

LONG BEACH PUBLIC SCHOOLS
Long Beach, NY

April 12, 2022

Ladies and Gentlemen:

The Long Beach Board of Education is the authorized state agency responsible for setting educational policy in the district. It consists of five trustees, each serving a three-year term. Board members pay school taxes at the regular rate and receive no salary or other financial compensation.

All meetings, except executive sessions, are held before the public. Members of the public may address the Board of Education on any specific agenda item during special time reserved for that purpose prior to Board discussion and action. The public may also address the Board of Education on any matter of concern at a second public session after the Board of Education completes agenda action items. Visitors should not address the Board in public relative to questions or comments regarding specific staff members or specific students. Such concerns should be brought to the attention of appropriate staff or to board members by telephone, in writing, or by scheduling a personal meeting, as appropriate to the circumstances

Visitors' comments will be limited to three (3) minutes for each agenda item upon which comment is made. Visitors are precluded from speaking on any agenda item more than once during each meeting.

Please be reminded that current CDC guidelines recommend social distancing of six feet between members not of the same household.

Sincerely,

Your Board of Education

**BOARD OF EDUCATION
LONG BEACH PUBLIC SCHOOLS
West Elementary School Gymnasium
Tuesday April 12, 2022**

AGENDA

REGULAR MEETING

7:00 PM

- I. Pledge of Allegiance/Call to Order/Opening Remarks – Board President
- II. Report of the Superintendent of Schools

- **Student Recognition – Challenger Basketball Team**

Team

Joseph Amorosa	Shravonie Carlo	David Crespo
Dante Lyons	Nicolas Arroyo	Shane Apple
Michael Silvia	Isabella Catania	Kaya Pace
Heath Weisen	Kiashaw Felder	Cheyenne Ward
Kevin Leon		

High School Student Helpers

Dedrick Kirkem	Matthew Corbett	Jack Shields
Nathaniel Mesa	Bret Michaels	Michael Main

Staff

Lori DeVivio	Kristen Ford	John Whelan
Owen Scully	Elizabeth Wisey	Jill Heller
Wilber Thorsen	Sue Paganini	Kim Sheehan-Leone
Deborah McClendon	Amy Teemer	Patricia Buschi
Cathy Palmer	Megan Salerno	Eileen Costelloe
Catherine Clarke	Tara Roesch	Jennifer Reznick
Thomas Gaynor	Kerri Sinatra	John Graziano

- **Student Recognition – Robotics**

Team

Robert Adler	Jonathan Berzner	Steven Bochner
Joseph Borenstein	Keyi Chen	Bradley Clarke
Nicholas Galon	Jacob Graboyes	Carolina Hardy
Thomas Kelly	Thomas Littlefield	Lukas Pipitone
Shawn Roller	Aidan Wacks	James Walpole
Francis Walpole		

Team Mentors

James Johnsen	Daniel Lerner	Mark Mcleod
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Team Administrator

Patrick Kiley-Rendon

- **2022-23 Budget Presentation - Budget Adoption**

- III. PUBLIC HEARING – CODE OF CONDUCT
- IV. Budget Presentation
- V. Board of Education Comments
- VI. Student Organization Announcements

- VII. Questions and Comments from the Public on Tonight's Agenda Only
- VIII. Treasurer's Report for February 2022
- IX. Approval of Minutes for Executive Session of March 19, 2022, Executive Session and Regular Meeting of March 8, 2022 and Executive Session of March 31, 2022
- X. Presentations of the Superintendent:
 - 1. Personnel Matters: Certificated
 - 2. Personnel Matters: Non-Certificated
 - 3. Adoption of 2022-23 Budget
 - 4. Adoption of 2022-23 Property Tax Report Card
 - 5. Approval of Nominations to BOCES Board
 - 6. Acceptance of Internal Audit Report and Corrective Action Plan
 - 7. Approval of Revised Agreement – Sound Actuarial
 - 8. Approval to Participate in BOCES Cooperative – Transportation
 - 9. Approval of Agreement with Town of Hempstead
 - 10. Approval of Budget Transfer
 - 11. Approval of Deduct Change Orders
 - 12. Acceptance of Donation
 - 13. First Reading of Policy #7132 Education of Students in Temporary Housing
 - 14. First Reading of Policy #8260 Title I Parent and Family Engagement
 - 15. Second Reading of Policy #8330 Review of Curricula or Instructional Materials
 - 16. Adoption of Policy #8450 Homebound Instruction
 - 17. Payment of Legal Bills: Legal Services
 - 18. Acceptance of Recommendations of CPSE/CSE
 - 19. Approval of Use of Schools Applications
- XI. Board of Education – Additional New/Old Business if any
- XII. Questions and Comments from the Public
- XIII. Announcements:
 - 1. Long Beach Classroom Teachers' Association
 - 2. Administrative, Supervisory and PPS Group
 - 3. LBSEA -Long Beach Schools Employees' Association – Group C
 - 4. Parent/Teacher Association
- XIV. Adjournment

RESOLUTIONS

BE IT RESOLVED THAT, upon the recommendation of the Superintendent of Schools, the Board of Education approves the following personnel actions.

I. CERTIFICATED PERSONNEL

(a) Leaves of Absence

Name: Dina Hannon-Behr
Assign./Loc. Reading Teacher/Lido School
Effective Dates: April 5, 2022-May 9, 2022 (on or about)
Reason: Family Illness/FMLA

Name: Christina Siraco
Assign./Loc. Elementary Teacher/East School
Effective Dates: September 1, 2022-June 30, 2023
Reason: Child Care

Name: Denise Callahan
Assign./Loc. Special Education Teacher/Lido School
Effective Dates: April 4, 2022-April 14, 2022 (on or about)
Reason: Family Illness

(b) Appointment: Enrichment Program Instructors for the 2021/2022 School Year-rate of pay \$77.53 per hour-American Rescue Plan Federal Grant

Enrichment Class	Facilitator	Number of Hours
Math Olympiads	Lindsey Smith	8
Math Olympiads	RoseAnn Pinto	4
Math Olympiads	Lauren Muscarella	6
Math Olympiads	Amanda Betz	2

(c) Appointment: Odyssey of the Mind–Rate of Pay: \$58.35 per hour-for the 2021-2022 School Year-maximum 80 hours each

Douglas MacConnell
Justin Sulsky

I. CERTIFICATED PERSONNEL

- (d) The following personnel are recommended to be employed in the New York State Education Department's funded Adult Education Programs and TASC Program dependent upon funding, funding requirements, and satisfactory performance for the 2021--2022 school year.

CERTIFIED

Name	Pay code	Rate per hour	Max hours	Total
Kerry-Ann Fyne	S-3	28.02	1,102	30,878
Karen Gonzalez	I-4	30.55	927	28,319
June Peralta	I-6	36.41	994	36,192
Elyzabeth Torres	I-5	33.60	838	28,157
Sharon Weiss	I-6	36.41	90	3,277
Flor West	I-6	36.41	90	3,277

- (e) The following Short Term Substitute Teacher is recommended for approval for the 2021-2022 school year – May 24, 2022-June 30, 2022. Rate will be \$227.12 per day

NAME	CERTIFICATION AREA
Alyssa Soohoo	Professional Students with Disabilities 1-6

- (f) The following Per Diem Substitute is recommended for approval for the 2021-2022 school year

NAME	CERTIFICATION AREA
Joshua Melendez	Initial Music K-12
Chaya Feldstein	Permanent Pre K-6
Una Marie Campbell	Provisional School Counselor
Wilbur Thorsen	Childhood Education 1-6-Emergency Covid 19

II. NON CERTIFICATED PERSONNEL

(a) Rescission

Name: Byron Ortega
Assign./Loc. Bus Driver/Transportation Department
Effective Date: December 15, 2021

(b) Resignations

Name: Mayela Sibrian
Assign./Loc. Part Time Bus Aide/Transportation Department
Effective Date: March 4, 2022 close of day

Name: Tracy Roca
Assign./Loc. Payroll Clerk/Administration Building
Effective Date: April 8, 2022 close of day

Name: Wilbur Thorsen
Assign./Loc. Part Time Teacher Aide/LBHS
Effective Date: April 12, 2022 close of day

(c) Catastrophic Leave of Absence

Name: Maris Lynch
Assign./Loc. Data Specialist/Lido School
Effective Dates: April 1, 2022-June 30, 2022 (or earlier at the district's discretion)
Reason: Medical

(d) Leaves of Absence

Name: Sohail Akbar
Assign./Loc. Part Time Building Aide/LBHS
Effective Dates: April 11, 2022-April 29, 2022
Reason: Family Illness

Name: Kelly Stokes
Assign./Loc. Part Time Teacher Aide/East School
Effective Dates: May 2, 2022-May 13, 2022
Reason: Medical

II. NON CERTIFICATED PERSONNEL

- (e) **Appointment Part Time Teacher Aide 17.5 hours per week start date through June 26, 2022 (or earlier at the district's discretion)**

Name	Building	Step	Hourly Rate	Reason	Start Date
Joanie Grosso	Lido School	1	17.09	Program	4/12/2022
Gianna Schiavone	East School	1	17.09	IEP	4/5/2022

- (f) **Appointment: Probationary Senior Data Specialist-12 months**

Name: Karissa Nash
Assign./Loc.: Senior Data Specialist/LBHS
Effective Date: July 1, 2022
Probationary End Date: January 1, 2023
Salary Classification: \$43,737 per annum
Grade/Step: Grade III/Step 6
Reason: To fill a vacancy
Comment: Leave of absence from Data Specialist position
7/1/22-1/1/23

- (g) **Appointment: Part Time Lunch Aide (15 hours per week)**

Name: Charlene Carbone
Assign./Loc.: Part Time Lunch Aide/Lido School
Effective Date: March 28, 2022
Salary Classification: \$15.07 per hour
Grade/Step: Grade I/Step 1
Reason: To fill a vacancy

- (h) **Appointment: Part Time Food Service Worker 17.5 hours per week**

Name: Thalia Rodriguez
Assign./Loc.: Part Time Food Service Worker/LBHS
Effective Date: April 13, 2022
Grade/Step: Grade 1/Step 6
Salary Classification: \$15.77 per hour
Reason: To fill a vacancy

II. NON CERTIFICATED PERSONNEL

- (i) The following personnel are recommended to be employed in the New York State Education Department's funded Adult Education Programs and TASC Program dependent upon funding, funding requirements, and satisfactory performance for the 2021--2022 school year.

NON-CERTIFIED

Name	Pay code	Rate per hour	Max hours	Total
Amos Pinchasin	J-7	21.58	747	16,120

- (j) **MEMORANDUM OF AGREEMENT: LONG BEACH PUBLIC SCHOOLS AND THE LONG BEACH SCHOOL EMPLOYEES ASSOCIATION**

BE IT RESOLVED, the Board of Education approves the Memorandum of Agreement between the negotiating representatives of the Long Beach Public Schools about an employee discussed in executive session and the Long Beach School Employees Association, dated April 6, 2022.

3. ADOPTION 2022-2023 BUDGET

BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education adopts the budget for the 2022-2023 school year in the amount of \$151,915,903.

4. APPROVAL OF SECTION 1716 OF EDUCATION LAW: 2022-2023 PROPERTY TAX REPORT CARD

BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education adopts the 2022-2023 Property Tax Report Card, with a budget of \$151,915,903 and corresponding tax levy of \$105,880,305.

5. APPROVAL OF NOMINATIONS TO BOCES BOARD

WHEREAS, there will be three seats on the Nassau Board of Cooperative Educational Services that will expire on June 30, 2022; three seats held by Ronald Ellerbe, Fran Langsner and Robert Schoen, with each seat carrying a term of three years;

BE IT RESOLVED, that the Board approves the nomination of the following three candidates: Ronald Ellerbe, Fran Langsner and Robert Schoen.

6. ACCEPTANCE OF INTERNAL AUDIT REPORT AND CORRECTIVE ACTION PLAN

BE IT RESOLVED, that the Board of Education hereby acknowledges receipt of a report from the district's Internal Auditor, Cerini and Associates, entitled, "Review of Attendance for the 2020-2021 School Year", and corresponding Corrective Action Plan.

7. APPROVAL OF REVISED AGREEMENT – SOUND ACTUARIAL

WHEREAS, the Long Beach City School District ("District") has entered into an agreement with Sound Actuarial Consulting ("Sound") to provide actuarial services including a review of the self-insured workers compensation program and an analysis of the Other Postemployment Benefits at a cost of \$12,000 for the 2021-2022 school year;

BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education approves an amendment to the agreement reflecting an increase in the cost of services for the 2021-2022 school year to \$20,000 to include the cost of bi-annual full valuation services.

8. APPROVAL TO PARTICIPATE IN BOCES COOPERATIVE – TRANSPORTATION

WHEREAS, a number of public school districts in Nassau County wish to jointly solicit proposals, together with the Nassau Board of Cooperative Educational Services ("BOCES") for pupil transportation services for the 2022-23 school year (and any renewal period) in accordance with the applicable provisions of General Municipal Law;

WHEREAS, the public school districts and the BOCES have agreed to form a Cooperative (the "Cooperative") for this purpose;

WHEREAS, the Long Beach City School District is desirous of participating in the Cooperative for joint solicitation of proposals for pupil transportation services as authorized by General Municipal Law, Section 119-0 in accordance with the terms and conditions of the Inter-Municipal Cooperative Transportation Agreement attached hereto;

NOW THEREFORE BE IT RESOLVED, that the Board of Education authorizes the School District to participate in the Cooperative; and

BE IT FURTHER RESOLVED, that the Board of Education hereby approves the Inter-Municipal Cooperative Transportation Agreement (Recitals) attached hereto and authorizes the Board President to execute the Agreement on behalf of the Board of Education.

9. APPROVAL OF AGREEMENT WITH THE TOWN OF HEMPSTEAD SCHOOL BUS STOP ARM ENFORCEMENT PROGRAM

WHEREAS, the Long Beach City School District intends to participate in the Town of Hempstead School Bus Stop Arm Enforcement Program (hereinafter the "Stop Arm Program").

WHEREAS, the Stop Arm Program is authorized under New York State Vehicle and Traffic Law §1174-a;

WHEREAS, pursuant to NYS VTL §1174-a, in order to participate in the Program, the School District must enter into an agreement with the Town.

WHEREAS, the Long Beach City School District intends to execute the School Bus Stop Arm Enforcement Program Opt-In Agreement, attached hereto as Exhibit 1, and enter into the Stop Arm Program.

RESOLVED, the Long Beach City School District Board of Education hereby acknowledges and approves the Town of Hempstead School Bus Stop Arm Enforcement Program Opt-in Agreement made between the Town of Hempstead, Long Beach City School District, and Bus Patrol America LLC, and agrees to be bound by its terms.

10. APPROVAL OF BUDGET TRANSFER

BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education approves a transfer in the amount of \$ 100,000.00 to the transportation contractual code from the transportation bus driver salary code to cover the cost of transportation services with Guardian and L&M for the 2021-22 school year.

11. APPROVAL OF DEDUCT CHANGE ORDERS

A) CONTRACT NO. 3 – BOILER REPLACEMENT

WHEREAS, the Long Beach City School District ("District") has engaged Best Climate Control Corporation for boiler replacement at the Lido Middle School pursuant to 2020/2021 Capital Improvement Program SED No. 28-03-00-01-0-001-042; and

WHEREAS, the District’s architect recommends the return of an Allowance in the amount of \$11,282.64, which was included in the contract for unforeseen conditions; and

BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education hereby accepts Deduct Change Order #1 to the contract with Best Climate Control Corporation for the decrease in cost of \$11,282.64; and

BE IT FURTHER RESOLVED, that the Board of Education authorizes the Assistant Superintendent for Finance and Operations to execute Deduct Change Order #1 to the contract with Best Climate Control Corporation on its behalf.

B) CONTRACT NO. 4 – ELECTRICAL RECONSTRUCTION

WHEREAS, the Long Beach City School District (“District”) has engaged Palace Electrical Contractors for electrical reconstruction relating to the boiler replacement at the Lido Middle School pursuant to 2020/2021 Capital Improvement Program SED No. 28-03-00-01-0-001-042; and

WHEREAS, the District’s architect recommends the return of an Allowance in the amount of \$7,500, which was included in the contract for unforeseen conditions; and

BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education hereby accepts Deduct Change Order #1 to the contract with Palace Electrical Contractors for the decrease in cost of \$7,500; and

BE IT FURTHER RESOLVED, that the Board of Education authorizes the Assistant Superintendent for Finance and Operations to execute Deduct Change Order #1 to the contract with Palace Electrical Contractors on its behalf.

12. ACCEPTANCE OF DONATION

BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education accepts a donation from Long Island Swim of two (2) Colorado Timing LED electronic pace clocks for use at the High School pool, valued at approximately \$1,100.00 each.

13. FIRST READING OF POLICY #7132 EDUCATION OF STUDENTS IN TEMPORARY HOUSING

14. FIRST READING OF POLICY #8260 TITLE I PARENT AND FAMILY ENGAGEMENT

15. SECOND READING OF POLICY #8330 REVIEW OF CURRICULA OR INSTRUCTIONAL MATERIALS

16. ADOPTION OF POLICY #8450 HOMEBOUND INSTRUCTION

17. PAYMENT OF LEGAL BILLS: LEGAL SERVICES

A) VOLZ & VIGLIOTTA

BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education authorizes expenditures in the amount of \$4,583.33 to Volz & Vigliotta for the monthly retainer for general counsel legal services for the period of May 1, 2022 through May 31, 2022 and \$4,509.50 for general counsel legal services for the period of February 1, 2022 through February 28, 2022; and \$3,458.33 for the monthly retainer for labor counsel legal services for the period May 1, 2022 through May 31, 2022 and \$117.50 for labor counsel legal services for the period of February 18, 2022.

B) FRAZER & FELDMAN

BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education authorizes expenditures in the amount of \$1,199.92 to Frazer & Feldman for professional legal services for the period of November 4, 2021 through December 27, 2021 and \$869.75 for professional legal services for the period of February 1, 2022 through February 28, 2022.

18. ACCEPTANCE OF RECOMMENDATIONS FROM THE COMMITTEE ON PRE-SCHOOL SPECIAL EDUCATION AND COMMITTEE ON SPECIAL EDUCATION

19. APPROVAL OF USE OF SCHOOLS APPLICATIONS

BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education approves the use of schools as attached, not to conflict with District events. However, please note that events may have to be modified and/or rescheduled based on building schedule.

APPLICATIONS FOR USE OF SCHOOLS

<u>Organization</u>	<u>Purpose</u>	<u>Facility Requested</u>	<u>Date Requested</u>
City of Long Beach	Fitness Club	Middle School Tennis Courts, Veterans Field and Track	Sundays May 1, 15, 22, 2022 June 5, 12, 26, 2022 9:00am – 11:45am
Beach Baseball Camp and Clinics, LLC	Baseball Skills Training	Middle School Gym and Athletic Fields #9, #10, #11, #12 and Veterans Field	Monday – Friday* (*may need Sat. or Sun. if inclement weather) June 27 – July 8, 2022 8:30am – 3:30pm

Rising Stars	Basketball Camp	Middle School Gym	Mon. – Thur. August 1 – 4, 2022
City of Long Beach/ Long Beach Rec	Summer Camp	Lindell Elementary Auditorium, Cafeteria, Athletic Fields 1 & 2	Mon. – Fri. June 27 – Aug. 19, 2022 8:00am – 2:00pm
City of Long Beach/ Long Beach Rec	Summer Camp	West School Cafeteria, Gym, Art Room	Mon. – Fri. June 27 – Aug. 19, 2022 8:00am – 2:00pm
City of Long Beach/ Long Beach Rec	Summer Camp	East Elementary Cafeteria, Gym and Music Room	Mon. – Fri. June 27 – Aug. 19, 2022 8:00am – 2:00pm
City of Long Beach/ Youth and Family Services	Summer Camp	Middle School Auditorium, Cafeteria, Gym, Tennis Courts, Athletic Fields 11, 12 and Veterans Field	Mon. – Fri. June 27 – Aug. 19, 2022 7:00am – 4:00pm

Students

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING

The Board recognizes the unique challenges that face students in temporary housing (i.e., homeless children and youth) and will provide these students with access to the same free and appropriate public education, including public preschool education, as other students, as well as access to educational and other services necessary to be successful in school. The District will ensure that these students are not separated from the mainstream school environment. The Board is also committed to eliminating barriers to the identification, enrollment, attendance, and success of students in temporary housing.

Identification of Students in Temporary Housing

All districts are obligated to affirmatively identify all students in temporary housing. Therefore, the District will determine whether there are students in temporary housing within the District by using a housing questionnaire to determine the nighttime residence of all newly enrolled students and all students whose address changes during the school year. Not all students in temporary housing can be identified through social service agencies or shelters, as children may be sharing the housing of other persons, such as family or friends, due to loss of housing, economic hardship, or other similar reason. For this reason, the District uses a housing questionnaire that asks for a description of the current living arrangements of the child or youth to determine whether the child or youth meets the definition of a homeless child.

In addition to using the housing questionnaire, the District may be notified by the local department of social services (LDSS) (i.e., the social services district) about students in temporary housing, as well as the local runaway and homeless youth shelter, and any other shelters located within District boundaries to ensure all students in temporary housing are properly identified and served.

Definitions

- a) "Feeder school" means:
1. A preschool whose students are entitled to attend a specified elementary school or group of elementary schools upon completion of that preschool;
 2. A school whose students are entitled to attend a specified elementary, middle, intermediate, or high school or group of specified elementary, middle, intermediate, or high schools upon completion of the terminal grade of such school; or
 3. A school that sends its students to a receiving school in a neighboring school district.
- b) "Homeless child" means:
1. A child or youth who lacks a fixed, regular, and adequate nighttime residence, including a child or youth who is:

(Continued)

Students

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING (Cont'd.)

- (a) Sharing the housing of other persons due to a loss of housing, economic hardship, or a similar reason (sometimes referred to as "doubled-up");
 - (b) Living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;
 - (c) Abandoned in hospitals;
 - (d) A migratory child who qualifies as homeless under (a), (b), or (c) of this subparagraph or item 2) below; or
 - (e) An unaccompanied youth; or
2. A child or youth who has a primary nighttime location that is:
- (a) A supervised, publicly, or privately operated shelter designed to provide temporary living accommodations, including, but not limited to, shelters operated or approved by the state or LDSS, and residential programs for runaway and homeless youth established in accordance with applicable law; or
 - (b) A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings, including a child or youth who is living in a car, park, public space, abandoned building, substandard housing, bus or train station, or similar setting.
- c) "Migratory child" means a child or youth who made a qualifying move in the preceding 36 months:
- 1. As a migratory agricultural worker or a migratory fisher; or
 - 2. With, or to join, a parent or spouse who is a migratory agricultural worker or a migratory fisher.
- d) "Preschool" means a publicly funded prekindergarten program or a Head Start program administered by the District and/or services under the Individuals with Disabilities Act administered by the District.
- e) "Receiving school" means:
- 1. A school that enrolls students from a specified or group of preschools, elementary schools, middle schools, intermediate schools, or high schools; or

(Continued)

Students

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING (Cont'd.)

2. A school that enrolls students from a feeder school in a neighboring local educational agency.
- f) "Regional placement plan" means a comprehensive regional approach to the provision of educational placements for homeless children that has been approved by the Commissioner of Education.
- g) "School district of current location" means the public school district within New York State in which the hotel, motel, shelter or other temporary housing arrangement of a homeless child, or the residential program for runaway and homeless youth, is located, which is different from the school district of origin.
- h) "School district of origin" means the school district within New York State in which:
1. The homeless child was attending a public school or preschool on a tuition-free basis or was entitled to attend when circumstances arose that caused the child to become homeless, which is different from the school district of current location;
 2. The child was residing when circumstances arose that caused the child to become homeless if the child was eligible to apply, register, or enroll in public preschool or kindergarten at the time the child became homeless; or
 3. The homeless child has a sibling who attends a school in the school district in which the child was residing when circumstances arose that caused the child to become homeless.
- i) "School of origin" means:
1. The public school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled, including a preschool or a charter school;
 2. The designated receiving school at the next grade level for all feeder schools for a student in temporary housing who completes the final grade level served by the school of origin; and
 3. The public school or preschool in which the child would have been entitled or eligible to attend based on the child's last residence before the circumstances arose which caused the child to become homeless if the child becomes homeless after the child is eligible to apply, register, or enroll in the public preschool or kindergarten or if the child is living with a school-age sibling who attends school in the school district of origin.
- j) "Unaccompanied youth" means a homeless child or youth who is not in the physical custody of a parent or legal guardian.

(Continued)

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING (Cont'd.)**The McKinney-Vento Liaison for Students in Temporary Housing**

The District will designate an appropriate staff person, who may also be a coordinator for other federal programs, as the District liaison for students in temporary housing (otherwise referred to as the McKinney-Vento liaison). The District's McKinney-Vento liaison serves as one of the primary contacts between families experiencing homelessness and school staff, district personnel, shelter workers, and other service providers. The McKinney-Vento liaison coordinates services to ensure that homeless children and youth enroll in school and have the opportunity to succeed.

The District's McKinney-Vento liaison must ensure that:

- a) Students in temporary housing are identified by school personnel and through coordination activities with other entities and agencies;
- b) Students in temporary housing enroll in, and have full and equal opportunity to succeed in, the District's schools;
- c) Students in temporary housing and their families receive educational services for which they are eligible, including Head Start programs administered by a local educational agency, Early Head Start, early intervention services under part C of the Individuals with Disabilities Education Act, and other preschool programs administered by the District;
- d) Students and parents in temporary housing receive referrals to health care services, dental services, mental health and substance abuse services, housing services and other appropriate services;
- e) Parents or guardians of students in temporary housing are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;
- f) Parents and guardians of students in temporary housing, and unaccompanied youth, are fully informed of all transportation services, including transportation to and from the school district of origin and are assisted in accessing transportation services;
- g) Disputes regarding eligibility, school selection, enrollment and/or transportation are mediated in accordance with applicable laws and regulations;

(Continued)

Students

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING (Cont'd.)

- h) Assistance in commencing an appeal, in accordance with applicable law, of a final determination regarding eligibility, enrollment, school selection, and/or transportation is provided to the student in temporary housing's parent or guardian or the unaccompanied youth;
- i) A record is maintained of all appeals of enrollment, school selection, and transportation;
- j) Public notice of the educational rights of students in temporary housing is posted in locations where these students receive services, such as schools, shelters, public libraries, and soup kitchens, in a manner and form understandable to the parents and guardians of students in temporary housing, and unaccompanied youth;
- k) School personnel providing services to students in temporary housing receive professional learning and other support;
- l) Unaccompanied youths:
 - 1. Are enrolled in school;
 - 2. Have opportunities to meet the same challenging state academic standards as the state establishes for other children and youth, including receiving credit for full or partial coursework earned in a prior school pursuant to Commissioner's regulations; and
 - 3. Are informed of their status as independent students under section 480 of the Higher Education Act of 1965 and that the youths may obtain assistance from the McKinney-Vento liaison to receive verification of this status for purposes of the Free Application for Federal Student Aid (FAFSA);
- m) School personnel, service providers, advocates working with students in temporary housing, parents and guardians of students in temporary housing, and students in temporary housing are informed of the duties of the McKinney-Vento liaison; and
- n) Assistance with obtaining any necessary immunizations or screenings, or immunization or other required health records is provided to the parents or guardians of the students in temporary housing.

School District and School Designations

A designator will make the initial decision about which school district and school a student in temporary housing will attend. A designator is:

- a) The parent or person in parental relation (guardian) to a student in temporary housing;

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SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING (Cont'd.)

- b) The student in temporary housing, together with the McKinney-Vento liaison, in the case of an unaccompanied youth; or
- c) The director of a residential program for runaway and homeless youth, in consultation with the student in temporary housing, where the student is living in that program.

The District will ask the designator to designate one of the following as the school district of attendance for the student in temporary housing:

- a) The school district of current location;
- b) The school district of origin; or
- c) A school district participating in a regional placement plan.

The District will also ask the designator to designate one of the following as the school where a student in temporary housing seeks to attend:

- a) The school of origin; or
- b) Any school that permanent housed children and youth who live in the attendance area in which the child or youth is actually living are eligible to attend, including a preschool.

A student in temporary housing is entitled to attend the schools of the school district of origin without the payment of tuition for the duration of their homelessness and through the remainder of the school year in which the student becomes permanently housed and for one additional year if that year constitutes the student's terminal year in that school building, subject to a best interest determination.

Designation/STAC 202 Form

The District will identify all students in temporary housing, and a designation form will be completed by the designator for all these students and any other student who claims homelessness. Designations must be made on the STAC 202 form provided by the Commissioner.

The appropriate designator must complete the designation form. The District makes designation forms available to a student in temporary housing who seeks admission to school or to the parent or person in parental relation who seeks to enroll the child in school.

The District will provide completed designation forms to the McKinney-Vento liaison immediately, but no later than two business days from the earlier date on which the child or youth either:

- a) Sought enrollment in school; or

(Continued)

Students

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING (Cont'd.)

- b) Was placed in a temporary housing facility or residential facility for runaway and homeless youth.

Where a parent or person in parental relation or a child who is neither placed in a temporary housing facility by the LDSS nor housed in a residential program for runaway homeless youth, designates the District as the school district of current location, the District will forward to the State Education Department a completed designation form and a statement of the basis for its determination that the child is a homeless child entitled to attend the District's schools.

Immediate Enrollment and Best Interest Determinations

Upon identification of a child who is in temporary housing and/or receipt of a completed designation/STAC 202 form, the District will:

- a) Immediately review the designation form to ensure that it has been completed and admit the student in temporary housing even if the child or youth is unable to produce records normally required for enrollment, such as previous academic records, medical records, immunization records, proof of residency or other documentation and even if the child or youth has missed application deadlines;
- b) Determine whether the designation made by the designator is consistent with the best interests of the student in temporary housing. In making best interests decisions the District will:
 - 1. Presume that keeping the child in the school of origin is in the child's best interest, except when doing so is contrary to the wishes of the parent or guardian (or youth in the case of an unaccompanied youth); and
 - 2. Consider student-centered factors such as the effect of mobility on student achievement, education, health, and safety of the child, giving priority to the wishes of the child's parent or guardian (or the youth, if a homeless unaccompanied youth). If the District determines that it is in the best interest of the student in temporary housing to attend a school other than the school of origin or the designated school, the District will provide the parent or guardian (or youth, if an unaccompanied youth) with a written explanation of its determination, including information about the right to appeal.
- c) Provide the child with access to all of the District's programs, activities and services to the same extent as they are provided to resident students;
- d) Immediately contact the school district where the child's records are located in order to obtain a copy of these records and coordinate the transmittal of records for students with disabilities pursuant to applicable laws and regulations;

(Continued)

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING (Cont'd.)

- e) Immediately refer the parent or guardian of the student in temporary housing to the McKinney-Vento liaison who must assist in obtaining necessary immunizations or immunization or medical records if the child or youth needs to obtain immunizations or immunization or medical records;
- f) Forward the STAC 202 form to the Commissioner and the school district of origin, where applicable. In all cases, the District will give a copy of the completed STAC 202 form to the designator and keep a copy of the STAC 202 form for the District's records;
- g) Arrange for transportation in accordance with applicable laws and regulations; and
- h) Arrange for the child to receive free school meals.

Request for Records

Within five days of receipt of a request for school records from a new school, the District will forward, in a manner consistent with state and federal law, a complete copy of the student in temporary housing's records, including, but not limited to, proof of age, academic records, evaluations, immunization records, and guardianship papers, if applicable.

Tuition Reimbursement

The District is eligible to request reimbursement from the State Education Department for the direct costs of educational services to students in temporary housing that are not otherwise reimbursed under special federal programs, when:

- a) The District is either the school district of current location or a school district participating in a regional placement plan;
- b) The District is designated as the school district of attendance; and
- c) The school district of origin for the student in temporary housing is within New York State.

All claims for reimbursement will be made on the STAC 202 form prescribed by the Commissioner of the State Education Department.

(Continued)

Students

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING (Cont'd.)

In addition, the District is eligible for reimbursement for the direct costs of educational services, including transportation costs for students who continue enrollment in the District schools after finding permanent housing midyear in a different school district within New York State. In these cases, the District will directly bill the new district where the student permanently resides for all direct costs of educational services, including transportation, that are not otherwise reimbursed under special federal programs.

Transportation Responsibilities

The LDSS is responsible for providing transportation to students in temporary housing, including preschool students and students with disabilities who are eligible for benefits under Social Services Law §350-j and placed in temporary housing arrangements outside their designated districts. Where the LDSS requests that the District provide or arrange for transportation for a student in temporary housing in the circumstances above, the District will provide or arrange for the transportation and directly bill the LDSS so that the district will be fully and promptly reimbursed for the cost of the transportation.

If the District is the designated school district of attendance, the District will provide for the transportation of each student in temporary housing who is living in a residential program for runaway and homeless youth, including if the temporary housing is located outside the school district. The costs for transportation for each student in temporary housing who lives in a residential program for runaway youth and homeless youth located outside of the designated school district will be reimbursed by the State Education Department, to the extent funds are provided for the purpose, with the submission of a Runaway and Homeless Youth Act Transportation Program Form. Where the District provides transportation for a student living in a Runaway and Homeless Youth facility, the District will promptly request reimbursement using the Runaway and Homeless Youth Act Transportation Form.

The District will transport any student in temporary housing to their school of origin, including preschools and charter schools, where it is the designated district of attendance and the student in temporary housing is not entitled to receive transportation from the Department of Social Services.

When the District is designated as the school district of current location for a student in temporary housing and the student does not attend the school of origin, the District will provide transportation on the same basis as it is provided to resident students, unless the local transportation policy represents a barrier to the student's attendance in school.

If the student in temporary housing designates the District as the school district of attendance, transportation will not exceed 50 miles each way, unless the Commissioner determines that it is in the best interest of the child.

(Continued)

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING (Cont'd.)

Where the District is designated as the school district of attendance and it has recommended the student in temporary housing attend a summer educational program, the district of attendance will provide transportation services to students in temporary housing for summer educational programs if the lack of transportation poses a barrier to the student's participation in the program.

Where the District is designated as the school district of attendance, it will provide transportation services to students in temporary housing for extracurricular or academic activities when:

- a) The student participates in or would like to participate in an extracurricular or academic activity, including an after-school activity, at the school;
- b) The student meets the eligibility criteria for the activity; and
- c) The lack of transportation poses a barrier to the student's participation in the activity.

Where the District is designated as the school district of attendance, it will provide transportation as described above for the duration of homelessness, unless the LDSS is responsible for providing transportation. After the student becomes permanently housed, the District will provide transportation to the school of origin until the end of the school year and for one additional year if that year constitutes the child's terminal year in the school building.

Where a student in temporary housing must cross state-lines to attend a school of origin, the District will coordinate with the District in the neighboring state to provide transportation services when:

- a) The student is temporarily living in New York State and continues to attend school in a neighboring state; or
- b) The student is temporarily living in a neighboring state and continues to attend school in New York State.

Dispute Resolution Process

The District has established the following procedures for the prompt resolution of disputes regarding school selection or enrollment of a homeless child or youth:

- a) The District will provide a written explanation, including a statement regarding the right to appeal, to the parent or guardian of a student in temporary housing, or to an unaccompanied youth, if the District determines that the District is not required to either enroll and/or transport the child or youth to the school of origin or a school requested by the parent or guardian or unaccompanied youth, or if there is a disagreement about a child's or youth's status as a homeless child or unaccompanied youth. The written explanation will be in a

(Continued)

Students

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING (Cont'd.)

manner and form understandable to the parent, guardian, or unaccompanied youth and will include a statement regarding the McKinney-Vento liaison's availability to help the parent, guardian, or unaccompanied youth with any appeal and the contact information for the liaison.

- b) The District will immediately enroll the student in the school in which enrollment is sought by the parent or guardian or unaccompanied youth, provide transportation to the school, and will delay for 30 days the implementation of a final determination to decline to either enroll in and/or transport the student in temporary housing to the school of origin or a school requested by the parent or guardian or unaccompanied youth.
- c) If the parent or guardian of a student in temporary housing or unaccompanied youth commences an appeal to the Commissioner within 30 days of such final determination, the student will be permitted to continue to attend the school they are enrolled in at the time of the appeal and/or receive transportation to that school pending the resolution of all available appeals.

The McKinney-Vento Liaison's Dispute Resolution Responsibilities

The District's McKinney-Vento liaison must assist the student in temporary housing's parent or guardian or unaccompanied youth in bringing an appeal to the Commissioner of a final school district decision regarding enrollment, school selection and/or transportation. In the event of a dispute regarding eligibility, enrollment, school selection, and/or transportation, the District's McKinney-Vento liaison will:

- a) Provide the parent or guardian or unaccompanied youth with a copy of the form petition;
- b) Assist the parent or guardian or unaccompanied youth in completing the form petition;
- c) Arrange for the copying of the form petition and supporting documents for the parent or guardian or unaccompanied youth, without cost to the parent or guardian or unaccompanied youth;
- d) Accept service of the form petition and supporting papers on behalf of any District employee or officer named as a party, or the District if it is named as a party, or arrange for service by mail by mailing the form petition and supporting documents to any District employee or officer named as a party, and, if the District is named as a party, to a person in the office of the Superintendent who has been designated by the Board to accept service on behalf of the District;
- e) Provide the parent or guardian or unaccompanied youth with a signed and dated acknowledgment verifying that they have received the form petition and supporting documents, and will either accept service of these documents on behalf of the District

(Continued)

Students

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING (Cont'd.)

employee or officer of District, or effect service by mail by mailing the form petition and supporting documents to any District employee or officer named as a party, and, if the District is named as a party, to a person in the office of the Superintendent who has been designated by the Board to accept service on behalf of the District;

- f) Transmit on behalf of the parent or guardian or unaccompanied youth, within five days after the service of, the form petition or any pleading or paper to the Office of Counsel, New York State Education Department, State Education Building, Albany, New York 12234;
- g) Provide the parent or guardian or unaccompanied youth with a signed and dated acknowledgement verifying that they have received the form petition and supporting documents and will transmit these documents on behalf of the parent, guardian or unaccompanied youth to the Office of Counsel, New York State Education Department, State Education Building, Albany, New York 12234;
- h) Accept service of any subsequent pleadings or papers, including any correspondence related to the appeal, if the parent or guardian or unaccompanied youth so elects. They will also make this correspondence available to the parent or guardian or unaccompanied youth; and
- i) Maintain a record of all appeals of enrollment, school selection, and transportation determinations.

Coordination

The District will coordinate the provision of services described in this policy with local social services agencies, housing providers and other agencies or programs providing services to students in temporary housing and their families, including services and programs funded under the Runaway and Homeless Youth Act.

The District will coordinate with other school districts on inter-district issues, such as transportation or transfer of school records.

The District will coordinate implementation of the above provision of services with the requirements of the Individuals with Disabilities Education Act (IDEA) for students with disabilities.

Coordination with Title I

The District acknowledges that students in temporary housing are eligible for services under Title I, Part A whether or not they live in a Title I school attendance area or meet the academic requirements required of other children. The District will ensure that:

(Continued)

Students

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING (Cont'd.)

- a) Title I, Part A funds are set aside as are necessary to provide students in temporary housing, who may have unique needs that differ from their permanently housed peers, with educationally related support services;
- b) Its local plan includes a description of how the plan is coordinated with McKinney-Vento;
- c) Its local plan describes the services provided to students in temporary housing;
- d) Its local plan describes the efforts it made to identify students in temporary housing, including unaccompanied youth, if the District reports that there are no students in temporary housing enrolled in the District. These efforts will include contacting the LDSS or Office of Children and Family Services (OCFS) to verify that there are no students in temporary housing in the District; and
- e) Its housing questionnaire asks about the living arrangements of the child or unaccompanied youth, including asking if they are living in a shelter; with relatives or others due to loss of housing or economic hardship; in an abandoned apartment/building; in a motel/hotel, camping ground, car, train/bus station or other similar situation due to the lack of alternative, adequate housing. Documentation of the District's efforts to identify students in temporary housing will be maintained on file and a copy of the housing questionnaire will also be kept on file.

Reporting Requirements

The District will collect and transmit to the Commissioner of Education, at the time and in the manner as the Commissioner may require, a report containing information as the Commissioner determines is necessary, including the numbers of homeless students, their grade, and their nighttime residence.

Access to Free Meals

The District will provide free meals to all children identified as homeless. They do not have to complete a free or reduced-price meal application. When the McKinney-Vento liaison or a shelter director provides a child's name to the District's school food service office, free school meals will commence immediately.

Removal of Barriers

The District will review and revise its policies that may act as barriers to the identification of students in temporary housing and their enrollment and retention in school, including barriers to enrollment and retention due to outstanding fees or fines, or absences.

(Continued)

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING (Cont'd.)**Comparable Services**

The District will provide services to students in temporary housing comparable to those offered to other students in the District, including: transportation services; educational services for which the child or youth meets the relevant criteria, such as services provided under Title I or similar state or local programs; educational programs for students with disabilities; educational programs for English learners; programs in career and technical education; programs for gifted and talented students; and school nutrition programs.

Student Privacy

Information about a student in temporary housing's living situation will be treated as a student education record and will not be deemed to be directory information under the Family Educational Rights and Privacy Act (FERPA). A parent or guardian or unaccompanied youth may consent to the release of a student's address information in the same way they would for other student education records under FERPA.

Training

All school enrollment staff, secretaries, school counselors, school social workers, and principals will be trained on the requirements for enrollment of students in temporary housing. Other staff members including school nutrition staff, school registered professional nurses, teachers, and bus drivers will receive training on homelessness that is specific to their field.

McKinney-Vento Homeless Assistance Act, as amended by the Every Student Succeeds Act (ESSA) of 2015, 42 USC § 11431 et seq.
Education Law § 3209
Executive Law Article 19-H
8 NYCRR § 100.2(x)

First Reading: April 12, 2022

Second Reading:

Adoption Date:

Instruction

SUBJECT: TITLE I PARENT AND FAMILY ENGAGEMENT

Long Beach Public Schools will reach out to all parents and family members and implement programs, activities, and procedures for the involvement of parents and family members in programs consistent with the requirements of ESSA Section 1116. Such programs, activities, and procedures shall be planned and implemented with meaningful consultation with parents of participating children. The district will:

- Utilize current technology (Google Forms, Zoom, email, etc.) to connect with and collect feedback from parents.
- Host in-person events (Back to School Night, curriculum exhibitions, informational sessions, etc.) to welcome parents into our buildings.
- Host meetings, when possible, in locations throughout the community that allow for participation from typically under-represented groups.
- Provide paper copies of important documents in the event a family is unable to access digital materials.
- Communicate multiple languages when messaging parents to ensure all families are accessing the necessary information.

Long Beach Public Schools receives Title I, Part A funds. Our goal is to plan and implement effective parent and family involvement activities to improve student academic achievement and school performance. Therefore, Long Beach Public Schools will develop jointly with, agree on with, and distribute to, parents and family members of participating children a written parent and family engagement policy (PFE) and district improvement plan (DIP). The PFE policy and DIP will be reviewed and revised (if necessary) each year in consultation with parents and families in the school district.

Long Beach Public Schools will provide the coordination, technical assistance, and other support necessary to assist and build the capacity of all participating schools within the district, in planning and implementing effective parent and family involvement activities to improve student academic achievement and school performance, which may include meaningful consultation with

(Continued)

Instruction

SUBJECT: TITLE I PARENT AND FAMILY ENGAGEMENT (Cont'd.)

employers, business leaders, and philanthropic organizations, or individuals with expertise in effectively engaging parents and family members in education. The district has built strong partnerships with our community organizations and representatives are invited to participate in our district committees. District committees are geared towards instruction, curriculum, technology, student supports, wellness, inclusivity, engagement, and academic achievement. District committee work involves parents, students, community members, and staff. The district has created an Alumni Association that provides input and support regarding decisions as well.

Long Beach Public Schools will coordinate and integrate parent and family engagement strategies under Title I, Part A, to the extent feasible and appropriate, with other relevant Federal, State, and local laws and programs, including public preschool programs, and conduct other activities, such as parent resource centers, that encourage and support parents in more fully participating in the education of their children. The district hosts parent academies, parenting classes, and events such as Parent Cafes to help answer questions and build connections. Resources are provided primarily through the district website www.lbeach.org, as well as through email and text correspondence. Partnerships with new families are established through transition nights, school tours, and new parent information sessions. These events establish connections and help students and families “acclimate” to the school.

Long Beach Public Schools will design evidence-based strategies for more effective parental involvement, and will revise, as necessary, the parent and family engagement policies. Parents have regular opportunities to give policy input through Board of Education meetings, as well as through other parent-school opportunities discussed previously. The district will partner with community organizations that specialize in certain areas when developing related programs for parents and students.

To ensure effective involvement of parents and to support a partnership among the school involved, parents, and the community to improve student academic achievement, Long Beach Public Schools will:

- Provide assistance to parents in understanding such topics as the challenging NYS academic standards, State and local academic assessments, the requirements of the parent and family engagement program, and how to monitor a child’s progress and work with educators to

(Continued)

Instruction

SUBJECT: TITLE I PARENT AND FAMILY ENGAGEMENT (Cont'd.)

improve the achievement of their children. This can be accomplished by the district through parent-teacher conferences, resources provided in hard-copy, online and in multiple languages. In addition, the district will provide adult education opportunities and parent support workshops (e.g. launching new curriculum initiatives, Teacher's College Demo Night, Ready Math Showcase).

- Provide materials and training to help parents to work with their children to improve their children's achievement, such as literacy training and using technology (including education about the harms of copyright piracy), as appropriate, to foster parental involvement. The district will provide parent information nights (e.g. How to use Google Apps for Education, How to access online grades and reports, Learning the Student Management System, Unpacking the Next Generation Learning Standards, etc.).
- Educate teachers, specialized instructional support personnel, principals and school leaders, and other staff, with the assistance of parents, in the value and utility of contributions of parents, and in how to reach out to, communicate with, and work with parents as equal partners, implement and coordinate parent programs, and build ties between parents and the school. The district will accomplish this goal through our regular professional development opportunities for staff.
- Ensure that information related to school and parent programs, meetings, and other activities is sent to the parents of participating children in a format and, to the extent practicable, in a language the parents can understand. All correspondence from the district and schools will be sent in multiple languages based on the needs of student groups and families. The district has incorporated the use of translation services and devices to better communicate with families on the phone and in-person.

Title I of the Elementary and Secondary Education Act of 1965 (ESEA), as reauthorized by Every Student Succeeds Act (ESSA) of 2015
20 USC §§ 6318 and 6321
34 CFR Parts 74-86, 97-99, and 200

First Reading: April 12, 2022
Second Reading:
Adoption:

Instruction

SUBJECT: REVIEW OF CURRICULA OR INSTRUCTIONAL MATERIALS

All complaints concerning textbooks, library books and other instructional material shall be submitted to the Assistant Superintendent for Curriculum and Instruction. The Superintendent shall promulgate regulations subject to Board of Education approval establishing a complaint procedure which shall include:

1. an opportunity for an informal conference with the complainant;
2. the submission of formal written complaints;
3. the formation of an instructional material review committee. The committee shall make recommendations to the Superintendent concerning the disposition of any complaint;
4. a decision by the Superintendent; and
5. an appeal to the Board. The decision of the Board shall be final.

Adoption date: April 24, 1990

First Reading of Amended: March 8, 2022

Second Reading of Amended: April 12, 2022

Instruction

SUBJECT: HOMEBOUND INSTRUCTION

Homebound instruction is a service provided to students who are unable to attend school in excess of 10 days due to a temporary physical, mental, or emotional injury or illness or for reasons related to discipline. Homebound instruction is established to alleviate concerns over academic work/credit, to maintain the skills necessary for returning to the classroom, and to assure ongoing home/school contact during the term of the absence. It is provided to minimize the impact of the student's absence and is not meant to replace the instruction a student receives in the school setting.

A parent/guardian must complete an application for General Education Homebound Educational Services which requires information and a certification from a New York State Licensed treating health care provider (i.e. physician, psychiatrist, psychologist or legally directed services) indicating; the reason the student is not able to attend any portion of the school day, whether or not the condition is contagious, the date of the next follow up appointment and/or the date in which the student is anticipated to return to school. The application must be submitted to the building principal or their designee. The district reserves the right to request additional documentation at any time a student is on homebound instruction. Should a student need alternative instruction on an interim basis as decided by the CSE, disciplinary hearing or as mutually agreed upon between the parents and the district, the appropriate party will complete the form and notify the building administration.

At the District's discretion homebound instruction may occur in a student's home, in a district facility or at a public site such as the library. If the instruction is provided in the student's home, a parent/guardian or adult over the age of 21 must be in the home during the instruction session. If the parent or guardian is unable to provide a proper chaperone, the instruction session can be canceled. The building principal in consultation with the student's parents, and other personnel as appropriate (i.e., nurse, social worker, psychologist, guidance counselor, CSE chairperson) will determine the appropriate location, day and time. In cases where the condition of the student might endanger the health or safety of the teaching staff, instruction may be provided virtually. Instruction will be provided on days of student attendance in accordance with the school calendar.

Homebound parameters:

- a. Elementary school students (grades 1-6) are entitled to one hour per school day of homebound services each day that the student is absent. During the first ten school days of absence, students will accrue five (5) hours of homebound services, and one hour per school day each school week of absence thereafter.
- b. Secondary school students (grades 7-12) are entitled to two hours/week per major subject. During the first ten school days of absence, students will accrue two (2) hours per subject, and two hours/week per major subject each school week of absence thereafter.
- c. Any accrued hours must be used with ten (10) school days.
- d. Unless the student is a graduating senior who needs credit for graduation, homebound instruction is not provided for elective courses.

Instruction

SUBJECT: HOMEBOUND INSTRUCTION (cont'd.)

- e. All Physical Education is in the form of a project developed by the Athletics Department.
- f. Instructional materials should be obtained from the public school that the student is enrolled.
- g. All students participating in homebound instruction are expected to adhere to the Code of Conduct.

Prior to return to school, the parent/guardian will submit a letter from their child's New York State Licensed treating health care provider noting the student is able to attend school. Should a student need to stay out longer than the original application indicated, an updated note from their treating health care provider will be required and submitted to the building principal or their designee.

Students may receive credit for their work while on homebound instruction. As such the District shall maintain such reports and periodic evaluations as are necessary to provide adequate assessment and appraisal of the progress made during the period of home instruction.

Ref: Education Law §§ 1709(24); 4401 et seq.

Note: Policy added

Revised: March 17, 2005
Approved: May 24, 2005
First Reading of Amended: February 8, 2022
Second Reading of Amended: March 8, 2022
Adoption of Amended: April 12, 2022



**LONG
BEACH
PUBLIC
SCHOOLS**

**CODE
OF
CONDUCT**

Updated
February 8, 2022

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Updated: February 8, 2022

I. Introduction

The Board of Education is committed to providing a safe and orderly school environment where students may receive quality educational services without disruption or interference. Responsible behavior by students, teachers, other district personnel, parents and other visitors is essential to achieving this goal.

The district has a long-standing set of expectations for conduct on school property and at school functions. These expectations are based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty and integrity.

The Long Beach Board of Education recognizes the need to clearly define expectations for acceptable conduct on school property, to identify the possible consequences of unacceptable conduct, and to ensure that discipline when necessary is administered promptly and fairly. Further, the Long Beach Board of Education recognizes the need to incorporate the NYS “Dignity for All Students Act” (“DASA”) and relevant provisions of NY Education Law. To this end, the Board adopts this Code of Conduct ("code").

Unless otherwise indicated, this code applies to all students, school personnel, parents and other visitors when on school property or attending a school function.

II. Definitions

For purposes of this code, the following definitions apply.

“Disruptive student” means an elementary or secondary student under the age of 21 who is substantially disruptive to the educational process or substantially interferes with the teacher’s authority within the classroom. The definition of "disruptive student" is from §3214(2-a) (b).

“Parent” means parent, guardian or person in parental relation to a student.

"School property" means in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of a public elementary or secondary school, or on a school bus, as defined in Vehicle and Traffic Law §142.

"School function" means any school-sponsored extra-curricular event or activity, whether on or off school property. (NY Education Law § 11.2)

“School Bus” means every motor vehicle (a) owned by a public or governmental agency or private school and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities, or, (b) privately owned and operated-for-compensation for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities. (NY Vehicle and Traffic Law § 142)

“Violent student” means a student under the age of 21 who:

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

The definition of "violent student" is from §3214(2-a) (a); however, it has been modified slightly in two respects. This code includes “attempts to commit acts of violence”, and a more inclusive definition of “weapon”. The definition of "weapon" in the code is much broader than the definition used in the federal Gun-Free Schools Act. The term is broadly defined to keep all types of objects that can cause serious injury or death out of schools, and thereby enhance school safety. Federal and state laws mandate those students who possess a weapon as defined in federal law (18 USC §921) be suspended from school for a minimum of one calendar year.

"Weapon" means a firearm as defined in 18 USC §921 for purposes of the Gun-Free schools Act. It also includes but is not limited to any other gun, 3D, BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, knife with a blade whose length is at least 2.5 inches, switchblade knife, gravity

knife, brass knuckles, sling shot, metal knuckle knife, box cutter, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance that can cause physical injury or death when used to cause physical injury or death.

“Disability” means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment, provided, however, that in all provisions of this article dealing with employment, the term shall be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held. (NY Executive Law § 292.21)

“Employee” means any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title nine-B of article five of the social services law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact. (NY Education Law § 1125.3)

“Sexual Orientation” means actual or perceived heterosexuality, homosexuality, or bisexuality. (NY Education Law § 11.5)

“Gender” means actual or perceived sex, and shall include a person’s gender identity or expression. (NY Education Law § 11.6)

“Harassment” means the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities or benefits, or mental, emotional or physical well-being; or conduct, verbal threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; such conduct, verbal threats, intimidation or abuse includes but is not limited to conduct, verbal threats, intimidation or abuse based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex. (NY Education Law § 11.7)

“Cyberbullying” shall mean harassment or bullying as defined in subdivision seven of this section, including paragraphs (a), (b), (c) and (d) of such subdivision, where such harassment or bullying occurs through any form of electronic communication. (NY Education Law §11.8)

“Restorative Justice” is an approach to discipline that focuses on repairing harm through inclusive processes that engage all stakeholders. This approach, which could include disciplinary consequences, shifts the form of discipline from punishment to learning.

III. Student Rights and Responsibilities

A. Student Rights

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

1. Participate in all district activities on an equal basis regardless of their actual or perceived race, creed, color, weight, height, religion, national origin, ethnic group, political affiliation, gender, sexual orientation, age, marital status, military status, veterans’ status, disability, predisposing genetic characteristics, or the use of a recognized guide dog, hearing dog or service dog.
2. Present their version of the relevant events to school personnel authorized to impose a disciplinary consequence in connection with the imposition of the consequence.
3. Request the presence of a pupil personnel staff member as an advocate when being questioned on a disciplinary issue.
4. Be provided with school rules and, when necessary, receive an explanation of those rules from school personnel.
5. Proceed in a safe, supportive and orderly school atmosphere without the fear of threat to their well-being.
6. Under the Family Educational Rights and Privacy Act (FERPA), parents and students who are over 18 years of age have the right to inspect and review the student’s educational records and have the right to request the amendment of the student’s education records believed to be inaccurate or misleading. They also have the right to consent to disclosure of personally identifiable information in a student’s education record, except to the extent that FERPA authorizes disclosure without consent.

B. Student Responsibilities

All district students have the responsibility to:

1. Promote a safe, supportive and orderly school environment that is conducive to learning and to show respect to other persons and to property.

2. Abide by all district policies, rules and regulations dealing with student conduct.
3. Attend school every day unless they are legally excused and be in class on time, and prepared to learn.
4. Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.
5. React to direction given by teachers, administrators and other school personnel in a respectful, positive manner.
6. Work to develop mechanisms to control their anger.
7. Ask questions when they do not understand.
8. Seek help in solving problems that might lead to discipline.
9. Dress appropriately for school and school functions within the guidelines of school dress code.
10. Accept responsibility for their actions.
11. Conduct themselves as representatives of the district when participating in or attending school-sponsored extracurricular events and to hold themselves to the highest standards of conduct, demeanor, and sportsmanship.
12. Cooperate with school authorities in the investigation of incidents of violence or threat of violence.

IV. Essential Partners

A critical component of all codes of conduct is the shared beliefs of all stakeholders. Implementation without belief will be unsuccessful. Understanding, support, participation and belief of all members of the school community are needed for successful implementation of this code of conduct. All essential members are to maintain a climate of mutual respect and dignity towards each other. All essential partners are expected to:

A. Parent(s)/Guardian(s)

1. Recognize that the education of their children is a joint responsibility of the parents and the school community. They must communicate with their child's teacher and other school personnel, and where possible attend all school functions.
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 in keeping with state law. If a child is ill and cannot attend school, it is the parent's responsibility to arrange for alternate supervision. Accurate emergency contacts must be provided to the schools.
5. Ensure compliance with the Dignity for All Students Act (DASA) mandates.

6. Help their children understand appropriate rules are required to maintain a safe, supportive and orderly school environment.
7. Know school rules and help their children understand them so their children can help create a safe, supportive school environment.
8. Convey to their children a supportive and respectful attitude toward education and the district.
9. Build good relationships with teachers, other parents and their children's friends.
10. Accept responsibility and accountability on behalf of their children and encourage their children to be accountable and responsible for their actions.
11. Help their children deal effectively with peer pressure.
12. Inform school officials of changes in the home situation that may affect student conduct or performance.
13. Provide a place for study and ensure homework assignments are completed.
14. Model civil and respectful behavior at all times.

B. Teachers

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, creed, color, weight, height, religion, national origin, ethnic group, political affiliation, gender, sexual orientation, age, marital status, military status, veterans' status, disability, predisposing genetic characteristics, or the use of a recognized guide dog, hearing dog or service dog 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, health and well-being.
4. Know school policies and rules, and enforce them in a fair and consistent manner.
5. Communicate to students and parents:
 - a. Course objectives and requirements
 - b. Marking/ grading procedures
 - c. Assignment deadlines
 - d. Expectations for students
 - e. Class room discipline plan.
6. Communicate regularly with students, parents and other teachers concerning growth and achievement.
7. Model civil and respectful behavior at all times.
8. Address issues of discrimination and harassment, or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.

9. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
10. Report incidents of discrimination and harassment that are witnessed or otherwise brought to their attention in a timely manner.

C. *Dignity Act Coordinator (DAC)*

1. Promote a safe, supportive, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, creed, color, weight, height, religion, national origin, ethnic group, political affiliation, gender, sexual orientation, age, marital status, military status, veterans' status, disability, predisposing genetic characteristics, or the use of a recognized guide dog, hearing dog or service dog;
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 anti-bullying, harassment and discrimination policy and regulations (DASA policy);
6. Address issues of discrimination and harassment, or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
7. Address personal biases that may prevent equal treatment of all students and staff.

D. *School Counselor/School Psychologists/Social Workers*

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, creed, color, weight, height, religion, national origin, ethnic group, political affiliation, gender, sexual orientation, age, marital status, military status, veterans' status, disability, predisposing genetic characteristics, or the use of a recognized guide dog, hearing dog or service dog.
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. Provide information to assist students with career planning.
6. Encourage students to benefit from the curriculum and extracurricular programs.
7. Model civil and respectful behavior at all times
8. Address issues of discrimination and harassment, or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
9. Address personal biases that may prevent equal treatment of all students.
10. Report incidents of discrimination and harassment that are witnessed or otherwise brought to their attention in a timely manner.

E. Principals and Building Level Administrators

1. Promote a safe, supportive, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, creed, color, weight, height, religion, national origin, ethnic group, political affiliation, gender, sexual orientation, age, marital status, military status, veterans' status, disability, predisposing genetic characteristics, or the use of a recognized guide dog, hearing dog or service dog.
2. Ensure that students and staff have the opportunity to communicate regularly with the principal and approach the principal for redress of grievances.
3. Evaluate on a regular basis all instructional programs to ensure infusion of civility education in the curriculum.
4. Support the development of and student participation in appropriate extracurricular activities.
5. Provide support in the development of the code of conduct, when called upon. Disseminate the code of conduct and anti-harassment policies.
6. Be responsible for enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.
7. Model civil and respectful behavior at all times.
8. Address issues of discrimination and harassment, or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.

9. Address personal biases that may prevent equal treatment of all students and staff.
10. Report incidents of discrimination and harassment that are witnessed or otherwise brought to their attention in a timely manner.

F. Deans

1. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
2. Promote a safe, supportive, orderly and stimulating school environment and support active teaching and learning for all students regardless of actual or perceived race, creed, color, weight, height, religion, national origin, ethnic group, political affiliation, gender, sexual orientation, age, marital status, military status, veterans' status, disability, predisposing genetic characteristics, or the use of a recognized guide dog, hearing dog or service dog.
3. 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.
4. Know school policies and rules, and enforce them in a fair and consistent manner
5. 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.
6. Model civil and respectful behavior at all times
7. Address issues of discrimination and harassment, or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
8. Address personal biases that may prevent equal treatment of all students and staff.
9. Report incidents of discrimination and harassment that are witnessed or otherwise brought to their attention in a timely manner.

G. Superintendent and District Level Administrators

1. Promote a safe, supportive, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, creed, color,

weight, height, religion, national origin, ethnic group, political affiliation, gender, sexual orientation, age, marital status, military status, veterans' status, disability, predisposing genetic characteristics, or the use of a recognized guide dog, hearing dog or service dog.

2. Review with district administrators the policies of the Board of Education and state and federal laws relating to school operations and management.
3. Inform the Board about educational trends relating to student discipline.
4. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
5. Work with district administrators in enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.
6. Model civil and respectful behavior at all times
7. Address issues of discrimination and harassment, or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
8. Address personal biases that may prevent equal treatment of all students and staff.
9. Report incidents of discrimination and harassment that are witnessed or otherwise brought to the Superintendent's attention in a timely manner.

H. Board of Education

1. Promote a safe, supportive, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, creed, color, weight, height, religion, national origin, ethnic group, political affiliation, gender, sexual orientation, age, marital status, military status, veterans' status, disability, predisposing genetic characteristics, or the use of a recognized guide dog, hearing dog or service dog.
2. Address issues of discrimination and harassment, or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
3. Address personal biases that may prevent equal treatment of all students and staff.
4. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a Board member's attention in a timely manner.

5. 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.
6. Lead by example by conducting Board meetings in a professional, respectful, courteous manner.
7. Model civil and respectful behavior at all times.

I. *Bus Drivers*

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, creed, color, weight, height, religion, national origin, ethnic group, political affiliation, gender, sexual orientation, age, marital status, military status, veterans' status, disability, predisposing genetic characteristics, or the use of a recognized guide dog, hearing dog or service dog.
2. Maintain the highest degree of driving safety.
3. Require proper behavior of students.
4. Load and unload students correctly.
5. Learn and practice defensive driving techniques.
6. Obey all applicable state and federal laws, rules, and regulations.
7. Follow district (and contractor) policies and procedures.
8. Model civil and respectful behavior at all times.
9. Address issues of discrimination and harassment, or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
10. Address personal biases that may prevent equal treatment of all students.
11. Report incidents of discrimination and harassment that are witnessed or otherwise brought to their attention in a timely manner.

J. *Security Personnel*

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, creed, color, weight, height, religion, national origin, ethnic group, political affiliation, gender, sexual orientation, age, marital status, military status, veterans' status, disability, predisposing genetic characteristics, or the use of a recognized guide dog, hearing dog or service dog.

2. Promote a safe, supportive, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, creed, color, weight, height, religion, national origin, ethnic group, political affiliation, gender, sexual orientation, age, marital status, military status, veterans' status, disability, predisposing genetic characteristics, or the use of a recognized guide dog, hearing dog or service dog.
3. Know school policies and rules, and enforce them in a fair and consistent manner.
4. Model civil and respectful behavior at all times.
5. Address issues of discrimination and harassment, or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
6. Address personal biases that may prevent equal treatment of all students and staff.
7. Report incidents of discrimination and harassment that are witnessed or otherwise brought to their attention in a timely manner.

K. Additional Collaborative partners

The intent of the "Code of Conduct" is to provide for a safe, supportive and orderly school environment. In order to accomplish this task, the entire school community must participate. All staff members and approved community members participating in school events, volunteers, must adhere to the philosophy and procedures defined in this code of conduct.

V. Student Dress Code

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

1. Be safe, appropriate and not disrupt or interfere with the educational process.
2. Appropriate footwear is required at all times.
3. Not include items that are vulgar, obscene, discriminatory, or libelous or denigrate others based on a person's actual or perceived race, color, weight, height, national origin, ethnic group, religion, religious practice, disability, gender, sexual orientation or sex.

4. Not include gang related clothing or paraphernalia.
5. Not promote and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities.

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

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

VI. Prohibited Student Conduct

The Board recognizes the need to make its expectations for student conduct on school property, on a field trip, or engaged in a school function specific and clear. The rules of conduct listed below are intended to do that and focus on safety and respect for the rights and property of others. Students who will not accept responsibility for their own behavior and who violate these school rules will be required to accept the penalties for their conduct. All violations apply to student behavior in school, on school property, on school buses and at school-sponsored functions. Students may be subject to disciplinary action, up to and including suspension from school, when they:

A. *Engage in conduct that is disorderly or insubordinate. Examples of disorderly conduct include but are not limited to:*

1. Running in hallways.
2. Making unreasonable noise which interferes with the educational process.
3. Using language, gestures or actions that are profane, lewd, sexual, vulgar or abusive.
4. Obstructing vehicular or pedestrian traffic.
5. Engaging in any willful act, which disrupts the normal operation of the school community.
6. Trespassing.
7. Misuse of computer and/or electronic communications and personal devices.
8. Failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students.
9. Lateness for, missing classes or leaving school without permission.
10. Skipping detention or in-school suspension.

B. Engage in conduct that is disruptive. Examples of disruptive conduct include but are not limited to:

1. Failing to comply with the reasonable directions of teachers, school administrators or other school personnel in charge of students.
2. Possession and use of electronic equipment that disrupts the learning process and interferes with building management.
3. Behavior that interrupts student learning or teacher instruction.
4. Dress code violations

C. Engage in conduct that is violent. Examples of violent conduct include but are not limited to:

1. Committing an act of violence (such as biting, hitting, kicking, punching, pushing, spitting and scratching) upon a student, teacher, administrator or other school employee or attempting or threatening to do so, including electronic threats.
2. 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.
3. Displaying what appears to be a weapon.
4. Threatening to use any weapon.
5. 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.
6. Intentionally damaging or destroying school district property.
7. Extortion or any attempt to obtain property or favor from another by threat or by force.
8. Placing a bomb, explosive, biological or chemical weapon or incendiary device on District property, whether or not active; or making a telephoned, written or electronic message that a bomb, explosive, biological or chemical weapon or incendiary device has been or will be placed on or near District property.
9. Possessing or igniting any fire, lighter, or other flammable instrument, except in the controlled environment of a classroom or laboratory as part of an instructional program or of a school-related activity under the direct supervision of a teacher or other District personnel as authorized by school officials.

D. Engage in any conduct that endangers the safety, morals, health or welfare of oneself or others. Examples of such conduct include but are not limited to:

1. Arson or attempted arson. The setting or attempt to set an unauthorized fire on District property or property under the control of the District.

2. Subjecting other students, school personnel or any person lawfully on school property or attending a school function to danger by recklessly engaging in conduct which creates a substantial risk of physical injury.
3. Lying to school personnel.
4. Possession of stolen property.
5. Attempting to gain unlawful access to locked and unauthorized areas, drawers, and containers.
6. Stealing or attempting to steal anything that is school property, the property of other students, school personnel or any other person lawfully on school property or attending a school function.
7. Defamation, which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them.
8. Discrimination, which includes using the person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, gender, sexual orientation or sex as a basis for treating another in a negative manner or to deny them rights, equitable treatment or access to facilities, activities or benefits which are available to others.
9. Harassment, as defined in the "Definitions" section of this Policy, but which also includes a sufficiently severe action or a persistent, pervasive pattern of actions or statements directed at an identifiable individual or group, which are intended to be or which a reasonable person would perceive as ridiculing or demeaning.
10. Unwelcome sexual advances, request for sexual favors, or other written, nonverbal or physical conduct of a sexual nature may constitute sexual harassment. Complaints regarding sexual harassment may be made directly to Michael I. DeVito or Dr. Michele Natali, Title IX coordinators.
11. Intimidation and/or threatening, which includes engaging in actions or statements that put an individual in fear of bodily harm
12. Inciting and or instigating a dangerous situation and/or unacceptable behavior.
13. Failure to report a dangerous situation and/or unacceptable behavior.
14. Bullying, which includes the act of threatening, stalking, coercing, or intimidating, verbally, physically, in writing, by gesture or through electronic communications, the well-being, health, safety, freedom or reputation of any person, that takes place on school property, at any school-sponsored function or on a school bus, or that takes place off school grounds, but that is designed to or has the effect of interfering with a student's ability to attend school and/or be educated in a safe, non-hostile environment. Bullying also includes systematic and intentional infliction of physical harm or psychological distress on an individual or group of individuals. Bullying can also encompass unwanted purposeful written, verbal, non-verbal, social or relational,

- or physical behavior (e.g. threatening, insulting or dehumanizing gestures by an adult or student) that has the potential to create long term damage, cause discomfort or humiliation or unreasonably interfere with the individual's school performance. Unwanted teasing, touching, threatening, intimidating, stalking, cyber-stalking, cyber-bullying, physical violence, theft, sexual, religious, or racial harassment, public humiliation, destruction of school or personal property, social exclusion including incitement and/or coercion and rumor or spreading of falsehoods are also forms of bullying.
15. Hazing, which includes an induction, initiation or membership process involving harassment which produces public humiliation, physical or emotional discomfort, bodily injury or public ridicule or creates a situation where public humiliation, physical or emotional discomfort, bodily injury or public ridicule is likely to occur.
 16. Using any type of recording device (including but not limited to those devices which photograph, video and audio record, and/or videotape) in any manner that interferes with or is disruptive of the educational process or invades the privacy of students, employees, volunteers, or visitors.
 17. Selling, using, distributing or possessing obscene material.
 18. Using vulgar or abusive language, cursing or swearing, as well as slurs that refer to a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, gender, sexual orientation or sex.
 19. Possession of cigarettes, e-pens, smoking and/or vaping products; smoking a cigarette, cigar, pipe or use of chewing or smokeless tobacco, vape cartridge, or vape oil.
 20. Possession of lighters and/or matches.
 21. Possessing, consuming, selling, distributing or exchanging alcoholic beverages or other illegal substances, or being under the influence of either. "Illegal substances" include, but are not limited to, inhalants, marijuana, cannabis, "edibles", synthetic cannabinoids, THC, CBD products, cocaine, LSD, PCP, amphetamines, heroin, steroids, and look-alike drugs, Representing to any person, for purposes of sale or distribution that any substance, regardless of medium of absorption or form is an alcoholic beverage or an illegal substance shall be deemed to be actionable within the meaning of this section as an attempted possession, sale or distribution of a prohibited product.
 22. Possession of drug paraphernalia, such as but not limited to, pipes, rolling paper, snorter, distribution bags, vaping products and grinders.
 23. Inappropriately possessing, selling, using or sharing prescription, over-the-counter drugs and vaping devices.
 24. Gambling such as inappropriate use of playing cards, dice, or items related to games of chance.
 25. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner, whether in-person or virtual.

26. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
27. Engage in inappropriate displays of affection. All forms of sexual behavior are prohibited.
28. Inappropriate rough-housing, horseplay, and wrestling.
29. Threatening, bullying, or teasing other students and/or staff by verbal, written or electronic means.
30. Unauthorized solicitation of money.
31. Engaging in disruptive behavior during emergency and/or emergency drills.

E. Engage in misconduct while on a school bus.

In addition to prohibited student conduct as noted in section VI, the following specifically addresses behavior on the school bus.

Students are only allowed to ride on a bus assigned to them by the school district, unless otherwise permitted by school administrators or designee. It is crucial for students to behave appropriately while riding on district buses to ensure their safety and that of other passengers and to avoid distracting the bus driver. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. Excessive noise, pushing, shoving and fighting or other conduct in violation of the code of conduct will not be tolerated. Examples of misconduct on the bus include but not limited to:

1. Roughhousing at the bus stop.
2. Bringing prohibited items onto a school bus. Prohibited items include, but are not limited to, skateboards, animals, flammable materials of any kind, medications that contain controlled substances and weapons of any kind.
3. Disregarding the instructions of the bus driver or bus aide.
4. Eating, drinking or vaping on a school bus.
5. Throwing object(s) in and/or out of the bus.
6. Standing while the bus is moving.
7. Failing to keep head, hands and feet inside the bus at all times.
8. Harassing or bullying other students on the bus or at the bus stop.

F. Engage in any form of academic misconduct. Examples of academic misconduct include but are not limited to:

1. Plagiarism.
2. Cheating.
3. Altering, damaging, taking or destroying records, school materials, textbooks or electronic equipment.
4. Assisting another student in any of the above actions.
5. Theft of exams.

G. Engage in off-campus misconduct that interferes with, or can reasonably be expected to substantially disrupt the educational process in the school or at a school function or endangers the health, safety or morals of students or staff within the school. Examples of such misconduct include but are not limited to:

1. Cyberbullying (i.e., inflicting willful and repeated harm through the use of information technology, including, but not limited to, e-mail, instant messaging, blogs, chat rooms, pagers, cell phones, gaming systems and social media websites).
2. Threatening, hazing or harassing students or school personnel over the phone or through other electronic media.
3. Inflicting physical harm.
4. Any behavior that requires law enforcement.

VII. Reporting Violations

All students are expected to promptly report violations of the code of conduct to a teacher, school counselor, school psychologist, social worker, dean, coach, assistant, the building principal or other district personnel. Any student observing another student possessing a weapon, tobacco or vape products, alcohol or illegal substance on school property or at a school function shall report this information immediately to a teacher, the building principal, the principal's designee or the Superintendent. The District will make a good faith effort to maintain the anonymity of the reporting student.

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

The building principal or his or her designee must notify the appropriate local law enforcement agency of those code violations that constitute a crime and substantially affect the order or security of a school as soon as practical, but in no event later than the close of business the day the principal or his or her designee learns of the violation. The notification may be made by telephone, followed by a letter mailed by the close of the following school day. The notification must identify the student and explain the conduct that violated the code of conduct and constituted a crime.

Reporting Incidents of Discrimination, Harassment and Bullying

Students who have been bullied, harassed or discriminated against, parents whose children have been bullied, harassed or discriminated against, or other students or staff who observe bullying, harassing or discriminating behavior are encouraged and expected to make a verbal and/or written complaint to any school personnel in accordance with the training and guidelines provided, as well as any applicable district policies. (Refer to BOE Policy #3280 – Anti-Harassment in the School District, Policy #6121 -Equal Opportunity Policy #7550, Dignity for All Students Act Policy; and Policy #7551, Sexual Harassment).

Dignity Act Coordinator Contact Information

The name, designated school and contact information for each school building’s Dignity Act Coordinator is provided below:

Dignity Act Coordinator	Designated School	Contact Information
Dr. Paul Romanelli	District – Administration	897-2255
Mr. Jeffrey Myers	Long Beach High School	897-2013
Ms. Lorie Beard	Long Beach Middle School	897-2166
Ms. Kathleen Connolly	East Elementary School	897-2184
Dr. Ivelisse Hernandez	Lido Elementary School	897-2140
Dr. Jennifer Pullara	Lindell Elementary School	897-2198
Ms. Amy Dirolf	West Elementary School	897-2215

This information shall also be posted on the district’s website and included in the plain language summaries of the code of conduct provided to parents and students and shall be further disseminated in accordance with applicable law and regulations.

VIII. Disciplinary Consequences, Procedures, Minimum Periods of Suspension and Referrals

1. Introduction

Discipline is most effective when it deals directly with the problem in a timely fashion and maintains the dignity of all involved. 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 and administered in a timely manner 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:

- A. The student's age.
- B. The nature of the offense and the circumstances, which led to the offense.
- C. The student's prior disciplinary record.
- D. The effectiveness of other forms of discipline.
- E. Information from parents, teachers and/ or others, as appropriate
- F. Other extenuating circumstances.

If appropriate, disciplinary action will be taken by the administration in accordance with this policy, as applicable. If the behavior rises to the level of criminal activity, law enforcement will be contacted.

Restorative Justice is an approach to discipline that focuses on repairing harm through inclusive processes that engage all stakeholders. This approach, which could include disciplinary consequences, shifts the form of discipline from punishment to learning. As a general rule, discipline will be progressive. This means that a student's first violation will usually merit a less severe response 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 subjected to a disciplinary change in placement for behavior that has a direct and substantial relationship to his/her ability or behavior that was the direct result of the District's failure to implement the students' IEP.

Students who are found to have violated the district's code of conduct may be subject to the following disciplinary actions, either alone or in combination:

- a. Verbal warning
- b. Written warning
- c. Written notification to parent
- d. Detention (i.e. lunch, recess, and after-school)
- e. Suspension from class
- f. Suspension from transportation.
- g. Suspension from athletic participation
- h. Suspension from social or extracurricular activities
- i. Suspension of other privileges
- j. In-school suspension
- k. Removal from classroom by teacher.
- l. Short-term (five days or less) suspension from school
- m. Referral to Superintendent's hearing
 - Long-term (more than five days) suspension from school

- Permanent suspension from school

All disciplinary actions imposed must be consistent with the student's right to due process.

Additional Disciplinary and Remedial Consequences for Bullying, Harassment and Discrimination:

The Dignity Act calls for “remedial responses” to code of conduct violations. The Board supports the development of measured, balanced and age-appropriate responses to the bullying, harassment and discrimination of students by students and/or employees on school property, including school functions, with remedies and procedures focusing on intervention and education. Successful intervention may involve remediation.

Staff is expected, when aware of bullying, to either refer the student to designated resources for assistance, or to intervene in accordance with this policy.

Remedial responses to bullying, harassment and discrimination include measures designed to correct the problem behavior, prevent another occurrence of the behavior and protect the target of the act. Appropriate remedial measures **may** include, but are not limited to:

- Restitution and restoration
- Peer support groups
- Corrective instruction or other relevant learning or service experience
- Supportive intervention
- Behavioral assessment or evaluation
- Behavioral management plans, with benchmarks that are closely monitored
- Student counseling
- Parent conferences
- Student treatment or in-school counseling
- Modification of schedules
- Adjustment in hallway traffic and other student routes of travel
- Targeted use of monitors.

The amount of due process a student is entitled to receive before a disciplinary action is imposed depends on the severity of the penalty or response to behavior being applied. In all cases, regardless of the remedial response to behavior being applied, the school personnel authorized to impose the disciplinary action 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 action. Students who are to be given penalties other than a verbal warning, written warning or written notification to their parents are entitled to

additional interventions before the penalty is imposed. Once an In-School or Out-of-School suspension has been articulated to the student and his/her parent/guardian by the principal or his/her designee, the student shall not be permitted to participate in any extracurricular events (sports, clubs, etc.) either as a participant or a spectator until the parent/guardian-student conference is held with an administrator on the first school day after the suspension ends. Both the notice and informal conference shall be in the dominant language of "at least one person in the parental relation to the student.

2. Types of Disciplinary Consequences and Procedures

a. Temporary classroom leaves

A student's behavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In most instances the classroom teacher can control a student's behavior and maintain or restore control over the classroom by using good classroom management techniques. These techniques may include practices that involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain his or her composure and self-control in an alternative setting. Such practices may include, but are not limited to:

1. Short-term "time out" in an elementary classroom or in an administrator's office;
2. Sending a student into the hallway briefly;
3. Sending a student to the principal's office for the remainder of the class time only;
4. Sending a student to a school counselor or other district staff member for counseling.
5. Sending student to Office of Dean/Teacher in Charge

Time-honored classroom management techniques such as these do not constitute disciplinary removals for purposes of this code.

b. Detention

Teachers, principals and the Superintendent may use after school detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate. Parents are to be notified when a teacher assigns detention. 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.

c. Classroom suspension

On occasion, a student's behavior may become disruptive. For purposes of this code of conduct, a disruptive student is a student who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom. A substantial disruption of the educational process or substantial interference with a teacher's authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher's instructions or repeatedly violates the teacher's classroom behavior rules. A classroom teacher may remove a disruptive student from class for up to two school days. The removal from class applies to the class of the removing teacher only.

If the disruptive student does not pose a danger or on-going threat of disruption to the academic process, the teacher must provide the student with an explanation for why he or she is being removed and an opportunity to explain his or her version of the relevant events before the student is removed. Only after the informal discussion may a teacher remove a student from class. If the student poses a danger or ongoing threat of disruption, the teacher may order the student to be removed immediately. The teacher must, however, explain to the student why he or she was removed from the classroom and give the student a chance to present his or her version of the relevant events within 24 hours.

The teacher must complete a district-established disciplinary removal form and meet with the principal or his or her designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the removal forms. 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 other district personnel designated by the principal must notify the student's parents, in writing, that the student has been removed from class and why. The notice must also inform the parent that he or she has the right, upon request, to meet informally with the principal or the principal's designee to discuss the reasons for the removal. Both the notice and informal conference shall be in the dominant language or mode of communication used by the parents.

The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the student's removal at the

last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents.

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

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

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

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

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.

d. In-school suspension

The Board recognizes the school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the board authorizes

building principals and the Superintendent to place students who would otherwise be suspended from school as the result of a code of conduct violation in "in-school suspension." The in-school suspension teacher will be a professional. 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.

e. Suspension from transportation

If a student does not conduct himself/ herself properly on a bus, the bus driver is expected to bring such misconduct to the building principal's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the building principal or the Superintendent or their designees. In such cases, the student's parent will become responsible for seeing that his or her child gets to and from school safely. Referrals for out of district students will be sent to the Director of Transportation. Should the suspension from transportation amount to a suspension from attendance, the district will make appropriate arrangements to provide for the student's education. A student subjected to a suspension from transportation is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the building principal or the principal's designee to discuss the conduct and the penalty involved.

f. Suspension from athletic participation, extracurricular activities and other privileges.

A student subjected to a suspension from athletic participation, lunch, playground, recess, 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.

g. Suspension from School

Suspension from school is a severe penalty, which may be imposed only upon students who are insubordinate, disorderly, violent or disruptive, or whose conduct otherwise endangers the safety, morals, health or welfare of others. The Board retains its authority to suspend students, but places primary responsibility for the suspension of students with the Superintendent and the building principals. Any staff member may recommend to the Superintendent or the principal that a student be

suspended. All staff members must immediately report and refer a violent student to the principal or the Superintendent for a violation of the code of conduct. All recommendations and referrals shall be made in writing unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases a written report is to be prepared as soon as possible by the staff member recommending the suspension. The Superintendent or principal, upon receiving a recommendation or referral for suspension, or when processing a case for suspension, shall gather the facts relevant to the matter and record them for subsequent presentation, if necessary.

When the principal (referred to as the "suspending authority") proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law §3214(3), the suspending authority must immediately notify the student verbally. 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 for the purpose of contacting the parents.

The notice shall provide a description of the charges against the student and the incident for which suspension is proposed and shall inform the parents of the right to request an immediate informal conference with the principal. Both the notice and informal conference shall be in the dominant language or mode of communication used by the parents. At the conference, the parents shall be permitted to ask questions of complaining witnesses under such procedures as the principal may establish. The notice and opportunity for an informal conference shall take place before the student is suspended unless the student's presence in school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process. If the student's presence does pose such a danger or threat of disruption, the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable.

After the conference, the principal shall promptly advise the parents in writing of his or her decision. The principal shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the Superintendent within five business days, unless they can show extraordinary circumstances

precluding them from doing so. The Superintendent shall issue a written decision regarding the appeal within 10 business days of receiving the appeal. If the parents are not satisfied with the Superintendent's decision, they must file a written appeal to the Board of Education with the District Clerk within 10 business days of the date of the Superintendents' decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the Board may be appealed to the Commissioner within 30 days of the decision.

When the building principal determines that a suspension for more than five days may be warranted, he or she shall give reasonable notice to the student and the student's parents of their right to a fair hearing. At the hearing the student shall have the right to be represented by counsel, the right to question witnesses against him or her and the right to present witnesses and other evidence on his or her behalf. The Superintendent shall personally hear and determine the proceeding or may, in his or her discretion, designate a hearing officer to conduct the hearing. The hearing officer shall be authorized to administer oaths and to issue subpoenas in conjunction with the proceeding before him or her. A record of the hearing shall be maintained, but no stenographic transcript shall be required. A tape recording shall be deemed a satisfactory record. The hearing officer shall make findings of fact and recommendations as to the appropriate measure of discipline to the Superintendent. The report of the hearing officer shall be advisory only, and the Superintendent may accept all or any part thereof.

An appeal of the decision of the Superintendent may be made to the Board that will make its decision based solely upon the record before it. All appeals to the Board must be in writing and submitted to the District Clerk within 10 business days of the date of the Superintendent's decision, unless the parents can show that extraordinary circumstances precluded them from doing so. The Board may adopt in whole or in part the decision of the Superintendent. Final decisions of the board may be appealed to the Commissioner within 30 days of the decision.

h. 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 wellbeing of other students, school personnel or any other person lawfully on school property or attending a school function.

3. Minimum Periods of Suspension

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

Any student, other than a student with a disability, who repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom, will be suspended from school for up to 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 up to a 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.

b. Students who bring a weapon to school

Any student, other than a student with a disability, found guilty of bringing a weapon onto school property will be subject to suspension from school for at least one calendar year. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law §3214.

The Superintendent has the authority to modify the one-year suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the following:

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 appropriately given

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

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

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

4. Referrals

a. Counseling

The Guidance Office and/or other appropriate pupil personnel staff shall handle all referrals of students to counseling.

b. 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:

1. Being habitually truant and not attending school as required by part one of Article 65 of the Education Law.
2. Engaging in an on-going or continual course of conduct, which makes the student ungovernable or habitually disobedient, and beyond the lawful control of the school;
or
3. 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.

c. 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:

1. Any student under the age of 16 who is found to have brought a weapon to school, or
2. 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 sixteen and older, or any students who are fourteen or fifteen years old who qualify for juvenile offender status to the appropriate law enforcement authorities.

IX. Alternative Instruction

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

X. Discipline of Students with Disabilities

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

A. Authorized Suspensions or Removals of Students with Disabilities

1. For purposes of this section of the code of conduct, the following definitions apply.
 - A "suspension" means a suspension pursuant to Education Law § 3214.
 - A "removal" means a removal for disciplinary reasons from the student's current educational placement other than a suspension

and change in placement to an interim alternative educational setting (IAES) ordered by an impartial hearing officer because the student poses a risk of harm to himself or herself or others.

- An "IAES" means a temporary educational placement for a period of up to 45 **school** days, determined by the Committee on Special Education (CSE), other than the student's current placement at the time the behavior precipitating the IAES placement occurred, that should enable the student to continue to progress in the general curriculum although in another setting. The student will continue to receive those services and modifications, including those described on the current individualized education program (IEP), that will enable the student to meet the goals set out in such IEP, and include services and modifications to address the behavior which precipitated the IAES placement that are designed to prevent the behavior from recurring.
2. School personnel may order the suspension or removal of a student with a disability from his or her current educational placement as follows:
- a. The Board, the district (BOCES) Superintendent of schools or a building principal may order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed five consecutive school days and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior.
 - b. The Superintendent may order the placement of a student with a disability into an appropriate IAES, another setting or suspension for a period not to exceed 10 consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (a) above for the same behavior, if the Superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.
 - c. The Superintendent may order additional suspensions of not more than 10 consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement.
 - d. The Superintendent may order the placement of a student with a disability in an IAES, to be determined by the committee on special education (CSE), for the same amount of time that a student without a disability would be subject to discipline, but not more than 45 **school** days, if the student either: (1) carries or possesses a weapon to or at school, on school premises or to a school function under the district's

jurisdiction, or (2) the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises or at a school function under the district's jurisdiction, or (3) the student has inflicted serious bodily injury upon another person while at school, on school premises or at a school function under the district's jurisdiction.

- 1) "Weapon" means the same as "dangerous weapon" under 18 U. S. C. § 930(g)(w) which includes "a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except...[for] a pocket knife with a blade of less than 2 1/2 inches in length."
- 2) "Controlled substance" means a drug or other substance identified under schedule I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 USC § 812(c).
- 3) "Illegal drug" means a controlled substance except for those legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under the authority of the Controlled Substances Act or under any other provision of federal law.) Subject to specified conditions required by both federal and state law and regulations, an impartial hearing officer may order the placement of a student with a disability in an IAES setting for up to 45 **school** days at a time, if maintaining the student in his or her current educational placement poses a risk of harm to the student or others.

B. Change of Placement Rule

1. A disciplinary change in placement means a suspension or removal from a student's current educational placement that is either:
 - a. For more than 10 consecutive school days; or
 - b. For a period of 10 consecutive school days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they cumulate to more than 10 school days in a school year, because the student's behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals, and because of such additional factors as the length of each suspension or removal, the total amount of

time the student has been removed and the proximity of the suspensions or removals to one another.

2. School personnel may not suspend or remove a student with disabilities if imposition of the suspension or removal would result in a disciplinary change in placement based on a pattern of suspension or removal. However, the district may impose a suspension or removal, which would otherwise result in a disciplinary change in placement, based on a pattern of suspensions or removals if (1) the manifestation determination team has determined that the behavior was not a manifestation of the student's disability, or (2) the student is placed in an IAES for behavior involving weapons, illegal drugs or controlled substances, or the infliction of serious bodily injury.

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

1. The district's Committee on Special Education shall:
 - a. Conduct functional behavioral assessments to determine why a student engages in a particular behavior, and develop or review behavioral intervention plans whenever the district is first suspending or removing a student with a disability for more than 10 school days in a school year or imposing a suspension or removal that constitutes a disciplinary change in placement, including a change in placement to an IAES for misconduct involving weapons, illegal drugs or controlled substances, or the infliction of serious bodily injury. If subsequently, a student with a disability who has a behavioral intervention plan and who has been suspended or removed from his or her current educational placement for more than 10 school days in a school year is subjected to a suspension or removal that does not constitute a disciplinary change in placement, the members of the CSE shall review the behavioral intervention plan and its implementation to determine if modifications are necessary. If one or more members of the CSE believe that modifications are needed, the school district shall convene a meeting of the CSE to modify such plan and its implementation, to the extent the committee determines necessary.
 - b. Conduct a manifestation determination review of the relationship between the student's disability and the behavior subject to disciplinary action whenever a decision is made to place a student in an IAES either for misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in his current educational

setting poses a risk of harm to the student or others; or a decision is made to impose a suspension that constitutes a disciplinary change in placement.

2. The parents of a student who is facing disciplinary action, but who has not been determined to be eligible for services under IDEA and Article 89 at the time of misconduct, shall have the right to invoke applicable procedural safeguards set forth in federal and state law and regulations if, in accordance with federal and state statutory and regulatory criteria, the school district is deemed to have had knowledge that their child was a student with a disability before the behavior precipitating disciplinary action occurred. If the district is deemed to have had such knowledge, the student will be considered a student presumed to have a disability for discipline purposes.
 - a. The Superintendent, building principal or other school official imposing a suspension or removal shall be responsible for determining whether the student is a student presumed to have a disability.
 - b. A student will not be considered a student presumed to have a disability for discipline purposes if, upon receipt of information supporting a claim that the district had knowledge the student was a student with a disability, the district either:
 - 1) Conducted an individual evaluation and determined that the student is not a student with a disability, or
 - 2) Determined that an evaluation was not necessary and provided notice to the parents of such determination, in the manner required by applicable law and regulations. If there is no basis for knowledge that the student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as any other non-disabled student who engaged in comparable behaviors. However, if a request for an individual evaluation is made while such non-disabled student is subjected to a disciplinary removal, an expedited evaluation shall be conducted and completed in the manner prescribed by applicable federal and state law and regulations. Until the expedited evaluation is completed, the non-disabled student who is not a student presumed to have a disability for discipline purposes shall remain in the educational placement

determined by the district, which can include suspension.

3. The district shall provide parents with notice of disciplinary removal no later than the date on which a decision is made to change the placement of a student with a disability to an IAES for either misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in his/ her current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension or removal that constitutes a disciplinary change in placement. The procedural safeguards notice prescribed by the Commissioner shall accompany the notice of disciplinary removal.
4. The parents of a student with disabilities subject to a suspension of five consecutive school days or less shall be provided with the same opportunity for an informal conference available to parents of non-disabled students under the Education Law.
5. Superintendent hearings on disciplinary charges against students with disabilities subject to a suspension of more than five school days shall be bifurcated into a guilt phase and a penalty phase in accordance with the procedures set forth in the Commissioner's regulations incorporated into this code.
6. The removal of a student with disabilities other than a suspension or placement in an IAES shall be conducted in accordance with the due process procedures applicable to such removals of non-disabled students, except that school personnel may not impose such removal for more than 10 consecutive days or for a period that would result in a disciplinary change in placement, unless the manifestation determination team has determined that the behavior is not a manifestation of the student's disability.
7. During any period of suspension or removal, including placement in an IAES, students with disabilities shall be provided services as required by the Commissioner's Regulations incorporated into this code.

D. Expedited Due Process Hearings

1. An expedited due process hearing shall be conducted in the manner specified by the Commissioner's Regulations incorporated into this code, if:
 - a. The district requests such a hearing to obtain an order of an impartial hearing officer placing a student with a disability in an IAES where school personnel maintain that it is dangerous for the student to be in his or her current educational placement, or during the pendency of due process hearings where school personnel maintain that it is dangerous for the student to be in his or her current educational placement during such proceedings.

- b. The parent requests such a hearing from a determination that the student's behavior was not a manifestation of the student's disability, or relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES.
 - 1) During the pendency of an expedited due process hearing or appeal regarding the placement of a student in an IAES for behavior involving weapons, illegal drugs or controlled substances, or on grounds of dangerousness, or regarding a determination that the behavior is not a manifestation of the student's disability for a student who has been placed in an IAES, the student shall remain in the IAES pending the decision of the impartial hearing officer or until the IAES placement, whichever occurs first, unless the parents and the district agree otherwise.
 - 2) If school personnel propose to change the student's placement after expiration of an IAES placement, during the pendency of any proceeding to challenge the proposed change in placement, the student shall remain in the placement prior to removal to the IAES, except where the student is again placed in an IAES.
2. The district will arrange for, and an impartial hearing officer will conduct, an expedited due process hearing in accordance with the procedures established in the Commissioner's Regulations. Those procedures include but are not limited to convening a resolution meeting, and initiating and completing the hearing within the timelines specified in those regulations.

E. Referral to law enforcement and judicial authorities

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

1. The district may report a crime committed by a child with a disability to appropriate authorities, and such action will not constitute a change of the student's placement.
2. The Superintendent shall ensure that copies of the special education and disciplinary records of a student with disabilities are transmitted for consideration to the appropriate authorities to whom a crime is reported.

For more detailed information on disciplining students with disabilities, see Part 201 of the Regulations of the Commissioner of Education.

XI. Corporal Punishment

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

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

- to protect oneself from physical injury;
- to protect another pupil or teacher or any other person from physical injury;
- to protect the property of the school or of others; or
- to restrain or remove a pupil whose behavior is interfering with the orderly exercise and performance of school district functions, powers or duties, if that pupil has refused to comply with a request to refrain from further disruptive acts; provided that alternative procedures and methods not involving the use of physical force cannot reasonably be employed to achieve the purposes set forth in clauses (a) through (d) of this subparagraph.”

In all cases, the employee is expected to use the minimum amount of force necessary.

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

XII. Student Searches and Interrogations

The Board of Education is committed to ensuring an atmosphere on school property and at school functions that is safe, supportive and orderly. To achieve this kind of environment, any school official authorized to impose a disciplinary consequence on a student may question a student about an alleged violation of law or the district code of conduct. School officials questioning students shall advise each student why he/she is being questioned. However, parent(s) and students should be aware that school officials are under no obligation to contact a student's parent(s) prior to questioning the student nor are the students entitled to be advised of their legal rights, i.e. “Miranda”-type warning, before being questioned by school officials as such rights only apply to situations where an individual is being questioned while in the custody of police.

Students are protected by the Constitution from unreasonable searches and seizures. A school official authorized by the Board of Education, includes but is not

limited to, the Superintendent, district and building administrators, the school nurse, and security officials (in the presence of an administrator) may conduct a search of students and/or his or her belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the district code of conduct.

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

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

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

A search that goes beyond a search of a student's outer clothing and belongings, may only take place when there is reasonable suspicion of danger or a reasonable suspicion that the student has hidden evidence beneath his/her outer clothing.

When practical, two administrators should be present for student searches. This is particularly important when the search goes beyond a student's outer clothing and belongings. If a student is being asked to remove an outer layer of clothing, the search should be conducted by a staff member of the same sex.

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

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

The rules in this code of conduct regarding searches of students and their belongings do not apply to student lockers, desks and other school storage places. Students have no reasonable expectation of privacy with respect to these places and school officials retain complete control over them. This means that student lockers, desks and other school storage places may be

subject to search at any time by school officials, without prior notice to students and without their consent.

B. Documentation of Searches

The authorized school official conducting the search is encouraged to promptly record information about each search, which may include any of the following:

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

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

C. Police Involvement in Searches and Interrogations of Students

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

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

Before police officials are permitted to question or search any student, the building principal or his or her designee shall first try to notify the student's parent to give the parent the opportunity to be present during the police questioning or search. If the student's parent cannot be contacted prior to the

police questioning or search, the questioning or search shall not be conducted. The principal or designee will also be present during any police questioning or search of a student on school property or at a school function. Students who are questioned by police officials on school property or at a school function will be afforded the same rights they have outside the school. This means:

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

D. *Child Protective Services Investigations*

Consistent with the district's commitment to keep students safe from harm and the obligation of school officials to report to child protective services when they have reasonable cause to suspect that a student has been abused or maltreated, the district will cooperate with local child protective services workers who wish to conduct interviews of students on school property relating to allegations of suspected child abuse, and/ or neglect, or custody investigations.

All requests by child protective services to interview a student on school property shall be made directly to building principal or his or her designee. The principal or his or her designee shall set the time and place of the interview. The principal or designee shall decide if it is necessary and appropriate for a school official to be present during the interview, depending on the age of the student being interviewed and the nature of the allegations. If the nature of the allegations is such that it may be necessary for the student to remove any of his or her clothing in order for the child protective services worker to verify the allegations, the school nurse or other district medical personnel must be present during that portion of the interview. No student may be required to remove his or her clothing in front of a child protective services worker or school district official of the opposite sex. A child protective services worker may not remove a student from school property without a court order, unless the worker reasonably believes that the student would be subject to danger of abuse if he or she were not removed from school before a court order can reasonably be obtained. If the worker believes the student would be subject to danger of abuse, the worker may remove the student without a court order and without the parent's consent.

XIII. Visitors to the Schools

The building principal or his or her designee is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to visitors to the schools:

- A. Anyone who is not a regular staff member or student of the school will be considered a visitor.
- B. All visitors to the school must report to the security officer (Pre-K report to the Main Office) upon arrival at the school. There they will be required to sign the visitor's register and show a photo ID. They will be issued a visitor's identification badge, which must be worn at all times while in the school or on school grounds. The visitor must return the identification badge to the security officer (Pre-K return to the Main Office) and sign out before leaving the building.
- C. Visitors attending school functions that are open to the public or public gatherings are not required to register.
- D. Parents who wish to observe a classroom while school is in session are required to arrange such visits in advance with the classroom teacher(s), so that class disruption is kept to a minimum.
- E. Teachers are expected not to take class time to discuss individual matters with visitors.
- F. Any unauthorized person on school property will be reported to the principal or his or her designee. Unauthorized persons will be asked to leave. The police may be called if the situation warrants.
- G. All visitors are expected to abide by the rules for public conduct on school property contained in this code of conduct.

XIV. Public Conduct on School Property

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

purpose they are on school property and must adhere to the guidelines of this Code of Conduct.

A. Prohibited Conduct

No person, either alone or with others, shall:

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

B. Consequences

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

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

C. Enforcement

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

XV. Dissemination and Review

A. Dissemination of Code of Conduct

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

1. Providing copies of a summary of the code to all students, in an age-appropriate version, written in plain language, at a school assembly to be held at the beginning of each school year.
2. Posting a complete copy of the code of conduct, including any annual updates or amendments thereto, on the district's website.
3. Providing a summary of the code of conduct written in plain language to all parents of district students before the beginning of each school year and making this summary available later upon request.
4. Providing all current teachers and other staff members with a complete copy of the code and a copy of any amendments to the code as soon as practicable after adoption.
5. Providing all new employees with a complete copy of the current code of conduct when they are first hired.
6. Making complete copies of the code available for review by students, parents, other school staff and other community members.

The Board will sponsor an in-service education program for all district staff members to ensure the effective implementation of school policy on school conduct and discipline, including but not limited to, guidelines on promoting a safe and supportive school climate while discouraging, among other things, discrimination or harassment against students by students and/or school employees; and including safe and supportive climate concepts in the curriculum and classroom management.. The Superintendent may solicit the recommendations of the district staff, particularly teachers and administrators, regarding in-service programs pertaining to the management and discipline of students. On-going professional development will be included in the district's professional development plan, as needed.

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

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

Before adopting any revisions to the code, the board will hold at least one public hearing at which school personnel, parents, students and any other interested party may participate. The code of conduct and any amendments to it will be filed with the Commissioner no later than 30 days after adoption.

Non-Discrimination Policy, Annual Notice

The Long Beach City School District hereby advises students, parents, employees, and the general public that it offers employment and educational opportunities, including vocational educational opportunities, without regard to race, color, weight, height, sexual orientation national origin, ethnic group, political affiliation, sexual identity, gender, religion, age, marital status, military status, veterans' status, predisposing genetic characteristics, use of a recognized guide dog, hearing dog or service dog or disability. Grievance procedures are available to interested persons by contacting either of the compliance officers listed below. Inquiries regarding this nondiscrimination policy may be directed to:

Michael I DeVito, Esq. or
Dr. Michele Natali
Title IX compliance officers
(sex discrimination)
Long Beach City School District
235 Lido Blvd.
Lido Beach, NY 11561
516-897-2090 or 897-2112

Dr. Sabrina Brancaccio or
Dr. Michele Natali
Section 504 compliance officers
(handicap discrimination)
Long Beach City School District
235 Lido Blvd.
Long Beach, NY 11561
516-897-2200 or 897-2112

A copy of the secondary vocational education courses offered is available to district residents and may be obtained on our web site, www.lbeach.org or by calling 516-897-2019.

Política de no discriminación, Anuncio anual

El distrito escolar de la ciudad de Long Beach, por medio de la presente, informa a los estudiantes, padres de familia, empleados y al público en general que éste ofrece empleo y oportunidades educativas, incluyendo oportunidades vocacionales educativas sin distinción de raza, color, peso, altura, orientación sexual, origen nacional, grupo étnico, afiliación política, identidad sexual, género, religión, edad, estado civil, estado militar, estado de veteran, predisposición de características genéticas, uso de un perro guía reconocido, perro de servicio o incapacidad. Los procedimientos para sus quejas están disponibles a las personas interesadas, contactando a cualquiera de las funcionarias del cumplimiento de la ley que están en la lista de abajo. Las preguntas con respecto a esta política de no discriminación deben ser dirigidas a:

Michael I DeVito, Esq., o
Dr. Michele Natali
Funcionaria del cumplimiento de la ley
Título IX
(Discriminación por sexo)
Long Beach City School District
235 Lido Blvd
Lido Beach, NY 11561
516-897-2090 o 897-2112

Dr. Sabrina Brancaccio o
Dr. Michele Natali
Funcionaria del cumplimiento de la ley
Sección 504
(Discriminación por incapacidad)
Long Beach City School District
601 Lindell Blvd
Long Beach, NY 11561
516-897-2200 o 897-2112

Una copia de los cursos vocacionales ofrecidos para la educación secundaria está disponible a los residentes del distrito, ésta podrá ser obtenida en nuestra página web, www.lbeach.org, o llamando al 516-897-2019.

Non-Discrimination Policy, Public Notification

No student shall, on the basis race, creed, color, weight, height, sexual orientation, national origin, ethnic group, political affiliation, sexual identity, gender, religion, age, marital status, military status, veteran status, disability, predisposing genetic characteristics, use of a recognized guide dog, hearing dog or service dog, or disability be excluded from participation in, be denied the benefits of, or otherwise be subject to unlawful discrimination under any career and technical education program or activity. Inquiries regarding this nondiscrimination policy may be directed to:

Michael I DeVito, Esq. or Dr. Michele Natali, Title IX Coordinators Long Beach City School District, 235 Lido Blvd, Lido Beach, NY 11561, 516-897-2090 or 516-897-2112 or Dr. Sabrina Brancaccio or Dr. Michele Natali, Section 504 Coordinators, 235 Lido Blvd., Lido Beach, NY 516-897-2200 or 516-897-2112

Política de no discriminación, Notificación Pública

Ningún estudiante, en base a su género, raza, color, peso, altura, orientación sexual, origen nacional, grupo étnico, afiliación política, identidad sexual, género, religion, edad, estado civil, estado military, estado de veteran, preisposición de características genéticas, uso de un perro guía reconocido perro de servicio o incapacidad podrá ser excluido de participar en cualquier Carrera y programa técnico educative o actividad, o ser negado de los beneficios como partícipe de éstos, de lo contrario estará siendo sujeto a discriminación ilegal en base a lo estipulado anteriormente. Preguntas con respect a la póliza de no discriminación deben ser dirigidas a:

Michael I DeVito, Esq. or Dr. Michele Natali, Coordinadores Título IX, Long Beach City School District, 235 Lido Blvd, Lido Beach, NY 11561, 516-897-2090 or 516-897-2112 or Dr. Sabrina Brancaccio or Dr. Michele Natali, Coordinadores Sección 504, 235 Lido Blvd., Lido Beach, NY 516-897-2200 or 516-897-2112

