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**THREE VILLAGE CENTRAL SCHOOL DISTRICT  
SETAUKET, NEW YORK**

**BOARD OF EDUCATION AGENDA MATERIALS**

**DATE OF BOARD MEETING: February 8, 2017**

**DATE MATERIAL SUBMITTED: February 3, 2017**

**OFFICE OF ORIGIN: District Clerk**

**CATEGORY OF ITEM: Information**

<b>TITLE: Policy</b>
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**STAFF RECOMMENDATION:**

Be it RESOLVED that the Board of Education accept the following Policies delineated below:

<u>Policy #</u>	<u>Policy Title</u>
2120.1	Candidates and Campaigning
4850	Animals in the Schools
5100	Attendance
5152	Admission of Non-Resident Students
5280, 5280-E	Interscholastic Athletics
5300.25	Prohibited Student Conduct
5300.55	Student Searches and Interrogations
8121.1, 8121.1-R	Opioid Overdose Prevention

**BACKGROUND - RATIONALE:**

Adopt the Policies at the First Reading or move to Second Reading.

***NOT AN OFFICIAL RECORD; SUBJECT TO CHANGE***

## CANDIDATES AND CAMPAIGNING

### Nominations

Candidates for the office of member of the Board of Education shall be nominated by petition. Such petition shall be directed to the District Clerk, shall contain the signatures and addresses of at least 25 qualified voters of the district or two percent of the voters who voted in the previous election, whichever is greater, and shall state the name and residence of the candidate. Each petition shall be filed with the District Clerk not later than 30 days preceding the Annual Meeting and Election at which the candidates so nominated are to be elected.

The District Clerk will supervise the procedure used to establish the order of names on the ballot. The Board may reject nominations if the candidate is ineligible or has declared an unwillingness to serve.

### Reporting Expenditures

If a candidate's campaign expenditures exceed \$500, the candidate must file a sworn statement with both the district clerk and the commissioner of education itemizing their expenditures and contributions received. The statement must list the amounts of all money or other valuable things paid, given, expended or promised by the candidate, or incurred for or on the candidate's behalf with his or her approval.

A candidate who spends \$500 or less is only required to file a sworn statement with the district clerk indicated this to be the case. No other campaign expenditure statement is required.

An initial statement must be filed at least 30 days before the election, a second statement must be filed on or before the fifth (5<sup>th</sup>) day preceding the election and a final statement must be filed within 20 days after the election.

### Electioneering

Electioneering during the hours of any vote is prohibited within the polling place or within 100 feet of any such polling place. ~~Displays or handout items of any political nature, except those provided by law, shall be prohibited by any individual, group or organization in any school building on those days when the polls are open for voting on school district matters, including, but not limited to, the annual school budget, candidates for the Board of Education, special propositions, etc.~~ Electioneering includes the display or distribution of any banner, poster, placard, button, or flyer, on behalf of or in opposition to any candidate or issue to be voted upon.

Cross-ref:     1050, Annual District Election and Budget Vote  
                     6120, Budget Hearing

Ref:     Education Law §§2018; 2031-a

**Adoption date:**

Policy Committee Meeting January 18, 2017  
Information First Reading - February 8, 2017

## ANIMALS IN THE SCHOOLS

The Board of Education recognizes that the study of living things is essential to effective instruction in the life sciences. The primary goals for demonstrations and investigations involving animals are to achieve an interest in and an understanding of the life processes, to demonstrate biological principles, and to teach proper care and handling of animals. Therefore, the Board requires that any such instructional activities, investigations, and projects be well-planned and adequately supervised, and be conducted with a respect for life and an appreciation of the health and safety of both animals and students.

The Board also recognizes that some students have a moral or religious objection to dissection or otherwise harming or destroying animals. In accordance with state law, students shall have the right to opt out of dissection activities, provided that the student performs an alternative project approved by the student's teacher. The objection must be substantiated in writing by the student's parent or guardian.

At the start of the school year, teachers of courses that include animal dissection shall give notice to the students in those classes of their opt-out rights and responsibilities under the law and this policy. Unless the student has attained the age of eighteen years, such notice shall be shared with parents of those students, and also be available upon request in the principal's office.

### **Example:**

*You are enrolled in (insert title of class) which includes animal dissection. You have the right to opt out of the animal dissection on moral or religious grounds. In order to do so, your parent/guardian must substantiate your objection in writing to the Building Principal and teacher, and you must complete an alternate project approved by the teacher.*

### **Additional Health and Safety Concerns**

**If live animals are to be used in the schools for instructional purposes, guidance should be provided to appropriate staff and students for their well-being and safety. For example, precautions should be taken to eliminate or avoid allergic reactions, animal bites or other injuries to staff and students, while permitting the use of only healthy and properly inoculated animals.**

**Children with allergies or those with immune deficiencies may be especially susceptible to diseases transmitted by animals or allergic reactions; therefore, special precautions may be needed to minimize risks. Parents of children with allergy and/or asthma concerns should be directed to notify the school of those concerns at the start of the school year, or upon admission, so appropriate measures can be taken to ensure the well-being of such children.**

**Consultation with the school nurse and the child's parents about precautionary measures is also advised.**

**With regard to requests by organizations to allow an animal to visit a school setting (such as for an exhibition), the same guidelines should be followed as those utilized when approving the use of an animal for instructional purposes.**

**It is recommended that parents be notified prior to housing an animal in the classroom and/or having an animal present for educational purposes, exhibition, or "visitation" in the class. Safe alternatives for students unable to be in contact with visiting animals should be provided.**

**Given the health and safety concerns of animals in the classroom, "casual visits" by pets brought into the school building by staff, students and parents is prohibited.**

### **Other Situations**

- 1. Animals under the control of public safety officers may have access to school property as use of these animals by such officials is under the jurisdiction of applicable federal and state law.**
- 2. Animals trained to assist individuals with disabilities (e.g. service dogs) are permitted on district property and at district events when being used for that purpose pursuant to law. The School Principal should receive prior notification about the presence of such a service animal in order to implement any necessary precautions. Again, parents should be notified and student health records should be reviewed for health conditions, such as allergies, that may present a problem for students.**

### **Use of Service Animals**

**The Board of Education allows the use of service animals on school grounds by individuals with disabilities, subject to restrictions permitted by federal and/or state law, and procedures established by the Superintendent of Schools or his/her designee.**

**For the purpose of this policy, a service animal is defined as any dog that it individually trained to do work or perform tasks for the benefit on an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, will not be considered service animals.**

**The work or tasks performed by a service animal must be directly related to the individual's disability. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort or companionship do not constitute work or tasks for the purposes of this definition.**

**The Superintendent of Schools or his/her designee may create regulation and/or building-specific rules regarding the use of service animals on school grounds by individuals with disabilities.**

**Ref:** Education Law §809(4)  
*Responsible Use of Live Animals and Dissection in the Science Classroom*, National Science Teachers Association Position Statement, revised March 2008  
[www.nsta.org/about/positions/animals.aspx](http://www.nsta.org/about/positions/animals.aspx)

Adoption date: October 11, 2011

**Policy Committee January 18, 2017**  
**Information First Reading – February 8, 2017**

## ATTENDANCE

The Board of Education recognizes that regular school attendance is a major component of academic success. Through implementation of this policy, the Board expects to control the level of unexcused absences, tardiness, and early departures (referred to in this policy as “ATEDs”), encourage full attendance by all students, maintain an adequate attendance recordkeeping system, identify patterns of student ATEDs and develop effective intervention strategies to improve school attendance. This policy shall be in effect for the entire 12-month school year, including summer school, if offered, and PM School. It is the expectation that this policy is part of an analysis of the root causes of student absence/lateness from class.

### Notice

To be successful in this endeavor, it is imperative that all members of the school community are aware of this policy and its purpose as well as the implementing procedures and the consequences of non-compliance. To ensure that students, parents, teachers and administrators are notified of and understand this policy, the Superintendent shall issue regulations that implement this policy.

The District will share this policy and the implementing regulations with local Child Protective Services (CPS) to ensure a common understanding of excused and unexcused ATEDs and to work toward identifying and addressing cases of educational neglect.

### Exempt, Excused, and Unexcused Absences Defined

- Exempt absences are those absences specifically listed in “Attendance for Credit,” below.
- Excused ATEDs are defined as absences, tardiness, and early departures from class or school due to personal illness (with note from parent/guardian or physician on physician’s letterhead or script), impassable roads or weather, religious observance, quarantine, attendance at medical appointments, college visits as defined in Attendance for Credit section, approved cooperative work programs, military obligations, or such other reasons as may be approved, **including but not limited to absences due to circumstances related to homelessness.**
- Students whose parent or legal guardian has been called for military deployment, is on leave from, or is returning from a combat zone or combat support may be excused an additional five (5) days, but work must be made up according to the rules applicable to other excused absences. Parents must notify the Building Principal no less than three (3) days before the intended absences and each case will be approved on a case by case basis by the Building Principal.
- All other ATEDs are considered unexcused absences and will be recorded as AUN, “absent, unexcused.”

At the secondary level, it is the student's responsibility to provide documentation for all in-school appointments.

All ATEDs must be accounted for. It is the parent's responsibility to notify the school office within at least 24 hours of the ATED and to provide a written excuse upon the student's return to school/class. Without verification the absence will be recorded as AUN, "absent, unexcused." **For homeless students, the homeless liaison will assist the student in providing for obtaining documentation if needed.**

All students with an ATED are expected upon their return to consult with their teachers regarding missed work. For grading purposes, only those students with excused or exempt ATEDs will be given the opportunity to make up a test or other missed work and/or turn in a late assignment for inclusion in their quarter or final grade. Make up opportunities must be completed by a date specified by the student's teacher for the class in question.

#### Attendance Incentives

The District will design and implement systems to acknowledge a student's efforts to maintain or improve school attendance.

#### Consequences of Excessive ATED's

Poor attendance may lead to academic failure and may result in referrals for home visitation by District personnel, an attendance hearing, and/or referral to Child Protective Services. Excessive ATEDs, or negative patterns of ATEDs, may result in disciplinary action consistent with the District's Code of Conduct. **However, absences related to homelessness shall not result in negative consequences where the district determines that it would be in the best interests of the student in retaining the student in school.** Those penalties may include, for example, detention or in-school suspension. Students may also be denied privileges, including but not limited to participating in or attending extracurricular events, parking, or "senior" privileges.

Students are expected to attend all scheduled classes, whether they carry academic credit or not, including study halls, lunch, AIS support classes, resource room, etc. Consistent with the importance of classroom participation, ATEDs may affect a student's class participation grade for the marking period.

#### Attendance/Grade Policy

The Board of Education recognizes an important relationship between class attendance and student performance. Consequently, each marking period a student's final grade may be based on classroom participation as well as student's performance on homework, tests, papers, projects, etc.



### Attendance for Credit

At the high school level, grades 9-12, any student with more than 27 absences (Excused or Unexcused) or their equivalents for a full-year course, more than 14 absences (Excused or Unexcused) or their equivalents for a one-half year course or alternate day full year course, or more than 7 absences (Excused or Unexcused) or their equivalents for an alternate day semester course, will not receive credit for that course. Every three tardies to any given class is the equivalent to and will count as one absence. All excused and unexcused absences will be deducted from the maximum allowable total in each course, except for the following reasons which will be marked as exempt:

- In and out-of-school suspension
- Home tutoring
- Mandated court appearances
- Assigned music lessons
- School generated and approved out-of-school field trips
- In-school field trips, e.g. group counseling, guest speakers/lecturers, etc.
- School generated absences which require the student to be absent from class, e.g. principal, assistant principal, dean, guidance counselor, etc.
- College visitations to a maximum of five (5) days. Signed documentation and proof of visitation must be provided by the college or university on a duly recognized form generated by the visited school.
- Bereavement due to a death in the student's immediate family.
- [Religious Observance](#)

The Attendance Regulation will indicate notification requirements to parents and students to ensure awareness of this minimum attendance requirement.

### Appeals for Medical/Extenuating Circumstances

Students have a right to appeal the loss of credit. An appeals process will be defined within the implementing regulations.

### Annual Review

An annual report shall be made to the Board. The Superintendent shall revise the regulations, as necessary, to improve student attendance.

The Board shall annually review building level student attendance records and, if such records show a significant decline in student attendance, the Board shall revise this comprehensive attendance policy and make any revisions to the policy it deems necessary to improve student attendance. In addition, the Superintendent shall revise the regulations, as necessary, to improve student attendance.

Cross ref:      4710, Grading Systems

5151, Homeless Children  
5300, Code of Conduct  
5460, Child Abuse in a Domestic Setting

Ref: Education Law §§1709; 3024; 3025; 3202; 3205-3213; 3225  
8 NYCRR §§104.1; 175.6  
Social Service Law §34-a

Adoption date: December 1991

Revised: June 11, 2002  
November 25, 2003  
October 9, 2007  
August 24, 2010  
February 14, 2012

Policy Committee Meeting January 18, 2017  
Information First Reading February 8, 2017

### **ADMISSION OF NON-RESIDENT STUDENTS**

The Board of Education affirms that its primary responsibility is to provide the best possible educational opportunities for the children who are District residents per Policy 5150 and of legal age to attend school.

However, a non-resident student may be admitted to District schools upon payment to the District of the Board-adopted tuition charge, if and only if, in the judgment of the Superintendent of Schools:

1. there is sufficient space to accommodate the non-resident student;
2. no increase in the size of faculty or staff will be necessary to accommodate them;
3. the non-resident student meets the District's criteria for admission; and
4. the admission of such non-resident student is and continues during the enrollment period to be in the best interests of the District.

The Board shall establish annually the fee for tuition based on the formula provided by the State. A signed tuition agreement shall be executed by the Superintendent for each such payment and the Board of Education shall be notified of all such agreements.

The parent(s)/guardian(s) is responsible for providing transportation for non-resident child/ren to and from school.

#### **Former Students**

Regularly enrolled children of families who have moved out of the District during the school year, may be permitted to remain for a specified period of time as determined by the Superintendent or designee. Such children enrolled in grade 12 may complete the entire grade without payment of tuition if the student moves January 1 or thereafter during the senior year. Students in Grade 12 moving prior to January 1 may continue on a tuition basis.

#### **Foreign Students**

Students from other nations who are living with District residents may be enrolled at the discretion of the Superintendent without payment of tuition.

#### **School Employees**

Children of non-resident staff members may be enrolled at any time (when space permits) upon payment of tuition. School assignment shall be at the discretion of the District.

Foster Children

Children residing in foster homes, free family homes, or other like circumstances shall be admitted in accordance with 3202 of the Education Law. The appropriate agency or district shall be billed for tuition.

**This Policy is not applicable to homeless students entitled to attend district schools under federal and state law regulations, who may not be currently residing in the district (see Policy 5151, Homeless Children). Homeless students who are not entitled to attend district schools under federal and state laws may be considered for non-resident enrollment under this policy. This policy is also not intended to cover students who are placed in district programs by agreement with, and paid for by, another school district.**

Ref: Education Law §3202(2)

Adoption date: December, 1991

Revised: June 1998

June 1999

November 30, 2010

July 13, 2016

**Policy Committee Meeting January 18, 2017**  
**Information First Reading February 8, 2017**

## **INTERSCHOLASTIC ATHLETICS**

Interscholastic athletics for boys and girls is an integral and desirable part of the district's secondary school educational program. Individual and team sports shall be based upon comprehensive physical education instruction and intramural activities, seeking broad participation from all eligible secondary students. 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 a clear 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 (the written consent will contain information for parents on mild traumatic brain injury (TBI) and will provide a link to the State Education Department's web page on TBI); and
3. endorsement by the Building Principal based on established rules and various league and State Education Department regulations.

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 the Executive Director of HPERA, a school nurse, the school physician, a coach of an interscholastic team, an athletic trainer and other appropriate personnel designated by the Superintendent. 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)

Effective August 17, 2015, the Board approves and authorizes the use of the Athletic Placement Process ("APP") for interscholastic athletic competition, as set forth below. The Superintendent shall implement the APP procedures and maintain a file of those students deemed eligible as a result of those procedures.

The Board permits students in grade 8 to be evaluated through the APP for all varsity level contact sports [field hockey, soccer, diving, cheerleading, basketball, wrestling, lacrosse] and non-contact sports [cross country, gymnastics, swimming, tennis, volleyball, golf, fencing, winter track, track and field, baseball, softball].

Students in grade 8 who had been advanced to a higher level through the Selection Classification process in the previous year will not need to be reevaluated if they remain at the same level of athletic competition in the same sport. If a student changes levels of the sport, the APP will be followed. All other eligible students will be evaluated through the APP effective July 1, 2015.

The Board permits students in grade 7 to be evaluated through the APP for the following non-contact sport: Golf.

In order to be evaluated through the APP, the student must have:

1. Provided to the District written parent/guardian consent;
2. Attained the appropriate physical maturity level and comparable physical size for the desired sport and level as determined by the ~~District's~~ Student's primary physician or the District Medical Director and reviewed for ~~medical director and received~~ medical approval by the District's Medical Director. Whenever there is disagreement between a private healthcare provider and the District Medical Director, efforts should be made by both parties to come to agreement for the health and safety of the student athlete. In all cases, the primary concern should be allowing an athlete to participate to the fullest level of his or her potential safely, and neither the demands of parents, athletes, administration, or coaches should confound that concern. The final decision will be made by the District Medical Director.
3. Received a recommendation by the District's Executive Director of Health, Physical Education, Recreation and Athletics;
4. Met the APP eligibility standards and requirements as prescribed by the State Education Department, the New York State Public High School Athletic Association, the Commissioner's Regulations and District policy.

A description of the standards and requirements for the APP is available from the District's Athletic Director or the following website:

<http://www.p12.nysed.gov/ssd/documents/AthleticPlacementProcess2-11-15Revised.pdf>

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, 520 U.S. 290 (2000) (constitutionality of student-led prayers at interscholastic athletic activities)

Concussion Management Support Materials, [www.nysphsaa.org](http://www.nysphsaa.org)

Athletic Placement Process for Interschool Athletic Programs,

<http://www.p12.nysed.gov/sss/documents/AthleticPlacementProcess2-11-15Revised.pdf>

Adoption date: December 1991

May 10, 2011

February 14, 2012

September 9, 2015

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**ATHLETIC PLACEMENT PROCESS  
PARENT/GUARDIAN PERMISSION**

Dear Parent/Guardian:

There is a New York State Education Department (NYSED) program that permits physically and emotionally appropriate students to try out for an athletic team that is outside of their grade placement. It is called the Athletic Placement Process (APP).

Your child (name): \_\_\_\_\_ may be eligible to participate in the sport of \_\_\_\_\_ outside of his or her normal grade level. In order to establish the appropriate eligibility, we must have your permission to begin the APP.

This evaluation is a comprehensive evaluation of your child's emotional and physical maturity (including height and weight); as well as athletic abilities, physical fitness, and sport-specific athletic skill in relationship to other student athletes at that level.

Physical maturity is determined by the district medical director during a physical exam, using the Tanner Scale. The Tanner Scale requires the inspection of the entire body, including the breasts and genitals. The district does accept Tanner ratings from private medical providers. The district does not accept a history of menarche for girls in place of a physical examination. Upon passing the medical clearance, the student may proceed to the physical fitness and skill assessments. Students must pass all levels in order to meet the requirements of the APP.

If your child successfully meets the requirements of the APP, he/she will be allowed to try out for competitive high school athletics during 8<sup>th</sup> grade. Under normal circumstances, a student is eligible for senior high school athletic competition in a sport for only four consecutive seasons, beginning with the student's entry into the ninth grade. However, by meeting the Athletic Placement Process requirements established by NYSED, your child's eligibility can be extended to permit participation during five consecutive seasons in the approved sport after entry into the eighth grade.

It is important for you and your child to understand that, once the requirements are met and if he/she is accepted as a member of the team, he/she cannot return to a lower-level team (modified) in that sport in that season. Remember, at the higher level of play your child will be exposed to the social atmosphere that is common among older students in a high school environment. Therefore, it is important to take into account your child's ability to handle the additional demands.

Please feel free to contact me regarding this program or to discuss any aspect of your child's athletic placement. If you agree to allow your child's participation in the program, please sign and return the parental permission form to my office.

Sincerely,  
Peter Melore  
Executive Director HPERA



**ATHLETIC PLACEMENT PROCESS  
PARENT/GUARDIAN PERMISSION**

**PARENT/GUARDIAN STATEMENT**

I have read the attached letter and I understand the purpose and eligibility implications of the Athletic Placement Process.

My son/daughter (name): \_\_\_\_\_ has my permission to undergo the evaluation process and to participate in this program. I understand that the determination of physical maturity is a private examination involving inspection of breasts and genitals and [can be done by a licensed health professional](#), and I give my permission for the examination. Upon passing the medical clearance, he/she may proceed to the physical fitness and skill assessments. I understand that passing the evaluation process does not guarantee my child a position on a team, but only permits them to try out.

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date

## **CODE OF CONDUCT**

### **PROHIBITED STUDENT CONDUCT**

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

The best discipline is self-imposed, and students must learn to assume and accept responsibility for their own behavior, as well as the consequences of their misbehavior. District personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in self-discipline.

The Board recognizes the need to be clear and specific in expressing its expectations for student conduct while on school property or engaged in a school function. The rules of conduct listed below are intended to do that and focus on safety and respect for the rights and property of others. Students who will not accept responsibility for their own behavior and who violate these school rules, will be required to accept the penalties for their conduct.

Students may be subject to disciplinary action, up to and including suspension from school, when they take any of the following actions on school grounds, at a school event, or off school grounds if such action disrupts the educational process in the schools. Students shall not engage in the following:

**A. Conduct that is disorderly.**

Examples of disorderly conduct include, but shall not be limited to:

1. Running in hallways.
2. Making unreasonable noise.
3. Using language or gestures that are profane, lewd, vulgar, or abusive.
1. Obstructing vehicular or pedestrian traffic, including illegal parking on school property.
2. Engaging in any willful act which disrupts the normal operation of the school community.
3. Trespassing. Students are not permitted in any school building or on school property, other than the one they regularly attend, without permission from the administrator in charge of the building.
4. Misusing computer/electronic communications devices, including any unauthorized use of computers, software, or Internet/Intranet account; accessing inappropriate websites; or any other violation of Section §5300.21.

5. The use of cell phones and other unauthorized electronic devices (i.e. recording devices, cell phones, smart phones, and cameras) are not permitted during class time and during any testing, unless specifically directed by teachers. The use of recording devices, of any kind, is not permitted on school property and District transportation without the permission of the Building Principal/designee.
6. No skateboarding/skating in school or on school property unless part of a physical education class.

**B. Conduct that is insubordinate.**

Examples of insubordinate conduct include, but shall not be limited to:

1. Failing to comply with the reasonable directions of teachers, school administrators, or other school employees in charge of students, or otherwise demonstrating disrespect.
2. Unexcused lateness or cutting classes, truancy, missing, or leaving school without permission.
3. Failure to report to assigned detention or in-school suspension.

**C. Conduct that is disruptive.**

Examples of disruptive conduct include, but shall not be limited to:

1. Failing to comply with the directions or requests of teachers, school administrators, or other school personnel in charge of students.
2. Verbal, written, or graphic statements, communications, expressions, or illustrations that are threatening to person or property.

**D. Conduct that is violent and/or rises to the level of assault as defined herein.**

Examples of violent conduct include, but shall not be limited to:

1. Committing an act of violence (such as hitting, kicking, spitting, biting, punching, scratching or throwing of objects) upon a teacher, administrator, or other school employee, or attempting to do so.
2. Committing an act of violence including assault (such as hitting, kicking, spitting, biting, punching, scratching or throwing of objects) upon another student or any other person lawfully on school property, or attempting to do so.
3. Possessing a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function.
4. Displaying what appears to be a weapon.
5. Threatening to use any weapon.
6. Using a weapon.
7. Threatening to, or intentionally, damaging or destroying the personal property of a student, teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
8. Threatening to, or intentionally damaging or destroying school district property, including graffiti or arson.

9. Threatening to or intentionally using food to cause physical, psychological, and/or emotional injury.

**E. Conduct that endangers the safety, morals, health, or welfare of others.**

Examples of such conduct include, but shall not be limited to:

1. Lying to school personnel.
2. Stealing district property, the property of other students, school personnel, or any other person lawfully on school property or attending a school function.
3. Using vulgar or abusive language, cursing or swearing.
4. Defamation, which includes making false statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them.
5. Harassment, bullying, threats, or intimidation directed at an identifiable individual or group which are intended to be, or which a reasonable person would perceive as ridiculing, demeaning, or threatening. [Ref: Policy 0115]
6. Intimidation, threats, or bullying, including engaging in actions or statements that put an individual in fear of bodily harm and/or emotional discomfort. [Ref: Policy 0115]
7. Discrimination and harassment against any student by employees or students, on school property or at a school function that creates a hostile environment by conduct which, with or without physical contact, and/or by verbal threats, intimidation or abuse, is of so severe a 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 and/or physical well-being; or
  - b) reasonably causes, or would reasonably be expected to cause, a student to fear for his or her physical safety. Prohibited conduct includes, 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 practices, disability, sexual orientation, gender or sex.
8. Cyber bullying that causes a disruption to the educational environment.
9. Any form of electronic messaging that causes disruption to the educational environment (e.g. sexting, tweeting, instant messaging, **displaying or sharing lewd photographs**).
10. Hazing, which includes any intentional or reckless act directed against another for the purpose of initiation into, affiliating with or maintaining membership in any school sponsored activity, organization, club, or team. Hazing related to any non-school related activity is also forbidden. [Ref: Policy 0115]
11. Harassment, including overt or subtle behaviors and comments of a racial, religious, and ethnic nature that are offensive, unwelcome, interfere with another's work or academic performance, or create an intimidating, hostile, or offensive working or educational environment. [Ref: Policy 0115]
12. Inappropriate touching and/or indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner. [Ref: Policy 0115]
13. Sexual harassment, including overt or subtle behaviors and comments that are offensive, unwelcome, interfere with another's work or academic performance, or

- create an intimidating, hostile, or offensive working or educational environment. [Ref: Policy 0115]
14. Selling, using or possessing obscene material. [Ref: Policy 0110]
  15. Smoking a cigarette, cigar, pipe, e-cigarette, or using chewing or smokeless tobacco, a vaporizer, e-cigarettes, or liquid nicotine. [Ref: Policy 5312.1 - Drug and Alcohol Abuse]
  16. Possessing, consuming, selling, distributing, or exchanging tobacco products, e-cigarettes, vaporizers, liquid nicotine, alcoholic beverages or legal or illegal substances, or being under the influence of either or being in possession of drug paraphernalia. Inappropriately using or sharing prescription and over-the-counter drugs. "Illegal substances" shall include, but are not limited to inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any substance commonly referred to as "designer drugs" or synthetic drugs, such as synthetic cannabinoids. [Ref: Policy 5312.1]
  17. Possessing aerosol sprays (deodorants, body sprays, AXE) on school property. Aerosol sprays may pose a serious health risk to our students and staff. Spraying aerosols on campus is not permitted. Aerosol containers will be confiscated.
  18. Consuming, buying, or selling energy drinks on school property. Energy drinks shall mean a beverage that is not strictly regulated by the Food and Drug Administration and that contains 75 or more milligrams of caffeine per 8 fluid ounces and generally includes a combination of other supplements such as methylxanthines, B vitamins, herbal ingredients, and other ingredients, which are advertised as being specifically designed to provide or increase energy.
  19. Gambling
  20. Initiating a report warning of fire, bomb, or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
  21. Using food, medication, drugs, or substances to bully and/or cause fear, intimidation or actual bodily harm.
  22. The use of drones on school property, except under the direct supervision of staff, is strictly prohibited.

**F. Engage in misconduct while on a school bus.**

It is crucial for students to behave appropriately while riding on District buses, to ensure their safety and that of other passengers and to avoid distracting the bus driver. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. Unsafe behaviors such as but not limited to excessive noise, use of expletives, throwing items out of the window, vandalism, bullying, pushing, shoving, jumping, standing, and fighting will not be tolerated.

**G. Engage in any form of academic misconduct.**

Examples of misconduct include, but shall not be limited to:

1. Plagiarism.
2. Cheating.
3. Copying.
4. Altering records.

5. Assisting another student in any of the above actions.

#### **H. Code of Academic Integrity**

The core purpose of public education is to maximize the success of each student's learning and personal development so s/he becomes a successful part of our democratic, multi-ethnic society. To fulfill these expectations, students must be prepared to accept responsibility for their actions and the impact they may have on others. To promote these values, the foregoing Academic Code of Conduct has been established.

#### **Academic Dishonesty**

The following constitute examples of academic dishonesty. This list is not meant to be all-inclusive:

1. Copying: Obtaining information pertaining to any work to be submitted for evaluation by deliberately observing the work of another.
2. Plagiarism: Representing the work(s) or idea(s) of another, not necessarily those of a student, as one's own through the deliberate omission of acknowledgement or reference.
3. Cribbing: The use or attempted use of prohibited material, information, or study aids in any work submitted for evaluation.
4. Fraud: The alteration of any documentation relating to the grading process including tampering with an instructor's grade book (including electronic gradebook).
5. Fabrication: The unauthorized falsification or invention of any information in a work submitted for evaluation, including the use of a purchased term/research paper.
6. Sabotage: The intentional or reckless destruction of another student's work to be submitted for evaluation.
7. Complicity: The intentional performance of an act with knowledge that it will assist another to commit an act of academic dishonesty as that term is defined in the Code.
8. Facilitation: Assisting someone in committing plagiarism, fabrication, cheating, or any other type of academic dishonesty.

Teachers, administrators and any other member of the District staff shall promptly report any suspected violations of this Code to the Superintendent or his/her designee.

#### **Consequences of Academic Dishonesty**

Any alleged act of academic dishonesty by a student, as defined above, shall be evaluated on a case-by-case basis by the Building Principal or his/her designee.

The Building Principal, or his/her designee, may take any or all of the following disciplinary actions when a student is found to have engaged in academic misconduct:

1. Parental notification
2. Oral reprimand
3. Written reprimand
4. No public recognition of academic honors
5. Ineligibility for/or removal from District sponsored honor societies

6. Withdrawal of District sponsored scholarship
7. The student shall receive a “zero” on the assignment or test
8. The student may receive a grade of 55 in the course and be dismissed from the course for the remainder of the semester/year with no credit

In addition to the above sanctions, any student removed from a course with a grade of 55, or any student that engages in academic misconduct, may not be eligible to receive any Three Village Central School District sponsored award, recognition, or hold any student leadership position.

Disciplinary sanctions beyond those listed here, including detention, in-school suspension and out-of-school suspension, may be issued by the Building Principal in addition to the academic sanctions listed above.

Any student believed to have engaged in academic misconduct shall have the right to an informal conference with the Building Principal to present his/her version of the events prior to the imposition of the above-listed sanctions.

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## **STUDENT SEARCHES AND INTERROGATIONS**

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

The Board authorizes the Superintendent of Schools, Building Principals, [Assistant Principals](#), the school nurse and district security officials to conduct searches of students and their belongings [in accordance with this policy and the District's Code of Conduct](#). 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 of Conduct, 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 [Policy and the District's Code of Conduct](#) regarding searches of students and their belongings do not apply to student lockers, desks and other school storage places. Students have no reasonable expectation of privacy with respect to these places and school officials retain complete control over them. This means that student lockers, desks and other school storage places may be subject to search at any time by school officials, without prior notice to students and without their consent.



## B. Strip searches

A strip search is a search that requires a student to remove any or all of his or her clothing, other than an outer coat or jacket. In general, the Board prohibits district staff from conducting strip searches of students. If, under extraordinary circumstances, an authorized school official has reasonable suspicion to believe it is necessary to conduct a strip search of a student, the Building Principal or his/her designee shall make a determination. Any strip search must be conducted by an authorized school official of the same sex as the student, in the presence of another district professional employee also of the same sex as the student. The district shall attempt to notify the student's parent/guardian by telephone before conducting a strip search, or in writing after the fact if the parent/guardian could not be reached by telephone. ~~The only exception to this rule requiring advanced authorization is when the school official believes there is an emergency situation that could threaten the safety of the student or others.~~

## C. Documentation of Searches

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

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

The 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.

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

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

1. A search or an arrest warrant;
2. Probable cause to believe a crime has been committed on school property or at a school function; or
3. Probable cause to believe that a crime is about to be committed on school property or at a school function.

Before police officials are permitted to question or search any student, the Principal or his or her designee shall first try to notify the student's parent/guardian to give the parent/guardian the opportunity to be present during the police questioning or search. If the student's parent/guardian cannot be contacted prior to the police questioning or search, the questioning or search shall not be conducted, unless the student is 16 years of age or older. 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.

#### E. 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~~ provide data and assistance to local child protective services workers, or members of a multi-disciplinary team accompanying such workers, who ~~wish to conduct interviews of students on school property relating~~ are responding to allegations of suspected child abuse, and/or neglect, or custody investigations. Such data and assistance include access to records relevant to the investigation, as well as access to ~~interviews with~~ any child named as a victim in a report of suspected abuse or maltreatment, or a sibling of that child, or a child residing in the same home as the named victim. Such "access" to a child includes making a child available for an interview without a court order or the consent of the parent/guardian when CPS encounters circumstances that warrant interviewing the child apart from the family/household member or the home/household where the child abuse or maltreatment allegedly occurred.

All requests by child protective services to interview a student on school property shall be made directly to Principal or his or her designee. The Principal shall immediately notify the Superintendent of Schools of such communication. Child protective service workers and any associated multi-disciplinary team members must comply with the district's procedures for visitors, provide identification, and identify the child(ren) to be interviewed.

~~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~~ staff member,

including but not limited to an administrator or school nurse, to be present during observe the interview either from inside or outside the interview room. ~~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/guardian's](#) consent.

Ref: Social Services Law §425

18 NYCRR §432.3

*Safford Unified School District #1 et al. v. Redding*, 129 S. Ct. 2633 (2009)

*Vassallo v. Lando*, 591 F.Supp.2d 172 (E.D.N.Y. (2008))

*Phaneuf v. Fraikin* 448 F.3<sup>rd</sup> 591 (2006)

*New Jersey v. TLO*, 469 U.S. 325 (1985)

*In re Gregory*, 82 N.Y.2d 588 (1993)

*People v. Scott D.*, 34 N.Y.2d 483 (1974)

*People v. Singletary*, 37 N.Y.2d 310 (1975))

*People v. Overton*, 20 N.Y.2d 360 (1969)

*M.M. v. Anker*, 607 F.2d 588 (2d Cir. 1979)

*Opinion of Counsel*, 1 EDR 800 (1959)

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## OPIOID OVERDOSE PREVENTION

The Board of Education recognizes that many factors, including the use and misuse of prescription painkillers, can lead to the dependence on and addiction to opiates, and that such dependence and addiction can lead to overdose and death among the general public, including district students, staff. The Board wishes to minimize these deaths by the use of opioid overdose prevention measures.

The Board approves the district to participate in a local NYSDOH-registered Opioid Overdose Prevention Program, Suffolk County Department of Health Services, as an opioid antagonist recipient. The Board permits any school employee to volunteer to receive training from this program. School nurses may become volunteer trained responders, but may only act as trained responders when not functioning as a nurse. The Program shall issue shared access to NYSDOH-provided naloxone (also known as Narcan, among other names) nasal spray kits to trained responders. Employees wishing to volunteer to become trained responders must contact the School Nurse or Building Principal, who shall arrange with the Program Director for training for the administration of intranasal naloxone. Volunteer trained responders may administer naloxone to a student, [staff member](#), or [visitor](#) displaying opioid overdose symptoms, along with contacting emergency responders pursuant to the naloxone training. All provided naloxone kits shall be stored as specified by the Program. Naloxone shall be accessible during school hours and during on-site school-sponsored activities. The district shall comply with all recordkeeping, inventory, documentation and notification requirements of the Program.

**Ref:** Education Law §§922 (volunteer naloxone responder); 6527 (emergency treatment of anaphylaxis and opioid overdose); 3023 (liability coverage); 6909 (administration of naloxone by nurses)  
 Public Health Law §3309 (volunteer naloxone responder)  
 8 NYCRR §§ 64.7 (administration of naloxone); Part 136 (school health services program, including naloxone)  
 10 NYCRR §80.138 (volunteer naloxone responder)  
*Guidance for Implementing Opioid Overdose Prevention Measures in Schools*, New York State Education Department, 8/11/15, [www.schoolhealthservicesny.com/files/filesystem/guidance\\_on\\_opioid\\_overdose\\_prevention\\_in\\_the\\_schools\\_final.pdf](http://www.schoolhealthservicesny.com/files/filesystem/guidance_on_opioid_overdose_prevention_in_the_schools_final.pdf)  
*Opioid Overdose Prevention: Guidelines for Policies and Procedures*, New York State Department of Health, March 2014, [www.health.ny.gov/diseases/aids/general/opioid\\_overdose\\_prevention/docs/policies\\_and\\_procedures.pdf](http://www.health.ny.gov/diseases/aids/general/opioid_overdose_prevention/docs/policies_and_procedures.pdf)

Adoption date:

**Policy Committee Meeting January 18, 2017**  
**Information First Reading - February 8, 2017**

**OPIOID OVERDOSE PREVENTION**  
**REGULATION**

The district shall follow the procedures established by the Suffolk County Department of Health Services, NY State DOH-Registered Opioid Overdose Prevention Program Opioid Overdose Prevention Program, registered with the New York State Department of Health (NYSDOH), for the use of naloxone, including: placement, storage, inventory and re-ordering, documenting and reporting incidents of usage, and volunteer responder training.

Every administration of naloxone shall be reported to the Clinical Director and Program Director of the Opioid Overdose Prevention Program in which the district is participating, as well as the school nurse.

The district shall maintain a current list of all trained volunteer responders by building location, located in building main office.

Adoption date:

**Policy Committee Meeting January 2017**