

**BOARD OF EDUCATION
AGENDA
November 10, 2015
Elementary School LGR**

6:00 p.m. Call to Order/Executive Session (District Office)
7:30 p.m. General Session Business Meeting

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

II. ROLL CALL OF BOARD MEMBERS

III. RECOGNITION

IV. MINUTES

The Board approves the minutes of the following meetings:

Regular Meeting held September 8, 2015

Regular Meeting held October 13, 2015

Work Session held October 27, 2015

V. PUBLIC COMMENT (*limited to 15 minutes - priority given to Agenda related items*)

VI. REPORTS

A. Student Representative

B. Superintendent of Schools

- Assessment Results / Multiple Measures – *Maureen Hull*

C. Board President

D. Committees

E. Other

- NYSSBA Convention – *Tracy Zamek*

VII. BOARD CONSENT AGENDA

As recommended by the Superintendent of Schools, the Board approves the following resolutions appearing on the November 10, 2015 consent agenda:

A. Personnel - resolutions numbered 1-18

B. Finance - resolutions numbered 1-7

C. Facilities and Operations

D. Education - resolution numbered 1-2

VIII. OLD BUSINESS

IX. NEW BUSINESS

A. Policies

1. 5300.20, Essential Partners – presented for a first reading

2. 5300.40, Disciplinary Penalties, Procedures and Referrals – presented for a first reading

3. 5280, Interscholastic Athletics – revisions presented for a first reading

4. 5281, Selective Classification – delete upon adoption of 5280

5. 5311.1 Suspension of Student, 5313.1 Detention, 5313.2 In School Suspension,
5313.3 Student Suspension, 5313 Penalties – delete upon adoption of 5300.40

X. PUBLIC COMMENT

XI. ADJOURNMENT

CONSENT AGENDA

November 10, 2015

A. Personnel

1. Resignation – Part-time Clerk Typist

The Board accepts the resignation of Sandra Mellon as a part-time Clerk Typist effective December 31, 2015.

2. Change in Rate of Pay

The Board approves the change in rate of pay for Karen Harvey as an Aide for four weeks during the summer 2015, from \$13.62 per hour to \$13.96 per hour.

3. Appointment – Facility Use Monitor

The Board approves the appointment of Suzanne Udal as a Facility Use Monitor, as needed, for the 2015-2016 school year, at the rate of \$20.00 per hour.

4. Co-Curricular Positions

The Board approves the following co-curricular positions for the 2015-2016 school year, in accordance with the negotiated agreement with the Port Jefferson Teachers Association:

Rescinds Appointment -

H.S. Jazz Band Advisor

Ed Pisano

H.S. Musical Productions

Anthony Butera

Appoints -

H.S. Jazz Band Co-Advisors

Christine Creighton (pro-rated)

Ed Pisano

H.S. Musical Productions

Jeanette Cooper

E.S. Concerts (Vocal)

Christian Neubert

M.S. Boys Basketball Intramural Co-Advisors

Jesse Rosen

Charles Ruoff

M.S. Volleyball Intramural Co-Advisors

Dinarae Camarda

Colleen Belloise

James Mimnaugh

Madeline Combs

Deirdre Filippi

5. Appointment – Mentor

The Board approves the following Mentor appointments for the 2015-2016 school year in accordance with the negotiated agreement with the Port Jefferson Teachers Association:

Dennis Christofor

Melissa Martin

6. Appointment - Substitutes

The Board approves the following substitute appointments for the 2015-2016 school year:

Teacher	Virginia Armstrong Kate Fitzgerald Mary Keegan
Teaching Assistant	Denise Williams
Teacher Aide	Bunny Daly Kathleen Verderosa
Clerical	Kimberly Scott

7. Appointment – Interpreters/Translators

The Board approves the following as Interpreters/Translators effective November 1, 2015, for the 2015-2016 school year, in accordance with NYSED CR Part 154 and the negotiated agreement with the Port Jefferson Teachers Association:

Dawn DeLeonardis-Moody - Spanish
Robert Farenga - Spanish
Celiana Gandolfo – Spanish and Italian
Nicole Pennino-Costa - Spanish and Italian
Sonia Pinero - Spanish
Heather Pisano - French
Irma Ana Wolber - Spanish

8. Appointment – After School Supervision

The Board approves the following Middle School/High School after school supervision appointment, as needed, for the 2015-2016 school year, at the rate of \$20.00 per hour: Tracy Gray

9. Appointment – Coaches

The Board approves the following coaching appointments for the 2015-2016 school year:

Basketball JV Boys	Daniel Ruskowski (pending fingerprint clearance & TCL)
Winter Track Varsity Girls Assistant	Brian Snow
Wrestling –Assistant Varsity	Ian Schneider
Basketball 7/8 Boys	Charles Ruoff
Basketball 7/8 Girls	Colleen Bellois
Volleyball 7/8 Girls	Madeline Combs
Wrestling 7/8 Boys	Gregory Gorniok
Cheerleading 7/8 Girls	Pauline Spiller
Baseball JV Boys	Ian Schneider
Softball Varsity Girls	Deborah Edgar-Brown (pending TCL)
Softball JV Girls	Allyson Wolff
Softball 7/8 Girls	Megan Mackenzie (pending TCL)
Volunteer Coach for Wrestling	Matteo DeVincenzo
Volunteer Coach for Wrestling	Nicholas Miceli (pending TCL)
Volunteer Coach for Winter & Spring Track	David Okst (pending TCL)

10. Change in FTE – Physical/Health Education

The Board approves the change in FTE of Madeline Combs as a .8 FTE Physical Education/Health Education to a 1.0 Physical Education/Health Education on a probationary basis, effective November 11, 2015, at Level BA Step 1, in accordance with the negotiated agreement with the Port Jefferson Teachers Association; and further, in accordance with the Education Transformation Act Amended Section 3012 of the Education Law, tenure will be granted and considered upon three (3) annual APPR composite ratings of Effective or Highly Effective, in at least three (3) of the preceding four (4) years and cannot have an APPR composite rating of Ineffective in the last year of the probationary appointment.

11. Appointment – Custodial Worker I

The Board approves the appointment of Jose Martin Lopez as a Custodial Worker I, on a probationary basis effective November 30, 2015, at an annual salary of \$30,400, in accordance with the Suffolk County Department of Civil Service and the negotiated agreement with the Port Jefferson Custodial Workers Unit.

12. Appointment – Teaching Assistant

The Board approves the appointment of Selena Casino, as a Teaching Assistant, on a probationary basis, effective November 11, 2015, in accordance with the negotiated agreement with the United Paraprofessionals Association of Port Jefferson.

13. Appointment – Teaching Assistant

The Board approves the appointment of Joan Meere, as a Teaching Assistant, on a probationary basis, effective November 11, 2015, in accordance with the negotiated agreement with the United Paraprofessionals Association of Port Jefferson.

14. Request for Leave – Music

The Board approves the request of Christine Creighton, as a Music Teacher, for a leave of absence from on or about December 21, 2015 to on or about February 12, 2016, in accordance with Board Policy 9520.2 Family and Medical Leave and Article IX.B.9 and IX.F. of the negotiated agreement with the Port Jefferson Teachers' Association.

15. Request for Leave – Special Education

The Board approves the request of Kelly Spencer, as a teacher of Special Education, for a leave of absence from on or about December 25, 2015 to on or about February 29, 2016, in accordance with Board Policy 9520.2 Family and Medical Leave and Article IX.B.9 and IX.F. of the negotiated agreement with the Port Jefferson Teachers' Association.

16. Leave Appointment – Music

The Board approves the appointment of Andrew Mayce, as a Music Teacher, (for Christine Creighton), on a substitute basis from on or about December 21, 2015 to on or about February 11, 2016; and on a leave replacement basis, from on or about February 11, 2016 until on or about February 22, 2016 at Level BA Step 1, in accordance with the negotiated agreement with the Port Jefferson Teachers' Association

17. Tenure

The Board grants tenure to Michelle Landetta as a teacher of Special Education, effective November 14, 2015.

18. Resignation – Director of Health, Physical Education & Athletics

The Board accepts the resignation of Debra Ferry, as Director of Health, Physical Education and Athletics, effective January 3, 2016.

B. Finance

1. Financial Reports

The Board approves the following financial reports:

Claims Audit Report - Month of September
Cash Flow Analysis - Month of September
New Budget Transfers
September Warrants & Treasurer Reports

<u>Fund Name</u>	<u>Warrant #</u>
General Fund	15, 18-21, 23
School Lunch Fund	2-3
Federal Fund	2
Capital Fund	1
Trust & Agency	No Warrants
Payroll	5-6
Royal Fund	No Warrants
Scholarship Fund	1

Trial Balance - July 2015 - September 30, 2015
Revenue Budget Status - July 2015-June 2016
Appropriation Status Report - July 2015-June 2016
Budget Transfers - Month of September

2. Bond Refunding

The Board approves the refunding board resolution authorizing the refunding of certain outstanding serial bonds of the District; the refunding amount not to exceed \$4,100,000 therefore, authorizing the issuance of not to exceed \$4,100,000 refunding serial bonds of the district to finance said appropriation.

3. STEM Program Funding

The Board approves the following resolution: **BE IT RESOLVED**, that as a result of the 2015-2016 grant award from Senator Kenneth LaValle, the Board of Education hereby increases the 2015-2016 budget in the amount of \$15,000 to fund participation in the STEM program at SUNY Stony Brook.

4. Legislative Bullet Aid

The Board approves the following resolution: **BE IT RESOLVED**, that the Board of Education hereby gratefully accepts a Legislative Bullet Aid in the amount of \$150,000 from Senator Kenneth LaValle; **BE IT FURTHER RESOLVED** that, as a result of the receipt of said donation, the Board of Education hereby increases the 2015-2016 budget in the amount of \$150,000 to fund construction and renovations.

5. Special Education Service Contract

The Board approves the Special Education Service Contract between Comsewogue UFSD and Port Jefferson UFSD, for a parentally placed out-of-district student receiving special education services; and further, authorizes the Board President to execute said agreement.

6. Budget Development Calendar

The Board approves the attached 2016-2017 Budget Development Calendar.

7. Rescission/Approval of Services

The Board rescinds the approval of services of Jason Crockett as piano accompanist for the 2015-2016 winter and spring concert seasons at the rate of \$80.00 per hour not to exceed 10 hours; and, the Board approves the services of Arlene Russell as piano accompanist for the 2015-2016 winter and spring concert seasons at a rate of \$80.00 per hour not to exceed 10 hours.

C. Facilities & Operations

D. Education

1. Committees on Special Education

The Board approves the following recommendations of the Committees on Special Education: Meetings held October 8, 15, 16, 22, and 27, 2015

2. Driver Education Instructors

The Board approves the appointment of the following instructors for the 2015-2016 Driver Education program:

Elke Moeller

JoAnn Monette

James V. Peretta

Nicole Sanford

Joseph A. Vivich

B.6

Required Action

Financial Reports Due to SED (ST-3, Forms A, FT, FB)
 Financial Statement (FS) & External Audit report submitted to SED and Comptrollers Office
 Single Audit of Federal Funds
 Reponse to External Audit Findings (Corrective Action Plan)
 Collection of Basic Education Data System (BEDS)
 Non-resident tuition and health services bills

Due Date
 Oct 15, 2015
 Oct 15, 2015
 TBD
 90 days after receipt of FS
 11/12/2015
 TBD

Proposed Budget Calendar

Subject	Date
Finance Committee Reviews Budget Process & Calendar	TBD
Principals, Directors, will submit	November 23, 2015
BOE Receives Rollover Budget	January 6, 2016
Superintendent and Assistant Superintendent for Business review Budget Draft #1	January 8, 2016
BOE review and discussion of Budget Draft #1	January 12, 2016
BOE review and discussion of Budget Draft #2	February 9, 2016
Report Levy Cap to NYS Comptrollers Office	March 1, 2016
BOE review and discussion of Budget Draft #3	March 8, 2016
Public Budget Presentation Meeting	March 22, 2016
Legal notice of date, time, and place of budget hearing and budget vote. Must advertise 4 times within 7 weeks with the first legal notice publication occurring at least 45 days before the budget vote. Notice should appear in 2 general circulation newspapers.	April 1, 2016
Board receives FINAL Budget Draft	April 8, 2016
Board's final review and adoption of proposed budget	April 12, 2016
District wide Budget Informational Meeting - Administration 7:30 pm	TBD
Popular Budget to Printer	April 15, 2016
Board votes on BOCES board candidates and BOCES administrative budget	TBD
Property Tax Report Card must be submitted to SED by the end of the next business day following the adoption of the budget but no later than 24 days prior to the budget vote.	April 21, 2016
Salary Disclosure submitted to S.E.D	April 25, 2016
Property Tax Report Card Submitted to local newspapers	April 21, 2016
Budget statement and required attachments must be made available upon request at each school building at least 7 business days before the budget hearing and at least 14 days before the budget vote.	May 2, 2016
Latest date for Popular Budget (Brochure) to be mailed home to residents	May 9, 2016
Board Budget Hearing 7:30 p.m.	May 10, 2016
Budget Notice to be Mailed	May 10, 2016
BUDGET VOTE	May 17, 2016

CODE OF CONDUCT - ESSENTIAL PARTNERS

- A. Parents - Parents are expected to:
1. Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community and collaborate with the district to optimize their child's educational opportunities.
 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. Ensure their children are 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 so that their children can help create a safe, supportive school environment.
 8. Convey to their children a supportive attitude toward education and the district.
 9. Build positive, constructive 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.
- B. Teachers - District teachers are expected to:
1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, 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. Maintain confidentiality in conformity with federal and state law.
 6. 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.
 7. Communicate regularly with students, parents and other teachers concerning growth and achievement.

8. Participate in school-wide efforts to provide adequate supervision in all school spaces, in conformity with the Taylor Law.
9. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
10. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.

C. Guidance Counselors

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
2. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
3. Initiate teacher /student /counselor conferences and parent/ teacher/ student/ counselor conferences, as necessary, as a way to resolve problems.
4. Regularly review with students their educational progress and career plans.
5. Maintain confidentiality in accordance with federal and state law.
6. Provide information to assist students with career planning.
7. Encourage students to benefit from the curriculum and extracurricular programs.
8. Make known to students and families the resources in the community that are available to meet their needs.
9. Participate in school-wide efforts to provide adequate supervision in all school spaces.
10. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
11. Address personal biases that may prevent equal treatment of all students.

D. Other School Personnel

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
2. Maintain confidentiality in accordance with federal and state law.
3. Be familiar with the code of conduct.
4. Help children understand the district's expectations for maintaining a safe, orderly environment.
5. Participate in school-wide efforts to provide adequate supervision in all school spaces.
6. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
7. Address personal biases that may prevent equal treatment of all students.

E. Principals/Administrators

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
2. Ensure that students and staff have the opportunity to communicate regularly with the principal/administrators and have access to the principal/administrators for redress of grievances.
3. Maintain confidentiality in accordance with federal and state law.
4. Evaluate on a regular basis all instructional programs to ensure infusion of civility education in the curriculum.
5. Support the development of and student participation in appropriate extracurricular activities.
6. Provide support in the development of the code of conduct, when called upon. Disseminate the code of conduct and anti-harassment policies.
7. Be responsible for enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.
8. Participate in school-wide efforts to provide adequate supervision in all school spaces.
9. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
10. Address personal biases that may prevent equal treatment of all students and staff.

F. The Dignity Act Coordinator

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
2. Oversee and coordinate the work of the district-wide and building-level bullying prevention committees.
3. Identify curricular resources that support infusing civility in classroom instruction and classroom management; and provide guidance to staff as to how to access and implement those resources.
4. Coordinate, with the Professional Development Committee, training in support of the bullying prevention committee.
5. Be responsible for monitoring and reporting on the effectiveness of the district's bullying prevention policy.
6. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
7. Address personal biases that may prevent equal treatment of all students and staff.

G. Superintendent

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
2. Inform the Board about educational trends relating to student discipline
3. Review with district administrators the policies of the Board of education and state and federal laws relating to school operations and management.
4. Maintain confidentiality in accordance with federal and state law.
5. Work to create instructional programs that minimize incidence of misconduct and are sensitive to student and teacher needs.
6. Work with district administrators in enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.
7. Participate in school-wide efforts to provide adequate supervision in all school spaces.
8. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
9. Address personal biases that may prevent equal treatment of all students and staff.

H. Board of Education

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
2. Maintain confidentiality in accordance with federal and state law.
3. Develop and recommend a budget that provides programs and activities that support achievement of the goals of the code of conduct.
4. 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.
5. Adopt and review at least annually the district's code of conduct to evaluate the code's effectiveness and the fairness and consistency of its implementation.
6. Lead by example by conducting Board meetings in a professional, respectful, courteous manner.
7. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
8. Address personal biases that may prevent equal treatment of all students and staff.

5300.40

DISCIPLINARY PENALTIES, PROCEDURES AND REFERRALS¹

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

Disciplinary action, when necessary, will be firm, fair and consistent so as to be 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 which led to the offense.
3. The student's prior disciplinary record.
4. The effectiveness of other forms of discipline.
5. Information from parents, teachers and/or others, as appropriate.
6. Other extenuating circumstances.

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

If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education and discipline, if warranted, shall be administered consistent with the separate requirements of this code of conduct for disciplining students with a disability or presumed to have a disability. A student identified as having a disability shall not be disciplined for behavior related to his/her disability, unless the discipline is consistent with the student's individualized education plan (IEP).

A. Penalties

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

1. Oral warning – any member of the district staff
2. Detention – teachers, Principal, Superintendent
3. Suspension from transportation – Director of Transportation, Assistant Principal, Principal, Superintendent
4. Suspension from athletic participation – coaches, Athletic Director, Principal, Superintendent
5. Suspension from social or extracurricular activities – activity director, Assistant Principal, Principal, Superintendent
6. Suspension of other privileges – Assistant Principal, Principal, Superintendent

7. In-school suspension – Assistant Principal, Principal, Superintendent
8. Removal from classroom by teacher – teachers, Assistant Principal, Principal
9. Short-term (five days or less) suspension from school – Principal, Superintendent, Board
10. Long-term (more than five days) suspension from school – Superintendent, Board
11. Permanent suspension from school – Superintendent, Board.

B. Procedures

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

Students who are to be given penalties other than an oral warning, written warning or written notification to their parents 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 detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate. Detention will be imposed as a penalty only after the student's parent has been notified to confirm that there is no parental objection to the penalty and the student has appropriate transportation home following detention.

2. Suspension from transportation

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

In such cases, the student's parent 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 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 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 or a teaching assistant.

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 to the Principal's office for the remainder of the class time only; or (3) 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.

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

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

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

Within 24 hours after the student's removal, the Principal or another district administrator designated by the Principal must notify 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 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 parent. 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/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. 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/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 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 (five 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.

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 ten (10) 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 Superintendent's decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the Board may be appealed to the Commissioner of Education within 30 days of the decision.

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

When the Superintendent 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 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, which 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 thirty (30) 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 of Education within 30 days of the decision.

c. **Permanent suspension**

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

d. **Procedure After Suspension**

The Board may condition a student's early return from a suspension on the student's voluntary participation in counseling or specialized classes, such as anger management or dispute resolution. The Board retains discretion in offering this opportunity. If and when the student and/or parent/guardian agrees to this option, the terms and conditions shall be specified in writing.

C. 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 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 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.

D. Referrals

1. Counseling

The building support staff shall handle all counseling referrals of students.

2. PINS Petitions

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

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

3. Juvenile Delinquents and Juvenile Offenders

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

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

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

Cross-ref: 5310. Student Discipline

¹Ref: Education Law §3214
8 NYCRR §100.2(i)
Matter of O'Conner v. Bd. of Ed., 65 Misc. 2d 40, 43 (due process)
Appeal of Reeves, Dec. No. 13,857 (1998) (involuntary transfer)
Appeal of Alexander, 36 EDR 160 (1996) (counseling)
Matter of Troy R., 29 EDR 424 (1990) (automatic penalties)
Appeal of Ward, 27 EDR 217 (1988) (indefinite suspension)
Appeal of Wood, 27 EDR 92 (1987) (suspension beyond school year)
Matter of Clark, 21 EDR 542 (1982) (extracurricular activities)
Matter of Caskey, 21 EDR 138 (1981) (reduction in grade)
Matter of MacWhinnie, 20 EDR 145 (1980) (reduction in grade)
Matter of Lubriola, 20 EDR 74 (1980) (excessive penalty)
Matter of Rouch, 19 EDR 377 (1980) (transportation; contingent suspensions)
Matter of Caulfield, 18 EDR 574 (1979) (suspension from classes)
Matter of Wright, 18 EDR 432 (1978) (formal due process)
Matter of Macheski, 13 EDR 112 (1973) (suspension by a principal)
Matter of DeVore, 11 EDR 296 (1972) (insufficient basis for discipline)
Matter of Port, 9 EDR 107 (1970) (informal due process)

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INTERSCHOLASTIC ATHLETICS

Interscholastic athletics for boys and girls is an integral and desirable part of the district's secondary school educational program. To be of maximum effectiveness, the athletic program will provide opportunity for all eligible secondary students to participate in a variety of sports in every athletic season. Individual and team sports shall be based upon comprehensive physical education instruction and intramural activities. Lifetime or carry-over sports are to be particularly encouraged and supported. Parity in the number and kind of sports activities for girls and boys is an objective of the district.

Student eligibility for participation on interscholastic teams shall include:

1. authorization by the school physician;
2. written parent or guardian consent; and
3. endorsement by the Building Principal based on established rules and various league and State Education Department regulations.
4. approval by the Building Principal if inappropriate behavior has resulted in in-school or out of school suspensions or violation of law.

Medical Attention at Games

~~The presence of a doctor shall be required during home football games at both the junior high and high school level. A nurse shall be present at home football and basketball games.~~

~~It shall be the responsibility of the head coach to determine that a doctor be present at football games played away from home.~~

~~Coaches are required to err on the side of caution when a student complains of injury or discomfort. If the veracity of the student is in question related to the student's physical discomfort or inability to performance of a task, the coach must seek the assessment of the student's ability from a qualified medical professional. While a student may have a legitimate physical reason for not participating, nothing in this policy restricts the coach from applying appropriate team selection and dismissal procedures for the demonstrated lack of ability or desire to participate in team-related activities.~~

Although the district will take reasonable care to protect student athletes, students may still sustain injuries. In order to most effectively ensure student safety, open communication between students, parents and coaches about the child's medical condition is critical. Coaches, and other appropriate staff, will receive guidance and training regarding recognition of injury and removal of the student athlete from play in the event of injury. Parents and/or students are expected to report injuries so that student health can be protected.

In the case of a suspected or actual head injury, a student must be removed from play immediately. In order to resume participation following injury, including head

injury, the student needs to receive medical clearance. The Superintendent, in consultation with appropriate district staff, including the school physician, will develop regulations and procedures to guide the process of return to play.

In recognition of the importance of appropriately managing head injuries, the Board authorizes the creation of a Concussion Management Team (CMT). The CMT will be comprised of: the athletic director, a school nurse, the school physician, guidance counselor and athletic trainer. The CMT is charged with overseeing compliance with state training requirements, developing guidelines for use by coaches and physical education teachers and developing information for distribution to parents and students.

Athletic Placement Process (formerly Selection/Classification)

The Board permits students in grades 7 and 8 who wish to play at the junior varsity or varsity level in all sports to do so provided they can complete the entire Athletic Placement Process (APP). Information on APP is available in the Athletic Directors office. *The classification of the students must be predicated on the unusual needs of the students rather than the needs of the team. (Note: This sentence is taken from our Selection Classification policy).*

Cross-ref: 5420, Student Health Services

**Ref: Education Law §§ 305(42), 1709 (8-a); 3001-b
8 NYCRR §§135.4, 136.5
Santa Fe Indep. Sch. Dist. V. Doe, 530 U.S. 290 (2000) (constitutionality of student-led prayers at interscholastic athletic activities)
Concussion Management Support Materials, www.nysphsaa.org
Athletic Placement Process for Interschool Athletic Programs.
<http://www.p12.nysed.gov/sss/documents/AthleticPlacementProcess2-11-15Revised.pdf>**

**- Presented for:
1st reading – 11/10/15**

**~~Ref: Education Law §§414; 1502; 1604(7-b); 1708(3)(8-a); 1718(2); 3001-b; 4409
8 NYCRR §135.4~~**

~~Note: Prior policy, 6147, 6147.1, revised~~

SELECTION CLASSIFICATION

Section 134.5(c)(7)(ii)(a)(4) of the Regulations of the Commissioner of Education provides for a Board of Education to permit pupils in grades no lower than seventh grade to compete on interscholastic athletic teams organized for senior high school pupils, or senior high school pupils to compete on interscholastic athletic teams organized for pupils in the seventh and eighth grade.

These pupils are to be placed at levels of competition appropriate to their physiological maturity, physical fitness and skills in relationship to other pupils in accordance with the standards established by the Commissioner of Education.

The State Education Department issues the standards for these pupils to compete under a program called the Selective Classification Program.

The classification of the students must be predicated on the unusual needs of the student rather than the needs of the team.

The Board of Education shall permit pupils to compete under the Selection Classification Program in all sports.

Adopted: 2/11/97

5311.1

SUSPENSION OF STUDENT

In disciplinary situations, students shall have the opportunity to present their version of the facts and circumstances, and students will not be suspended unless their rights to due process, as identified in Education Law Section 3214, have been observed. Building Principals and their designees may suspend a student for a period of up to five days. The Principal shall conduct an informal hearing with the student and other individuals who may have information concerning the situation. When a suspension is imposed, the student and parent(s) are notified and a written record of the case is made.

If a suspension of more than five days is being considered, the Building Principal will recommend that a hearing be held. The student and his/her parents will be notified of the time and place of the hearing. At the hearing, conducted by the Superintendent of Schools or his/her designee, the student will have the right to examine evidence and question witnesses, to present evidence and witnesses, and to be represented by counsel. A record of the hearing is made by stenographic transcript or by tape recording. The Superintendent will make a decision regarding suspension based on the information presented at the hearing. An appeal of the Superintendent's decision may be made by the student to the Board of Education.

Parental involvement ranges from written notification of the offense and disciplinary action to parent conferences with staff, student, and outside agencies/authorities if necessary.

A proper and accurate record of the offense and response shall be maintained for all incidents.

Note: Policy added

DETENTION

The Board of Education believes that detention can be an effective method of controlling and correcting inappropriate behavior for students. A student who violates the student disciplinary code may be assigned detention by the school office or any member of the faculty designated by the Building Principal. A list of those on detention can be found on the daily absentee sheet. In order for a student to be placed on detention, the Building Principal and the parent(s) or guardian(s) must be notified, and the student must have transportation home.

If the student is disruptive during detention or if detentions do not appear to be influential in managing or correcting inappropriate behavior, other more constraining or restriction interventions will be used.

Cross-Ref: 5311, Student Rights and Responsibilities
5313, Penalties

Note: Policy added

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5313.2

IN-SCHOOL SUSPENSION

The Board of Education recognizes the importance of school attendance. Therefore, suspension from school must be viewed as a last resort in dealing with student disciplinary infractions. The Board also recognizes the need to remove unruly or disruptive students from the regular class so that learning can take place in the classrooms.

The Board directs the Superintendent of Schools to develop an in-school suspension program. The program should provide appropriate supervision in the in-school suspension rooms and guidelines for the imposition of an in-school suspension.

If the student is disruptive during in-school suspension or if the in-school suspension does not appear to be influential in managing or correcting inappropriate behavior, other more constraining or restricting interventions will be used.

Cross-Ref: 5313.3, Student Suspension

Ref: Education Law section 3214
Matter of Watts, 23 EDR 459 (1984)

Note: Policy added

a*d

STUDENT SUSPENSION

The Superintendent of Schools will prepare and issue such regulations (consistent with the laws, statutes and regulations of the State of New York) as necessary to establish procedures for the suspension of students.

The Board of Education, the Superintendent, Building Principals, and Assistant Principals will have the power to suspend a student who, in their judgment, is in subordinate or disorderly, or whose conduct endanger the safety, morals, health or welfare of others, or whose physical or mental condition endangers the health, safety or morals of himself/herself or of others for periods not to exceed five school days. Pursuant to section 3214 of the Education Law, the Board and/or Superintendent may also suspend a student for longer than five (5) days. In such cases, the Superintendent and/or Building Principal will immediately provide written notification of the suspension to the student's parent(s) or guardian(s) and will afford the opportunity for a hearing with respect to the basis of such suspension. The notice and hearing will comply with the Education Law and Commissioner's Regulations as outlined in the related regulation, 5313.3-R.

A student of compulsory attendance age will be offered alternative instruction in the event that he/she is suspended from regular instruction.

Cross-Ref: 5311.3, Student Complaints and Grievances

Ref: Education Law section 3214

Note: Prior Policy, 5114.3, revised

a*d

5313

PENALTIES

A variety of corrective measures is authorized for the breach of rules or obligations applicable to students. The corrective measure to be employed shall be determined in each case by the Building Principal, the classroom teacher or other appropriate educational staff member, except where action by the Board of Education is required. Minor infractions will not ordinarily justify the imposition of severe corrective measures. However, repeated minor infractions which are not amenable to correction by lesser measures may justify the use of more severe measures.

The range of penalties which may be imposed for violations of the student disciplinary code includes the following:

1. Verbal warning
2. Written warning
3. Written notification to parent(s) or guardian(s)
4. Probation
5. Reprimand
6. Detention
7. Suspension from transportation
8. Suspension from athletic participation
9. Suspension from social or extracurricular activities
10. Suspension of other privileges
11. Exclusion from a particular class
12. In-school suspension
13. Involuntary transfer
14. Suspension

Counseling, although not considered a penalty, may be an alternative to the imposition of a penalty, provided that such counseling is formally procured through the Guidance Office.

Depending upon the nature of the violation, it is the desire of the Board that student discipline be progressive, i.e., a student's first violation should merit a lighter penalty than subsequent violations. It is also the Board's desire that staff members imposing such penalty take into account all other relevant factors in determining the appropriate penalty. The above penalties may be imposed either alone or in combination. Such penalties may be imposed by the Superintendent of Schools or with his/her permission.

Initiation of a Student Disciplinary Proceeding

Any teacher, administrator, board member, parent(s) or guardian(s) or other person may report a violation of the student disciplinary code to the Building Principal or his/her designee. He/She may then make an investigation of the charges as deemed appropriate and institute an informal or disciplinary proceeding, and/or make a referral to the Committee on Special Education, as deemed necessary.

When discipline administered by a classroom teacher does not result in acceptable student behavior, the teacher should file a written report with the Building Principal, who will then take the following action:

1. After Teacher Reported Interventions - Conference with Building Principal and teacher concerned.
2. Repeated Referral to Principal - Conference with Building Principal, teacher, student and student's parent/guardian.
3. Suspension - If the severity of the situation warrants, or the student is a habitual offender, the school authorities may suspend the student or students involved, as outlined in policy 5313.3, Suspension.

This policy and the Board's rules and regulations for the maintenance of public order on school property will be publicized and explained by the teaching staff to all students and provided in writing to all parent(s) or guardian(s) on an annual basis. In order to ensure the effectiveness of this student discipline code, the Board requests the continuing assistance of parent(s) or guardian(s) in explaining and enforcing the code. Student handbooks will be made available each year for the entire student population.

The Board recognizes a student's right to a Superintendent's hearing before a suspension from attendance in excess of five days and the right to an appeal of such a suspension to the Board pursuant to Education Law section 3214 and Policy 5313.3, Student Suspension.

If a criminal offense had been committed (i.e., false fire alarm, vandalism, use and possession of weapons) the police will be notified. All infractions of the student discipline code and/or public law will be subject to disciplinary proceedings as outlined in 5313.3, Student Suspension.

Cross-Ref: 5310, Student Discipline
5312, Prohibited Conduct
5314, Corporal Punishment Complaints

Note: Prior policy, 5114, revised