children.

## **Plagiarism**

Plagiarism is an extremely serious offense. A person is guilty of plagiarism when (s)he uses someone else's facts, data, or ideas without telling where the information has come from. Simply put, plagiarism is stealing someone's work and passing it off as one's own.

A person is guilty of plagiarism when doing one of the following:

- Using someone's information word for word
- Paraphrasing someone else's work
- Changing the words in someone else's work
- Summarizing someone else's work
- Copying the results of lab calculations or mathematical problems without doing the calculations oneself
- Copying homework or using someone else's ideas on an assignment, unless specifically assigned to share
- Submitting a document without a "Works Cited" page.
- Using an online translator for foreign language classes

## **Consequences:**

1<sup>st</sup> Offense – 0 for the assignment

2<sup>nd</sup> offense – 0 for the assignment, ½ day of ISS assigned

3<sup>rd</sup> offense – 0 for the assignment, full day of ISS, and conference with parent

## **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 Principal, the Principal's designee, or the Superintendent of Schools.

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, which may include permanent suspension and referral for prosecution.

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

the student and explain the conduct that violated the code of conduct and constituted a crime.

**Section 3: RANGE OF PENALTIES**

The range of penalties that may be imposed for prohibited student conduct is as follows and in no particular order:

- (1) Verbal warning;
- (2) Written warning;
- (3) Written notification to parent;
- (4) Counseling;
- (5) Probation;
- (6) Reprimand;
- (7) Detention;
- (8) Suspension from transportation;
- (9) Suspension from athletic participation;
- (10) Suspension from social or extracurricular activities;
- (11) Suspension of other privileges;
- (12) Teacher removal from a particular class;
- (13) Involuntary transfer; or
- (14) Suspension upon instruction (in accordance with Education Law 3214 and Board of Education Policy 7313).

Disciplinary measures shall be appropriate to the seriousness of the offense and, where applicable, to the previous disciplinary record of the student. Students assigned to after-school detention, lunch detention, or in-school suspension for violations of the Code of Conduct must work productively on a teacher-assigned task. Idle time will not be tolerated.

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

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

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

If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education and discipline, if warranted, shall be

administered consistent with the separate requirements of this Code of Conduct for disciplining students with a disability or presumed to have a disability. **A student identified as having a disability shall not be disciplined for behavior related to his/her disability.**

### **Minimum Periods of Suspension**

1. Students who bring or possess a weapon on school property

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

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

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

2. Students who commit violent acts other than bringing or possessing a weapon on school property

Any student, other than a student with a disability, who is found to have committed a violent act, other than bringing a weapon onto school property, shall be subject to suspension from school for at least five days. If the proposed penalty is the minimum five-day suspension, the student and the student's parent 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.

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 the teacher(s) pursuant to Education Law § 3214 (3-a) and this code on four or more occasions during a semester. 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.

## **D. REFERRALS**

### **1. Counseling**

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

### **2. PINS Petitions**

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

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

### **3. Juvenile Delinquents and Juvenile Offenders**

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

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

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

### **Teacher Disciplinary Removal of 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 utilizing effective 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 another classroom by mutual agreement of both teachers, or in an administrator’s office; (2) making arrangements for a student to receive counseling from a guidance counselor or social worker.

In instances when a student is sent out of the same classroom continuously, the appropriate administrator will review the situation with the teacher involved.

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

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

If the student poses a danger or ongoing threat of disruption, the teacher may order the student to be removed immediately. At this point, an administrator must be contacted. The teacher must 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 one school day. The teacher must complete a referral on School Tool and meet with the Principal as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal. If the Principal is not available by the end of the same school day, the teacher must arrange with the secretary to meet with the Principal prior to the beginning of classes on the next school day.

Within one school day after the student’s removal, the Principal must notify the student’s parent, 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, to discuss the reasons for removal. The teacher who ordered the removal will be expected to attend the informal conference.

If at the informal meeting the student denies the charges, the Principal must explain why the student was removed and give the student and the student’s parents a chance to present the student’s version of the relevant events. The informal meeting must be held within two school days of the student’s removal. The timing of the informal meeting may be extended by mutual agreement of the parent and appropriate administrator.

The Principal may overturn the removal of the student from class if the Principal finds any 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 may overturn a removal at any point between receiving a referral issued by the teacher and the close of school on the day following the two school day 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. Teachers must document all cases of removal of students from their classes. 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 a student's rights under state or federal law or regulation.

#### **Section 4: ROLE OF TEACHERS, ADMINISTRATORS, BOARD AND PARENTS**

Teachers, administrators, Board members and parents each have a role in the discipline code. The teacher shall report all violations of the code to the teacher's administrator. The teacher should be aware of the provisions of the code and, if in doubt regarding the code, explanations should be sought from the teacher's administrator. Teachers are expected to interpret the code for students and to give a consistent interpretation of the code.

All district teachers are expected to:

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

School Counselors will:

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.

Administrators have first line responsibility to ensure that the code is followed and enforced. Administrators shall conduct the appropriate investigation to determine if the code has been violated and, if violated, shall act in accordance with this bylaw and the laws applicable to the situation. The administrator shall interpret the code for staff members and, where advisable, request the assistance of the faculty, district employees, students and parents of the student.

Administrators will:

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
2. Ensure that students and staff have the opportunity to communicate regularly with the Principal and approach the Principal for redress of grievances.
3. Evaluate on a regular basis all instructional programs.
4. Support the development of and student participation in appropriate extracurricular activities.

The Superintendent will:

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.

Parents are requested to give assistance to the teaching staff and administration in administering the code when requested. Parents should be aware of the code.

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

Board members shall advise the superintendent of any suggested changes in the code and community feelings regarding the code. The Board will review the code at least annually. The members of the Board of Education shall be available to provide a speedy hearing of any appeal of a suspension under the provisions of Education Law 3214.

#### **Section 5: PUBLICATION AND EXPLANATION**

The rights and responsibilities of students, the discipline code and the range of penalties shall be publicized by being posted on the Cincinnati Central School website, explained to students, and provided in writing to all parents on an annual basis. The Superintendent shall determine the timing of the explanation and the manner of publication.

#### **Section 6: STRATEGIES AND PROCEDURES FOR THE MAINTENANCE AND ENFORCEMENT OF PUBLIC ORDER ON SCHOOL PROPERTY**

##### **Purpose**

The following rules and regulations are adopted for the maintenance of public order on district property and provide a program for enforcement thereof in accordance with 2801 of the Education Law.

##### **Prohibited Conduct**

No person, either singularly or in concert with others, shall:

- (1) Willfully cause physical injury to any other person, or threaten to do so for the purpose of compelling or inducing such other person to refrain from any act that he has a lawful right to do, or to do any act that he has a lawful right not to do.
- (2) Physically restrain or detain any other person, or remove such person from any place where he is authorized to remain.
- (3) Willfully damage or destroy property of the district, or remove or use such property without authorization.

- (4) Without permission, express or implied, enter into any private office of an administrative officer, faculty member or staff member.
- (5) Other than the student, employee, or Board member, enter a classroom or the building beyond the administrative office without written permission of the superintendent or his/her designee.
- (6) Enter upon and remain in any building or facility for any purpose other than for authorized uses, or in such a manner as to obstruct its authorized use by others.
- (7) Without authorization, remain in any building or facility after it is normally closed.
- (8) Refuse to leave any building or facility after being requested to do so by an authorized administrator.
- (9) Obstruct the free movement of persons and vehicles in any place to which these rules apply.
- (10) Deliberately disrupt or prevent the peaceful and orderly conduct of classes, lectures and meetings, or deliberately interfere with any person who desires to express his views, including invited speakers.
- (11) Have in his/her possession upon any premises to which these rules apply, any knife, shotgun, pistol, revolver, or other firearm or weapon without the written authorization of the superintendent, whether or not a license to possess the same has been issued to such person.
- (12) Possess, consume or exchange alcoholic beverages, drugs or narcotics on school properties.
- (13) Distribute or post any written material, pamphlet or poster without the prior written approval of the superintendent.
- (14) Urge or incite others to commit any of the acts herein prohibited

### **Penalties**

A person who shall violate any of the provisions of these rules shall:

- (1) If (s)he is a licensee or invitee, have his/her authorization to remain upon the district property withdrawn, and shall be directed to leave the premises. In the event of his/her failure or refusal to do so, he shall be subject to ejection.
- (2) If (s)he is a trespasser or visitor without specific license or invitation, be subject to ejection.
- (3) If (s)he is a student, be subject to suspension or such lesser disciplinary action as the facts of the case may warrant.
- (4) If (s)he is a faculty member, be guilty of misconduct and be subject to dismissal or termination of his/her employment or such lesser disciplinary action as the facts may warrant, including suspension without pay or censure.
- (5) If (s)he is a staff member entitled to the benefits of Civil Service Law 75, be guilty of misconduct and be subject to dismissal or termination of his/her employment or such lesser disciplinary action as the facts may warrant, including suspension without pay or censure.

## **Procedure**

In the case of a violation of this section:

- (1) The superintendent or designee shall inform any licensee or invitee, who shall violate any provision of these rules, that his/her license or invitation is withdrawn and shall direct him/her to leave the district grounds. In the event of his/her failure or refusal to do so, the superintendent or designee shall cause his/her ejection from such property.
- (2) In the case of any other violator who is neither a student nor faculty nor other staff member, the superintendent or designee shall inform the violator that (s)he is not authorized to remain on the property of the district, and direct him/her to leave such premises. In the event of this failure or refusal to do so, the superintendent or designee shall cause his/her ejection from such property. Nothing in this subdivision shall be construed to authorize the presence of any such person at any time prior to such violation, nor to affect his/her liability to prosecution for trespassing or loitering as prescribed in the Penal Law.
- (3) In the case of a student, charges for violation of any of these rules shall be presented and shall be heard and determined in the manner provided in 3214 (3) of the Education Law.
- (4) In the case of a faculty member having tenure, charges for misconduct and violation of these rules shall be made, heard and determined in accordance with 3020-a of the Education Law.
- (5) In the case of a faculty member not having tenure, the superintendent shall conduct a hearing after written notice to the teacher of the charges and shall determine the punishment of the teacher if found guilty.
- (6) In the case of any staff member who holds a position in the classified Civil Service as described in Section 75 of the Civil Service Law, charges of misconduct for violation of any of these rules shall be made, heard and determined as prescribed in that section.
- (7) In the case of any staff member who does not hold a position in the classified Civil Service and is not covered by the provisions of Section 75 of the Civil Service Law, the superintendent shall conduct a hearing after written notice to such staff member of the charges, and shall determine the punishment if such staff member is found guilty.

## **Enforcement Program**

The responsibility for enforcement is as follows:

- (1) The superintendent shall be responsible for the enforcement of these rules, and (s)he shall designate other administrative officers who are authorized to take action in accordance with such rules when required or appropriate.
- (2) The superintendent or designee may apply to the public authorities for any aid, which (s)he deems necessary in causing the ejection of any violator of these rules, and (s)he may request the school attorney to apply to any court of appropriate jurisdiction for an injunction to restrain the violation or threatened violation of these rules.

## **Application of Rules**

These rules shall apply to all buildings and grounds of the district and shall govern the conduct of students, teachers, staff members, as well as visitors and other licensees and invitees.

### **Definition of Terms**

A *licensee* is defined as a person who enters the property of the school district for such a person's own interests, without express or implied invitation (an invitee).

An *invitee* is a person who enters the property of the school district with express or implied permission by someone who is authorized by the school district to give such permission.

### **Section 7: PROCEDURE IN THE EARLY IDENTIFICATION AND RESOLUTION OF DISCIPLINE PROBLEMS**

Pupil service personnel, administrators, teachers and others shall report students who are having problems or appear to be having problems regarding matters covered in the discipline code to the Building Principal. Parents also are invited to advise the Building Principal of concerns the parents may have regarding their children pertaining to the discipline code.

Students are expected to report to teachers or to the building administrator any student who appears to be having discipline problems. Students are expected to cooperate in any conference regarding the discipline of that student.

When the Building Principal is aware of, or has received a report from pupil service personnel, administrators, teachers, students or parents, the Building Principal shall conduct whatever inquiry the Principal considers appropriate.

If the Building Principal, after such inquiry, considers there is a basis for concern, the Principal shall arrange to have a meeting with the parents and custodians and appropriate staff members to review the matter and create a plan to resolve the discipline problems.

The purpose of the procedure is to identify early possible problems and to resolve these disciplinary problems. The district shall assign such support personnel to assist the parties, considering the resources available at any given time.

### **Section 8: CLASSIFIED STUDENTS**

If the student who is under review according to the provisions of Section 2, subsection 7, or if a student who has violated the disciplinary code is a student who has been identified as having a disability and suspension upon instruction is being considered, the matter shall be referred to the Committee on Special Education. The CSE shall review the matter with appropriate dispatch to determine if the conduct in question is the result of the disability.

If the conduct is the result of the disability, the CSE shall review and modify, if appropriate, the student's IEP. Such review shall be conducted in accordance with the procedures for meetings of the CSE, including notice to the parents. The Building Principal shall be kept informed of these proceedings.

If the CSE determines that the conduct is not the result of the disability and suspension upon instruction is being considered, the CSE Chairperson shall notify the Building Principal. The Building Principal shall consult with school district counsel to determine whether the school district's normal disciplinary process can be followed in light of the then current state of the law regarding the discipline of students with disabilities.

**Section 9: ALTERNATIVE EDUCATIONAL PROGRAMS**

The district has the following alternative educational programs available:

- Alternative Senior High School Program (Cortland Alternative School)
- TASC (formerly GED) Programs and other sources
- 7 Valleys New Tech Academy
- Other BOCES programs/placements as deemed appropriate through the CSE process

**Section 10: GUIDELINES AND PROGRAMS FOR IN-SERVICE EDUCATIONAL PROGRAMS**

The superintendent shall solicit the recommendations of the teaching staff and administrators regarding in-service programs pertaining to the management and discipline of students. The Board then shall sponsor such in-service programs as may be appropriate, considering the various programs that have been previously offered or that may be offered in the future. These programs may be conducted after school hours or may be given during a Superintendent's Conference Day. Such programs may be offered separately or in conjunction with other school districts. Where appropriate, individual staff members may be sent to other programs outside of the district and these individuals may, thereafter, conduct appropriate in-service programs for members of the staff.

**CORPORAL PUNISHMENT**

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

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

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

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

**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" warnings before being questioned by school officials, nor are school officials required to contact a student's parent before questioning the student. However, school officials will tell all students why they are being questioned.

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

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

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

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

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

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

The rules in 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. 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 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 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.

### **C. 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 Principal, or his or her designee, shall first attempt 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.

### **D. 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 the Principal, or his or her designee. The Principal, or 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.

#### **E. Review of Code of Conduct**

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

The Board may appoint an advisory committee to assist in reviewing the code and the district's response to code of conduct violations. The committee 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 of Education no later than 30 days after adoption.

**PLEASE NOTE – This Student/Parent Handbook and Code of Conduct is a guideline of rules and expectations that Cincinnati Central Schools has for all students, staff, parents, and community members to follow. The intent is to focus on the development of the whole child through an educational process, not simply a discipline and punitive process. This document may be modified or revised at any time during the school year for specific reasons and/or needs after a Code of Conduct Review Committee meeting and Board of Education approval of modifications or changes. The Building Principals have full discretion in all instances pertaining to the type and quantity of disciplinary consequences issued to students.**

## **COMPUTER LABS AND USAGE/Internet Acceptable Use Policy**

The computer labs are open to all students in grades 5-12 and staff throughout the day. Pre-signed passes from the computer teacher are required, and students are to remain in the computer lab until the end of the period. Students are expected to treat equipment with respect and clean up their area and return all working materials to their proper places.

### **Internet Acceptable Use Policy Students Grades UPK-4**

We are pleased to offer students of Cincinnati Central School, access to the district computer network and wireless devices such as iPads, Kindles, and ChromeBooks. To gain access to the Internet, all students under the age of 18 must obtain parental permission and sign and return this form to the Network Administrator, Nicole Rice. The primary purpose of the District's Internet connection is educational, and that as such, educational purposes shall take precedence over all other uses. This includes (but is not limited to) the following when accessing the school network by any device such as a computer, laptop, handheld, tablet, cell phone, iPad, Kindle or any other online devices:

Safety on the Internet is just like everyday safety. You wouldn't walk up to strangers and tell them everything about yourself. You also wouldn't go into unfamiliar neighborhoods without permission. If you learn and use the following safety tips, you will enjoy your time on the Internet:

1. I will be a good online citizen, be polite and not do anything that hurts other people or is against the law.
2. I will tell my teacher right away if I come across any information that makes me feel uncomfortable.
3. I will not give out personal information such as my address, email address, telephone number, or the name and location of my school without parental permission.
4. I know that on the Internet people sometimes pretend to be "someone different" than they really are. Sometimes a grownup might pretend to be a kid. I need to be careful, and not always believe what people say.
5. I will never agree to get together with someone I "meet" online without first checking with my parents or guardian. If my parents or guardian agrees to the meeting, I will be sure that it is in a public place and bring my mother, father, or guardian along.
6. I will never send a picture of myself to another person without first checking with my teacher.
7. I will not type or respond to any messages that are mean or harmful. I will not type swear words or other bad words. I will tell my teacher right away if I get a message or picture that makes me feel uncomfortable.
8. I will not give out my Internet password to anyone, even my best friends.
9. I will not visit or use blogs, live chats, or social networks such as Facebook, Instagram, or Twitter without teacher permission.
10. I will not attempt to access another's files or personal information.
11. The use of the Internet is a privilege, not a right. The primary purpose of the School's computer network is educational, and takes priority over all other uses. Inappropriate use of the Internet or school computers will result in cancellation of that privilege

12. **Parent Note:** The District runs an Internet filter on all online computers. This filter allows us to block sites and special services online. For example we can block by category or keyword such as – adults only, hate discrimination, nudity, pornography, violence. Games, gambling, free email, live chats and joke lists are also added to the block list. This is in compliance with the **Children’s Internet Protection Act** signed into Federal law to protect minors against access to harmful content

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My name (Please Print)

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Year of  
Graduation

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Grade

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My signature (Grades UPK-3)

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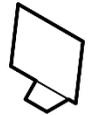
Date

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My parent or guardian’s signature

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Date



## Acceptable Use Policy (AUP) © Students

### Grades 5 -12

We are pleased to offer students of Cincinnati Central School (CCS), access to the district computer LAN network and wireless devices such as iPads and ChromeBooks. To gain access, including email, the Internet, messaging, phones, and other devices, all students under the age of 18 must obtain parental permission and sign and return this form to the Network Administrator or a computer teacher. Students 18 and over may sign their own forms. The primary purpose of the District's network is educational, and educational purposes shall take precedence over all other uses.

The Internet **Acceptable Use Policy** is one way that we may work together to enforce safe travels on the Internet. The District is also in compliance with the ***Children's Internet Protection Act*** signed into Federal law by certifying that the district uses a filtering program to protect students against access to visual depictions that are obscene or other content harmful to minors on school computers.

- **Privilege:** The use of the district network is a privilege, not a right. Failure to comply with the CCS guidelines of technology use in this document, the Student Handbook, or the district's Board Policy will result in a cancellation of that privilege by the school's Network Administrator, Principals, or Superintendent at any time without warning. This includes (but is not limited to) the following:

- **Netiquette:** All users are expected to abide by the generally accepted rules of network etiquette.

The student is ultimately responsible for his or her own actions accessing technology at CCS.

1. Be polite. Never forget the person on the other end is human.
2. Use appropriate polite language which also applies when using symbols and text abbreviations. Do not swear; use vulgarities or any other unacceptable language.
3. Be careful with humor and sarcasm.
4. Illegal activities are strictly forbidden and enforced by law.
5. Do not use the network in such a way that you would disrupt its use by other users.
6. Be brief to save cyberspace.
7. Your postings reflect you; be proud of them.
8. Print conservatively to save paper and the environment.
9. Do not type in ALL CAPS; it appears that you are shouting.

- **Security Issues:** Security on any computer system or device is a high priority, especially when the system involves many users. If you feel you can identify a security problem, notify your teacher or the network administrator immediately. Security issues include (but are not limited to) the following:

1. Do not use another's password nor give out your password to others, even your best friend.
2. All communications and information accessible via email should be considered private property, but is not guaranteed private.
3. Data files stored on the school server, USB drives, CDROMs, network drives, or other CCS equipment are not guaranteed to be private.

4. Do not reveal your personal address or phone number, social security number, or those of others.
  5. Should you be required to give out your personal contact information such as in an online registration form, you must first have parent or guardian written permission. (A good example may be an online college application. A bad example would be a form to receive free merchandise.)
  6. Social networks such as Facebook, Twitter, and Instagram, are not to be accessed on school computers unless given permission by a teacher or network administrator for a school project.
  7. The school recognizes that students actively use Facebook, Twitter, Instagram, and other such social networking sites, blogging and messaging services. Students must not post material (including text, video, audio or images) which damages the reputation of the school or post material, which could be considered as inappropriate or harmful to others under any circumstances and in some cases criminal.
  8. Do not intentionally access, transmit, copy, or create material that violates the school handbook rules (such as messages that are pornographic, threatening, rude, discriminatory, or meant to harass).
  9. Do not conduct online chats with others through live chats or Skype unless given permission by a teacher or the network administrator.
  10. Do not change computer files that belong to another user.
  11. Do not falsify your identity, be honest.
  12. Do not send anonymous email messages, forge email messages, or use an account owned by another user.
  13. Do not forward a message that was sent to you privately without permission of the person who sent the message.
  14. Adhere to laws, policies, and rules governing computers including but not limited to, copyright laws, rights of software publishers, license agreements, and rights of privacy created by federal and state law.
  15. Users will not attempt to gain unauthorized access to the network or to any other computer system through the school network or go beyond the authorized access. This includes attempting to log in through another person's account or access another person's files even if only for the purposes of "browsing."
  16. Cyberbullying is the use of information and communication technologies to support deliberate, repeated, and hostile behavior by an individual or group, intended to harm others and will be enforced by New York State law.
- **Using Resources:** Information networks have set limits for capacity. The more users there are on the network and wireless devices, the more congested the network becomes and access to information will take longer. The following guidelines will help ease the congestion:
1. Use your access time efficiently. Remember there are many students, teachers, and staff members who need to use the network.
  2. Do not play online games with others on the network or on the Internet. Networks are not designed for computer games.
  3. Do not download huge files unless approved by your Computer Teacher or Network Administrator. Download only information you need.

4. Do not download music unless approved by your Computer Teacher or Network Administrator for a school project.
  5. Do not search for, read, email, or print joke lists of any nature unless given permission for a school project.
  6. If you stumble across unacceptable materials while doing legitimate research, avoid this information by immediately leaving the web site.
  7. If you have any question about the appropriateness of data or pictures you find online, ask the Computer Teacher or Network Administrator if it is acceptable for a school setting.
  8. Check your email frequently, delete unwanted messages promptly, and stay within your email quota of 5000K.
  9. **Only use your school email account and not email provided by free services**
  10. Do not join list groups that generate several incoming email messages a day. An example may be Home and Garden Experts for garden enthusiasts. Many discussion groups are of high quality, however require more email space than the school server will allow.
  11. Do not send email chain letters or engage in “spamming”. Spamming is sending an annoying or unnecessary message to a large number of people.
  12. Do not use the computer to listen to music or radio stations unless approved by your teacher or Network Administrator for school projects. Headphone use must be approved by your teacher.
  13. In creating web pages that are posted on the school server, no profane, abusive, or impolite language should be used to communicate or that would bring harm to others nor should materials be posted which are not in line with the rules stated on this AUP and in accordance with school rules.
- **Vandalism/Harassment/Unauthorized Access to Private Information or Files:** will result in cancellation of privileges. Vandalism is defined as any malicious attempt to harm or destroy data of another user, or Internet network. This includes, but is not limited to, the uploading or creation of computer viruses. Harassment is defined as the persistent annoyance of another user or the interference in another user’s work. This includes but is not limited to the sending of unwanted mail. Unauthorized access to private information means attempting to access the information of another individual of whom you have no legal authorization. Private information includes SSN, Driver’s License number, other Identification numbers, account numbers, or security codes and passwords. Private information does not include publicly available information. In addition, you will be in Breach of the Security System if you attempt unauthorized access of another’s personal files stored on the school server.
  - **Commercial Services:** are available on the Internet. If you choose to download applications or access these additional services, you are liable for any costs that may be incurred.

**Student Acknowledgment of Responsibilities:**

By signing this document, I understand and will abide by the above terms and conditions for access to the CCS district’s LAN and wireless network and any further amendments to the district’s AUP, Student Handbook, or related Board of Education policies. Likewise, I am expected as a teacher or staff member to set a good example for the students by upholding these regulations and helping to enforce these rules with all students UPK-12. I further understand that any violation of the regulations is unethical and may constitute a criminal offense. Should I commit any violation, my Internet account may be closed and school disciplinary action may be taken and/or appropriate legal action.

Student’s Name (please print): \_\_\_\_\_

Student’s Signature: \_\_\_\_\_

Date \_\_\_\_\_

Student’s Grade \_\_\_\_\_

Student’s Year of Graduation \_\_\_\_\_

**Parent or Guardian:**

As a parent or guardian of \_\_\_\_\_, I have read the terms and conditions for Internet access. I understand that this access is designed for educational purposes and the Cincinnati Central School District has taken available precautions to eliminate controversial materials. However, I also recognize it is impossible for the Cincinnati Central School District to restrict access to all controversial materials and I will not hold them responsible for materials acquired on the network. Further, I accept full responsibility for supervision if and when my child’s use is not in a school setting. I hereby give permission to issue an account for my child and certify that the information contained on this form is correct.

Parent or Guardian’s Name (please print): \_\_\_\_\_

Parent or Guardian’s Signature: \_\_\_\_\_

Date \_\_\_\_\_