



2024-2025

**Parent and Student Handbook
&
Code of Conduct**

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Important Telephone Numbers

Academy at Maple Avenue

Main Office - (716) 672-3222

Baker Road Educational Center

Main Office - (716) 662-0135

Bloom Program at Rogers

Main Office - (716) 672-3244

CAM P-TECH Academy

Main Office - (716) 592-3235

Carrier Educational Center

Main Office - (716) 549-4454

Chautauqua Lake Central School

Main Office - (716) 753-5843

East Aurora/Holland/Iroquois

Main Office - (716) 805-3030

Hewes Educational Center

Main Office - (716) 763-1801

LoGuidice Educational Center

Main Office - (716) 672-4371

North Collins Elementary

Main Office - (716) 337-2015

Ormsby Educational Center

Main Office - (716) 652-8250

WNY P-TECH Academy

Main Office - (716) 672-3144

District Office (Carrier) (716) 549-4454 (Ext. 4029)

See Something, Say Something (anonymous reporting) 1-844-5-SayNow

Welcome to the 2024-2025 school year

On behalf of everyone at E2CCB, welcome to the 2024-2025 school year. We want this to be a very engaging and enriching school year for all. E2CCB believes that students best succeed when there is a strong partnership between home and school. This partnership thrives on open communication between parents or guardians and the school, parental involvement and responsibility for all aspects of their child's education. Please inform school officials of changes in the student's life that may affect the student's success or wellbeing.

In addition, please keep E2CCB updated of any changes to address, phone numbers, and/or other contact information.

Parents and guardians can become partners in their child's education by:

- Becoming familiar with their child's school activities and academic program, including special programs offered by E2CCB.
- Discussing with guidance counselors, teachers, and principals the options and opportunities available to their child.
- Monitoring their child's academic progress and contacting teachers when necessary.
- Attending scheduled teacher/school conferences.

Moreover, it is important for parents and guardians to monitor their child's attendance at school. Regular school attendance is important if a child is to achieve their full potential. Parents and guardians are urged to make an extra effort to ensure their child establishes a regular attendance pattern. This includes being present and participating in assigned activities during remote learning sessions that may include video conferences, online assignments, and scheduled check-ins. Learning does not end when the school day is over. E2CCB encourages parents and guardians to set aside time for reading, informal learning activities, and assisting their child with homework assignments.

Technology Use:

Technology use in E2CCB is governed by New York State and Federal laws including, but not limited to the following:

- **Children's Online Privacy Protection Act (COPPA)** - COPPA applies to commercial companies and limits their ability to collect personal information from children under 13. By default, advertising is turned off for E2CCB presence in Google Workspace for Education Fundamentals. No personal student information is collected for commercial purposes. This permission form allows the school to act as an agent for parents in the collection of information within the school context. The school's use of student information is solely for education purposes. For more information regarding COPPA, please visit the Federal Trade Commission's website at <https://www.ftc.gov/business-guidance/privacy-security/childrens-privacy>.
- **Family Educational Rights and Privacy Act (FERPA)** - FERPA protects the privacy of student education records and gives parents the right to review student records. Under FERPA, schools may disclose directory information but parents may request the school not disclose this information. Parents are provided the opportunity annually to opt out of disclosing their student's directory information on the District's Enrollment Form. For more information, please see the U.S. Department of Education's FERPA website at: <https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

- **Education Law Sec. 2-d** - NYS Education Law §2-d was passed in 2014 and effective April 1, 2015. The law's focus is to strengthen data privacy and security practices in educational agencies to protect the privacy and security of personally identifiable information (PII) and imposes requirements on both educational agencies and the third-party contractors they utilize to provide services that have access to PII. For more information, please see the New York State Department of Education's website at: <https://www.nysed.gov/data-privacy-security>

E2CCB's electronic security guidelines are governed by Education Law § 2-d and Part 121 of the Commissioner of Education's regulations, which require educational agencies to take steps to minimize the collection and transmission of student Personal Identifiable Information (PII). Any software or apps utilized by E2CCB are reviewed to ensure compliance with these same standards.

E2CCB utilizes several computer software applications and web-based services, operated not by E2CCB, but by third parties, including Google Workspace for Education Fundamentals. The following guidelines are applicable to the responsible use of Google Workspace for Education Fundamentals:

1. Official Email Address - All students will be assigned a username@student.e2ccb.org email account. This account will be considered the student's official E2CCB email address until such time as the student is no longer enrolled with E2CCB. Students will only be able to email within E2CCB's domain unless granted permission by their Principal or Supervisor and the Associate Director of Technology.

2. Prohibited Conduct & Access Restriction - Access to and use of student email is considered a privilege granted at the discretion of E2CCB. E2CCB maintains the right to limit the access and use of these services including email, cameras, videos, and other associated electronic apps or programs when there is reason to believe that violations of law or E2CCB policies have occurred. In such cases, the alleged violation will be referred to the appropriate Principal or Supervisor for further investigation and adjudication.

3. Security - E2CCB cannot and does not guarantee the security of electronic files, including those located on Google Systems. Although Google does have a powerful content filter in place for email, the school system cannot assure that users will not be exposed to unsolicited information.

4. Privacy - The general right of privacy will be granted to the fullest extent possible in the electronic environment. E2CCB and all electronic users should treat electronically stored information in an individual's files as confidential and private. However, users of student email are strictly prohibited from accessing files and information other than their own. The school system reserves the right to access the student's Google Workspace for Education Fundamentals Account including current and archival files when there is reasonable suspicion that unacceptable use has occurred.

Dignity For All Students Act (DASA):

The E2CCB Board of Education recognizes that learning environments that are safe and supportive can increase student attendance and improve academic achievement. A student's ability to learn and achieve high academic standards, and a school's ability to educate students, is compromised by incidents of discrimination or harassment, including but not limited to bullying, taunting and intimidation. Therefore, in accordance with the Dignity for All Students Act, Education Law, Article 2, E2CCB will strive to create an environment free of discrimination and harassment and will foster civility in the schools to prevent and prohibit conduct which is inconsistent with E2CCB's educational mission.

E2CCB condemns and prohibits all forms of discrimination, such as harassment, hazing, and bullying on school grounds, on school buses, and at all school sponsored activities. This includes, but is not limited to discrimination based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex. In addition, any act of discrimination outside of school sponsored events, which can reasonably be expected to materially and substantially disrupt the education process may be subject to discipline.

E2CCB cannot effectively address bullying if incidents are not reported. Anyone (including students) who believes they have experienced bullying or harassment, who wants to report an incident of someone else being bullied, or who has questions on this topic should contact the relevant school Dignity Act Coordinator. In addition, reports may be submitted anonymously through the See Something, Say Something program.

Dignity Act Coordinators:

- E2CCB Centers
 - The Academy at Maple Avenue – Kirstin Harris – 672-3222 ext. 2090
 - Baker Road Educational Center – John Diodate – 662-0135 ext. 6000
 - Carrier Educational Center – TBD – 549-4454 ext. 4000
 - Hewes Educational Center – Paul Mihalko/Una Raimondo – 763-1801 ext. 3000
 - LoGuidice Educational Center – Jennifer Siebert – 672-4371 ext. 2501
 - Ormsby Educational Center – David Bogner – 652-8250 ext. 5000
 - WNY CAM P-TECH Academy – Heather Banks – 592-3235
 - WNY P-TECH STEM College & Career Academy – Jeff Teluk – 672-3144
- Satellite Locations
 - Bloom Program at Rogers – Patrick Langworthy – 672-3244
 - Chautauqua Lake – Darlene Silleman – 753-5868
 - Holland/East Aurora – Tim Lasky – 652-8250 ext. 5301
 - Iroquois–Deborah Cleary– 652-3000 ext. 5027
 - North Collins/Orchard Park – Laura Sokol-Scott – 337-2015

Please note: Dignity Act Coordinators may change during the school year, please refer to our website (www.e2ccb.org) for updates.

Statement of Nondiscrimination:

E2CCB does not discriminate in its employment and admission to programs and activities as applicable, on the basis of actual or perceived race, color, creed, sex, sexual orientation, national origin, religion, age, economic status, marital status, veterans' status, political affiliation, domestic victim status, use of a service animal, disability, or other classifications protected under federal or state law, and provides equal access to the Boy Scouts and other designated youth groups.

Inquiries regarding E2CCB’s non-discrimination policies and grievance procedures should be directed to E2CCB’s Civil Rights and Title IX Compliance Officers as follows:

Laurie LiPuma
Executive Director of Human
Resources 8685 Erie Road
Angola, NY 14006
Phone: (716) 549-4454 (ext. 4006)
Email: llipuma@e2ccb.org

Brian R. Liebenow, Esq.
General Counsel and Executive Director
of Labor Relations
9520 Fredonia-Stockton Road Fredonia,
New York 14063 Phone: (716) 672-4371
(ext. 2050)
E-Mail: bliebenow@e2ccb.org

In addition, complaints may also be filed with the Office for Civil Rights, New York Office, U.S. Department of Education, 32 Old Slip, 26th Floor, New York, NY 10005-2500, phone (646) 428-3800, fax (646) 428-3843, email: OCR.NewYork@ed.gov. For more information, please visit the Office for Civil Rights website at: <http://www.ed.gov/about/offices/list/ocr/complaintintro.html>

In your correspondence, please include:

- The complainant’s name, address and, if possible (although not required), a telephone number where the complainant may be reached during business hours;
- Information about the person(s) or class of persons injured by the alleged discriminatory act(s) (names of the injured person(s) are not required);
- The name and location of the institution that committed the alleged discriminatory act(s); and
- A description of the alleged discriminatory act(s) in sufficient detail to enable OCR to understand what occurred, when it occurred, and the basis for the alleged discrimination (e.g., race, color, national origin, sex, disability, age or the *Boy Scouts of America Equal Access Act*).

Ombuds Services:

Ombuds Services builds relationships and empowers students, parents/guardians and employees to remove barriers that stand in the way of success and overcome disputes and conflicts. The goal of Ombuds Services is to act as a “thought partner” and brainstorm options or strategies to improve outcomes by engaging in ongoing dialogue and building collaborative, cooperative relationships. Ombuds Services are an informal, confidential resource that may be used to access supports that enhance quality work and school experiences. Ombuds Services reinforces change and cultural humility by raising awareness of potential conflict to decision-makers. Through the work of Ombuds Services, respect for civility and justice promotes equity and fairness of processes. An Ombuds may perform one or more of the following tasks:

- Provide a confidential, independent, informal, and impartial place to share concerns, questions, and complaints. Some examples are bullying/harassment, accommodations or other employee concerns.
- Clarify information on policies, procedures, services, and programs
- Explore a range of informal and formal options

- Guide or coach individuals to prepare for difficult conversations
- Open channels of communication to be transparent and effective
- Refer individuals to appropriate resolution resources
- Facilitate informal dispute resolution processes

Inquiries regarding E2CCB’s Ombuds Services can be directed to:

Stacey Aliasso Rowcliffe, Ombuds
 Email: ombuds@e2ccb.org
 Phone: 716-662-0135 (ext. 6029)
 Secured Link: www.e2ccb.org/ombuds

Access to Student Records:

The Family Educational Rights and Privacy Act (FERPA) gives parents and guardians and students who are 18 years of age or older (referred to in the law as “eligible students”) the following rights:

1. The right to inspect and review the student’s education records within 45 days of the day the district receives a request for access. These requests should be submitted to the E2CCB principal or supervisor and the records they wish to inspect. The principal or supervisor will make arrangements for access and notify you of the time and place where the records may be inspected.
2. The right to request the amendment of the student’s education records that you believe are inaccurate or misleading. Parents or eligible students may ask E2CCB to amend a record that they believe is inaccurate or misleading by writing to the E2CCB principal or supervisor, clearly identifying the part of the record they want changed, specifying why it is inaccurate or misleading.

 If E2CCB decides not to amend the record as requested, it will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided at this same time.
3. The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent. FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):
 - School officials with legitimate educational interest;
 - Other schools to which a student is transferring;
 - Specified officials for audit or evaluation purposes;
 - Appropriate parties in connection with financial aid to a student;
 - Organizations conducting certain studies for or on behalf of the school;
 - Accrediting organizations;
 - To comply with a judicial order or lawfully issued subpoena;
 - Appropriate officials in cases of health and safety emergencies; and
 - State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the requirements of FERPA. The Office that administers FERPA is the Family Policy Compliance Office, U.S. Department of Education, 600 Independence Avenue SW, Washington, D.C. 20202-4605.

Student Progress Reports to Parents and Guardians:

E2CCB's formal reporting system includes report cards and/or forms developed by the professional staff and issued periodically. Scheduled conferences between parents and teachers, and interim reports will be issued as needed or required. Parents and guardians are urged to visit the school, communicate online virtually, and/or by telephone with school counselors and teachers whenever necessary. Please schedule all such visits in advance.

Parent and Guardian Conferences:

Parent-teacher conferences are an important opportunity for teachers and parents or guardians to discuss student progress. Parents and guardians will be notified in advance of the available dates and times so a convenient appointment can be arranged.

Parents and guardians should feel free to request a conference with their child's teacher at any time. Parents and guardians may initiate a conference by calling the school office and making an appointment with the teacher, counselor, principal, or supervisor. When a parent or guardian requests a conference with a teacher, the teacher will make every effort to arrange a mutually convenient time. Such conferences will be planned around the teacher's schedule so as not to interfere with class time.

If a parent or guardian cannot attend a scheduled conference, they should notify the school as far in advance as possible so that another conference time may be arranged.

Parents and Guardians with Disabilities:

Parents and guardians with disabilities will be afforded an equal opportunity to participate in the services, programs, and activities of E2CCB, particularly those that are designed for parental involvement and are directly related to their child's academic and/or disciplinary progress (e.g. parent/teacher conferences, and/or meetings with other school personnel). Where possible requests for accommodations should be directed to the home school, CSE Chairperson, principal or supervisor at least 10 business days prior to the scheduled activity or program. Such requests should include a description of the person's needs and the specific accommodation being requested.

Civility, Citizenship and Character Education:

Parents, students, and the school community will work together to teach, promote, and model ethical behavior reinforcing community values. E2CCB will reflect and reinforce positive character traits which embody community values and promote principles of fairness, equity, and justice.

E2CCB works in partnership with parents to maintain a learning and working environment that supports positive student attitudes and the character development of its students. Character development will reflect and reinforce character and civic values such as honesty, tolerance, personal responsibility, respect for others, awareness and sensitivity to discrimination and/or harassment, civility in relation to

people of different races, weights, national origins, ethnic groups, religions, religious practices, physical or mental abilities, sexual orientations, genders or sexes, observance of laws and rules, courtesy and dignity as well as other traits which will enhance the quality of students' experiences in, and contributions to, the community.

Instruction Regarding AIDS in Alternative and Special Education Programs:

In compliance with commissioner's regulations, Acquired Immune Deficiency Syndrome or AIDS instruction is part of a sequential and comprehensive health program for all students enrolled in Alternative Education and Special Education K-12 programs. The school provides age-appropriate instruction, which includes the following information:

1. The nature of the disease;
2. Methods of transmission of the disease; and
3. Methods of prevention of the disease (stressing abstinence as the most effective and appropriate protection against AIDS).

Parents may request to have their child(ren) excused from that segment of AIDS instruction regarding methods of prevention of the disease by filing a request with the principal or supervisor. The request must give assurance that such instruction will be given at home. For more information, please contact the principal or supervisor's office.

Physical Education:

Physical education is an important and required subject area for all students. Every student who attends school must take part in a physical education program. Students in grades 9-12 must successfully complete the physical education course during each year they attend school in order to qualify for graduation. In some cases, students may participate in a Physical Education Program at one of our centers. It is the student's responsibility to attend Physical Education. Poor attendance and/or failure to participate will affect your child's grade. The student must maintain a passing grade to receive credit.

If a student requires a special or adaptive physical education program, he/she should notify the school counselor and P.E. teacher as soon as possible. A note from the students' physician may also be required.

If a student must be excused from P.E. classes for less than a week either due to minor injuries or upon returning to school following an illness, the student must deliver a note from the parent or guardian to the physical education teacher.

If a student must be excused from P.E. for more than a week, that student must deliver a note from his/her physician or home school nurse.

Proper Attire for Physical Education Class: Students are expected to dress sensibly in order to participate in physical education classes. All students are required to wear sneakers for safety and performance reasons.

Multimedia Tools in the Classroom:

During the course of the school year, teachers supplement classroom work by utilizing a variety of multimedia tools. As such, your child may have the opportunity to view one or more videos as part of their classroom participation, including:

- Videos related to the curriculum being taught to your child;
- Videos that are in the E2CCB school library;
- Videos that can be obtained through an inter-library loan program;
- G-rated videos.

Any video shown outside the above guidelines will require written notification of parents or guardians specifying the video's content and suitability. In these cases, parents or guardians will be asked to sign a written permission slip before a student can view such a video.

Textbooks:

Textbooks are supplied for student use during the duration of each course. Students who deface, make notes, or lose textbooks may be required to purchase the books. Students who wish to retain their books may purchase them at cost.

Student Health Services:

The school nurse or the designated first aid caregiver will provide emergency care for students involved in accidents or unexpected medical situations. The building principal or supervisor must be notified and parents or guardians must give permission before students are dismissed from school due to an unexpected illness.

Administering Medication in School:

If a student needs to take medication during the school day, the authorization for administering medication in the schools must be completed and submitted to the school nurse or designee along with a copy of the prescription.

Medication must be in the original prescription bottle. The medication is to be provided to the school nurse by the parent or guardian, or an adult who has direct supervision over the student.

Breakfast/Lunch Program:

E2CCB offers a free, reduced, and paid breakfast and lunch program for all day students who cannot participate in their home school program. Eligibility for free and reduced-price meals is based upon the economic need of the family. Applications are distributed each September to determine eligibility and may also be obtained through your home school or through the Alternative or Special Education, or PTech office at E2CCB throughout the school year. Parents and guardians must file a new application for the program each September. Families who fail to file a new application annually will be discontinued from the program by October 1.

School Counseling:

School Counselors and Social Workers provide assistance to students in a variety of ways. They work cooperatively with the guidance counselor and staff at your home school district. These qualified staff are readily available to assist you and your family. If you have any academic or personal concerns, please do not hesitate to ask your school for information about how to contact a School Counselor.

Homework:

Homework provides excellent opportunities for developing good study habits, providing for individual differences and abilities, and encouraging self-initiative on the part of the student. Parents or guardians and the school share the responsibility for student learning. Some examples of how parents or guardians can assist their children with homework by:

- Providing a study area free of distraction and with good lighting.
- Asking questions about the content of student homework.
- Giving requested assistance, but letting the student do his or her ownwork.
- Avoiding undue pressure.
- Helping create a “homework habit” at the same time each night.
- Encouraging and monitoring homework assignments.

Students may be assigned homework each night and homework assignments may be graded and counted towards each student’s quarterly grade.

If a student knows that he or she will be absent for several days, it is possible for homework assignments to be sent home. Arrangements for assignments can be made through the guidance office upon reasonable advance notice.

Make-Up Opportunities:

Students are expected to complete homework assignments even when they are absent from class due to illness. Upon returning to school following an absence, tardiness or leaving early, the student is responsible for checking with their teachers for missed assignments and makeup work. Students will be provided with the opportunity and assistance to make up work missed as a result of an excused absence from class. When necessary and applicable, assignments may be sent home and teachers shall be available to render necessary assistance. Students are responsible for completing assignments on time even if they were absent the day assignments were given. Absences may provide an unfair academic advantage (e.g., class time is missed to secure more time to study for a test, to complete an assignment, or acquire information about the test from other students). Therefore, students may not be allowed to make up tests and examinations given on days in which the student had an unexcused absence and they may receive a grade of zero (all IEP modifications will be honored). Similarly, students who turn in projects and other assignments late for any reason, including an unexcused absence on the due date, may have points deducted for the assignment.

Student Attendance:

It is the student’s basic responsibility as a member of the school community to be on time and attend all classes. Attendance will be taken each day for each class, and regular attendance reports will be sent to parents or guardians. Attendance will also be recorded for any remote learning activities that your child may have. Students are expected to attend all scheduled classes and/or participate in all activities, including, but not limited to, those activities described below.

Student attendance will be demonstrated through physical presence at an E2CCB site. Consequently, in courses for which credit is earned or recommended, each marking period a certain percentage of a student's final grade will be based on classroom participation as well as the student's performance on homework, tests, papers, projects, etc. as determined by the program administrator and/or classroom teacher. Course percentages will be communicated to students prior to taking the class. Consistent with the importance of classroom participation, unexcused student absences, tardiness, and early departures will affect a student's grade, including credit for classroom participation, for the marking period.

Notice of Minimum Attendance Standard and Intervention Strategies:

E2CCB recognizes the importance of collaboration with families to support student success. This includes successful attendance in educational activities. A positive school and home collaboration is key to designing attendance interventions and overcoming attendance barriers. In order to ensure that parents or guardians and students are informed of the policy regarding minimum attendance and course credit, and the implementation of specific intervention strategies to be employed prior to the denial of course credit to the student for insufficient attendance, the following guidelines and interventions may be followed:

- A designated staff member will review Policy # 4000 - Comprehensive Student Attendance Policy (see Appendix A) with students during the first days of the school year and with those who struggle with regular attendance.
- Prior to denial of course credit for excessive absences and/or incomplete assignments, student support services will be initiated to assist and coordinate efforts for completing assignments.
- Designated staff member(s) will notify the parent or guardian by telephone of the student's absence or tardiness, explaining where appropriate, the relationship of the student's attendance to their ability to receive course credit. Messages will be left when contact with the parent or guardian is not made.
- Extended absences will be followed up with written notice to the parent or guardian, with copies sent to the home school and a conference requested involving all parties, when necessary.

Re-Entering Class Following Absence/Tardiness:

Upon returning to school following an absence, it shall be the responsibility of the student to go to the main office with a written excuse that meets the criteria for an excused absence. This excuse must be signed by a parent or guardian. The office personnel will then issue an excuse form to the instructor indicating an excused absence. Tardy students must sign in at the main office upon arrival.

Transportation:

Students will use bus transportation provided by their home school unless other arrangements have received prior approval in writing by the E2CCB principal or supervisor and your home school administrator, and parent or guardian. Students are to report immediately to their home school main office if they miss the bus to E2CCB. Students who miss the bus may not make any other transportation arrangements to attend their E2CCB program unless they secure written approval from an administrator at their home school. Use of private transportation will require pre-planning and pre-notification as described above.

Permission To Drive To E2CCB:

Driving to an E2CCB location is a privilege and must be renewed each year. It is available to those students who follow the rules and regulations. Students may lose driving privileges temporarily or permanently for infractions of the rules. In particular, unauthorized absence, tardiness, or infractions of driving rules will result in loss of driving privileges. The following shall apply:

- All drivers must show proof that they possess a valid driver's license.
- Temporary Driving Pass – If you need to temporarily drive to school, you must receive permission in advance. You may not drive to E2CCB Centers unless you have a driving pass, completely filled out, and with all signatures complete. These signatures must include those of the parent or guardian, the home school principal, and the principal or supervisor of the E2CCB Center. At that time, you will be issued a temporary driving pass. This is to be left face up on the dashboard of your vehicle.
- Permanent Driving Pass – If you are a senior and have a valid reason, such as a job, or district transportation limitations, that would require you to drive to and from an E2CCB location on a daily basis, you must report to the main office to pick up your driving forms. These forms must be filled out correctly and returned for verification and approval by the appropriate E2CCB principal or supervisor. When approved, a pass will be issued.
- All approved student drivers who wish to transport another student must complete “Driver Request for Passenger Permission Form.” Note that passengers must also complete this form. Parents or guardians of both students and the home district principal must sign these forms. If you have any transportation problems or irregularities, report to the main office as soon as you arrive at the E2CCB Center.
- Students with permits must park at the E2CCB Center in the designated student parking.
- Illegally parked cars will be towed at the owner's expense from the school grounds.
- Cars being worked on will need special permission from the instructor to park near the shop. Students will request a Vehicle Repair Form from the main office and have it completed before driving to the E2CCB Center. The student will receive a special pass which must be displayed on the dashboard.
- Parking lot speed is a maximum of 5 miles per hour or less if conditions warrant.
- Students who are in the parking lot without a pass during class time will be subject to disciplinary action. Students are not to sit in vehicles, congregate in the parking lot, or go to their vehicles during the school day. Lock it and leave it.
- Vehicles parked on E2CCB premises may be searched at any time if reasonable suspicion exists to believe that a student has violated or is violating the law and/or school rules.
- E2CCB is not responsible for lost property or damage to vehicles. Students park at their own risk.
- Student drivers cannot leave the parking lot until all buses have left the E2CCB location.

Drug and Alcohol Abuse:

E2CCB recognizes that alcohol and drug abuse is serious and dangerous student behavior. Consistent with this belief, E2CCB is committed to educating students about the dangers of drug and alcohol problems, and disciplining students found possessing, using or distributing alcohol or drugs on school grounds, consistent with the E2CCB Code of Conduct and policy.

Additionally, any person who is suspected of having used or consumed alcohol and/or other substances, or any person who school officials have reasonable grounds to suspect has been using alcohol or other substances, will not be permitted to enter E2CCB grounds or school-sponsored events. Parents or guardians, and/or police may be notified to pick up the student.

Any substances found shall be confiscated immediately. The parents or guardians of the student(s) involved will be called and appropriate disciplinary action taken, up to and including appropriate legal action. In an effort to maintain a drug-free environment, E2CCB shall cooperate to the fullest extent possible with local, state, and/or federal law enforcement agencies.

Disciplinary Measures - Students found to have consumed, possessed, or distributed alcohol, drugs, and/or drug paraphernalia will be disciplined consistent with the E2CCB Code of Conduct and Board Policy. In addition, where appropriate, students may also be referred to law enforcement.

Smoking and/or Vaping on School Premises: Due to the health hazards associated with smoking, and in accordance with federal and state law, students are forbidden to use or possess tobacco, tobacco-related products (including, e-cigarettes or electronic cigarettes), vaping devices, or related paraphernalia while on school premises, on school buses, or at school sponsored activities, including but not limited to during remote instruction. Students violating this policy will be disciplined in accordance with E2CCB Code of Conduct.

Use of Electronic Devices:

Students are prohibited from using, or in an operational mode any personally owned technology or electronic device during instructional time, except as expressly permitted in connection with authorized use in classrooms. While students are permitted to possess such devices during the school day, they are prohibited from using them in any manner which impacts or interferes with the security of the building, invades the privacy of students, employees, volunteers or visitors, including but not limited to recording video or audio, or taking unauthorized pictures. If a student violates this prohibition, they are subject to discipline under this provision and/or any other provision in the E2CCB Code of Conduct that may be applicable to the circumstances involved. Any personally owned technology or electronic device that is permitted on school property is encouraged to be kept on the person and in a concealed manner and we request the item be turned off. Students may not take photos/videos of persons in E2CCB classrooms, during remote instruction, or engaged in E2CCB activities unless they are taken as part of an E2CCB sanctioned class assignment, and approved by the teacher/instructor. E2CCB is not responsible for lost, stolen or damaged electronic devices.

Student Use of Computerized Information Resources:

Use of the Erie 2 BOCES Computer System (BCS) which violates any aspect of the E2CCB Policies, Code of Conduct, or federal, state, or local laws or regulations is strictly prohibited and may result in disciplinary action, including but not limited to, suspension and/or revocation of access to the BCS. In addition to the E2CCB general requirements governing student behavior, specific activities shall be prohibited by student users of the BCS including, but not limited to, the following:

- Using the BCS to obtain, view, download, send, print, display or otherwise gain access to or transmit materials that are unlawful, obscene, pornographic or abusive;
- Use of obscene or vulgar language;
- Harassing, insulting, bullying, threatening or attacking others;
- Intentionally bypassing safety and security measures established by the E2CCB;
- Damaging, disabling or otherwise interfering with the operation of computers, computer systems, software or related equipment through physical action or electronic means;
- Using unauthorized software on the BCS;
- Changing, copying renaming, deleting, reading or otherwise accessing files or software not created by the student, without express permission from the Associate Director of Technology;
- Violating copyright law, including the illegal file sharing of music, videos and software;
- Employing the BCS for non-educational, commercial purposes, product advertisement or political lobbying;
- Disclosing an individual password to others or using others' passwords;
- Transmitting material, information or software in violation of any E2CCB policy or regulation, the E2CCB Code of Conduct, and/or federal, state and local law or regulation;
- Revealing personal information about oneself or of other students including but not limited to, disclosure of home address and/or telephone number;
- Accessing personal, social networking sites unless under the direct supervision of a staff member for the purpose of school projects and/or school related activities;
- Creating or using a website or blog, which may cause substantial disruption in the school environment or interfere with the rights of others; or
- Using a digital device (such as a cell phone), electronic technology and/or media to facilitate cheating, plagiarism, etc.

Network accounts are to be used only by the authorized owner of the account. Any user of the BCS that accesses another network or computer resources shall be subject to that network's acceptable use policy.

If a student or a student's parents or guardians has a E2CCB network account, a non-district network account, or any other account or program which will enable direct or indirect access to a E2CCB computer, any access to the BCS in violation of E2CCB policy and/or regulation may result in discipline. Indirect access to a E2CCB computer shall mean using a non-district computer in a manner which results in the user gaining access to a E2CCB computer, including access to any and all information, records or other material contained or stored in a E2CCB computer.

Sanctions:

- Violations may result in suspension and/or revocation of student access to the BCS as determined in accordance with appropriate due process procedures.
- Additional disciplinary action may be determined at the building level in accordance with existing practices and procedures regarding inappropriate language or behavior, as well as federal, state and local law.
- When applicable, law enforcement agencies may be involved.

The Board of Education will provide access to various computerized information resources through the E2CCB computer system consisting of software, hardware, computer networks and electronic communications systems. This may include access to electronic mail, so-called “on-line services” and the “Internet.” It may include the opportunity for some students to have independent access to the BCS from their home or other remote locations. All use of the BCS including independent use off school premises, shall be subject to this policy and accompanying regulations. Further, all such use must be in support of education and/or research and consistent with the goals and purposes of E2CCB.

Security: Security on any computer system is a high priority, especially when the system involves many users. Users of the BCS identifying a security problem on the E2CCB system must notify the teacher in charge. A student is not to demonstrate the problem to other users. Attempts to log on to the BCS as an administrator may result in restriction or suspension of user privileges. Any user identified as a security risk or having a history of problems with other computer systems may be denied access to the BCS. Further, any violations regarding the use and application of the BCS shall be reported by the student to the teacher in charge.

Access to Inappropriate Content/Material and Use of Personal Technology or Electronic Devices:

This policy is intended to establish general guidelines for the acceptable student use of the BCS and also to give students and parents and guardians notice that student use of the BCS will provide student access to external computer networks not controlled by the E2CCB. The E2CCB cannot screen or review all of the available content or materials on these external computer networks. Thus, some of the available content or materials on these external networks may be deemed unsuitable for student use or access by parents and guardians.

Despite the existence of E2CCB policy, regulations and guidelines, it is virtually impossible to completely prevent access to content or material that may be considered inappropriate for students. Students may have the ability to access such content or material from their home, other locations off school premises and/or with a student's own personal technology or electronic device on school grounds or at school events. We ask that parents and guardians establish boundaries and standards for the appropriate and acceptable use of technology and communicate these boundaries and standards to their children. The appropriate/acceptable use standards outlined in this policy apply to student use of technology via the BCS or any other electronic media or communications, including by means of a student's own personal technology or electronic device on school grounds or at school events.

Standards of Acceptable Use:

Generally, the same standards of acceptable student conduct, which apply to any school activity shall apply to use of the BCS. This policy does not attempt to articulate all required and/or acceptable uses of the BCS; nor is it the intention of this policy to define all inappropriate usage. Administrative regulations will further define general guidelines of appropriate student conduct and use as well as prescribed behavior.

E2CCB students shall also adhere to the laws, policies, and rules governing computers including, but not limited to, copyright laws, rights of software publishers, license agreements, and student rights of privacy created by federal and state law.

Students who engage in unacceptable use may lose access to the BCS in accordance with applicable due process procedures, and may be subject to further discipline under the E2CCB school conduct and discipline policy and the E2CCB Code of Conduct. The E2CCB reserves the right to pursue legal action

against a student who willfully, maliciously or unlawfully damages or destroys property of the E2CCB. Further, the E2CCB may bring suit in civil court against the parents and guardians of any student who willfully, maliciously or unlawfully damages or destroys E2CCB property pursuant to General obligations Law Section 3-112.

Student data files and other electronic storage areas will be treated like school lockers. This means that such areas shall be considered to be E2CCB property subject to control and inspection. The E2CCB Technology Department may access all such files and communications to ensure system integrity and that users are complying with the requirements of this policy. Students should NOT expect that information stored on the BCS will be private.

Notification/Authorization: This Policy will be disseminated to parents, guardians, and students in order to provide notice of the requirements, expectations, and student's obligations when accessing the BCS.

Recess And Playground Guidelines:

Certain students will go outside for recess throughout the school year. It is important that students dress appropriately for the weather conditions. Boots, hats, gloves, and warm coats are a necessity for snowy, cold weather. Students are expected to follow the guidelines of the code of conduct for E2CCB and/or host school districts. Failure to follow playground rules can result in a loss of playground privileges and disciplinary measures consistent with E2CCB Code of Conduct.

Classroom and Shop Safety And Procedures:

The nature of the E2CCB locations is such that our shops and classrooms contain areas, which could be hazardous if required safety procedures are not followed. Your instructor will review safety requirements and provide you with pertinent information concerning safety rules for your shop or classroom. Behavior which jeopardizes your safety or that of your fellow students cannot be tolerated. These rules are to ensure the safety of students and employees while on E2CCB property. All students and members of the school community must adhere to the following:

- Immediately report any conditions involving equipment or buildings which may be dangerous to student or employee health or welfare;
- Immediately report any unsafe practices by anyone in the building or on the grounds;
- Observe the 10 mile per hour speed limit on school grounds;
- Immediately report all injuries, which occur at E2CCB or on the school bus to your instructor, principal, or supervisor.

E2CCB provides student accident insurance coverage. Your family's health/accident insurance is considered as primary coverage. It is important that you report any injury immediately so that you will be covered by these insurance plans.

Certain CTE programs may require you to wear a specific uniform and/or protective equipment, or to purchase tools or equipment. Your instructor will advise you of the requirements of your program. If this poses a financial difficulty, please see your CTE guidance counselor. Financial help may be available, and all discussions will be confidential.

E2CCB-Wide And Center Based Safety Plans:

The E2CCB has adopted an E2CCB-wide school safety plan, and emergency response plans for each of our locations; including addressing pandemic planning. These plans are intended to define how E2CCB and each location will respond to acts of violence and other disasters.

Student Youth Organizations:

E2CCB strongly encourages students to join a student youth organization. Each youth organization offers a variety of programs, community service projects, fund-raisers and field trips, and those associated with CTE programs offer the opportunity to compete on the local, state, and national levels. During the school year, special events and activities are held at the E2CCB locations for members of all student clubs.

The following is a list of student youth organizations available in certain centers. You will be receiving more information on these clubs from your program instructor.

- HOSA-Health Occupation Student Association (CTE only)
- FFA-Future Farmers of America (horticulture) (CTE only)
- ProStart (Culinary CTE only)
- Skills USA (CTE only)
- Student Council (Alternative and Special Education and P-TECH.)
- National Honor Society (P-TECH)
- National Technical Honor Society (CTE Only)

CTE Student Recognition and Activities:

Honor Roll: Each student who earns an overall average of 90% or greater during a marking period will be placed on the Honor Roll as per Center.

National Technical Honor Society (NTHS): Career and Technical Education students who meet the Honor Society requirements, including grade and attendance requirements, will be invited to become members during an induction ceremony. The purpose of the NTHS is to promote service, leadership, honesty, career development, and skilled workmanship. Further, NTHS rewards student achievement, encourages and assists student educational and career goal setting, and promotes the image of Career and Technical Education.

Quarterly Awards for Achievement and Attendance: Students may be recognized for outstanding achievement, attendance, most improved, etc. to be determined by the educational site.

Career and Technical Education Program Offerings:

To ensure that the maximum number of students meet the requirements for a Regents Diploma, E2CCB has adopted the modified Career & Technical Education Graduation Requirements.

Students enrolled in an approved CTE program at E2CCB may earn CTE credits that will satisfy a core academic requirement in English Language Arts, Math, and Science leading to a Local or Regents Diploma. Students in health related programs may be able to earn .5 health credit. Career and Financial Management (CFM) is available in all CTE Programs. A curriculum crosswalk for each CTE program documents how, through a fully integrated program, students may fulfill the core requirements in

English, Science, and Math. The integrated ELA curriculum has been National Collegiate Athletic Association (NCAA) approved. Granting of CTE credits for core academic requirements are at the discretion of the home school district.

NYSED regulations approved in 2015 and 2016 recognize students' interests in Career and Technical Education (CTE) and Career Development and Occupational Studies (CDOS) by allowing an approved pathway to meet the students' graduation requirements.

Career & Technical Education Articulation Agreements:

The Career and Technical Education Division has developed advanced studies, articulation agreements and dual enrollment programs with several colleges and technical schools. These articulation agreements allow CTE students to earn college credits or advanced standing while attending our Centers. Students must meet the requirements set forth by the individual post secondary institution in order to access these benefits.

Career & Technical Education Grading Procedure:

Students' grades are based upon a combination of written tests, performance assessments, projects, writing assignments, and class participation. Regular attendance is necessary for student success, and students are graded daily based upon their class/lab participation. Students with an excused absence may be given an opportunity to do an additional assignment outside of class to make up this class participation grade. Students will have the opportunity to make-up assignments missed due to excused absences.

Students who miss a test due to an unexcused absence may receive a grade of zero. It is the responsibility of the teacher to assign due dates and to schedule tests. Students who turn in an assignment after the due date may have points deducted from the assignment. Consequently, work handed in late due to an unexcused absence may receive a lowered grade.

Ten week marking period grades are weighted so that performance scores make up 2/3 of the grade, and written assessments make up the remaining 1/3. CTE ELA (Composition and Communication), Math, and Science are fully integrated into the approved CTE courses.

The student's final grade for CTE courses will be calculated as follows:

Juniors: $1st\ Q + 2nd\ Q + 3rd\ Q + 4th\ Q + Final\ Assessment$, all divided by 5 = Final Grade
Seniors:

$1st\ Q + 2nd\ Q + 3rd\ Q + 4th\ Q + Final\ Assessment$, all divided by 5 = Final Grade
Sr. Final Assessment

Grade consists of:

- 1/3 Exit Portfolio
- 1/3 Final Exam, Written Section
- 1/3 Final Exam, Performance Section

Special Education Programs:

- 12:1:1 (12 Students: 1 Teacher: 1 Teachers Aide)
- 8:1:1 (8 Students: 1 Teacher: 1 Teachers Aide)
- 6:1:1 (6 Students: 1 Teacher: 1 Teachers Aid)
- 6:1:3 (6 students: 1 Teacher: 3 Teachers Aide)

Alternative Education Programs:

- Alternative Education (Secondary)
- Alternative Education (Middle)
- Alternative GED
- Alternative Education-Out of School Suspension

Alternative Education Grading Procedure:

Student grades are based upon a combination of written tests, performance assessments, projects, writing assignments and daily class participation. Regular attendance/participation is necessary for student success as students are graded daily based upon their class/lab participation. Daily participation counts towards 30% of their grade. Students with an excused absence will be given an opportunity to do the assigned work and hand it in at an agreed upon later date. Class participation grades for unexcused absences cannot be made up and students will receive a class participation grade of zero (0) for each occurrence.

Students who are in violation of the E2CCB attendance policy and are subject to course credit denial shall be processed in the following manner:

- Supervisor will verify all unexcused absences with the classroom instructor.
- Recorded classroom absences and computer-generated data must be the same and accurate.
- Supervisor determines student's ineligibility for course credit based on unexcused absences:
 - 18 for a full year course
 - 9 for a half year course

It is the responsibility of the teacher to assign due dates and schedule tests and make these dates known to the students. Students who miss a test due to an unexcused absence may receive a grade of zero. Students who submit an assignment after the due date will have points deducted from the assignment. Consequently, work submitted late due to an unexcused absence will receive a lower grade. The student's final average for the course will be calculated using the final grades calculation formula:

Full Year Course: $1st\ Q + 2nd\ Q + 3rd\ Q + 4th\ Q + Final\ Exam = Final\ Average$
Half Year Course:
 $(1st\ Q + 2nd\ Q) \times 2 + Final\ Exam = Final\ Average$

Reports are sent to students every five weeks. It is encouraged that academic information is reported to the home school on an as needed basis.

Alternative Education Honor Roll:

Students are recognized for academic achievement each marking period, as follows:

- 80-84.4 Academic Recognition
- 84.5-89.4 Merit Roll
- 89.5-94.4 Honor Roll
- 94.5-100 High Honor Roll

Academic Intervention Services-Alternative Education Program:

Students enrolled in the Alternative Education Program and identified as being at risk of falling below the state learning standards in English/language arts, mathematics, social studies, and/or science shall be provided with academic intervention services. Such services may include additional instruction service and/or student support services such as guidance, counseling, and study skills.

A student's eligibility for academic intervention services will be determined based on his or her performance on the state assessment examination and/or in accordance with district assessment procedures.

When it has been determined that a student needs academic intervention services, the parents will be notified, in writing, by the principal or supervisor. The notice will outline the reason the student needs such services, the types of services to be provided and the consequences of not achieving the performance standards. In addition, the district will provide the parents with opportunities to consult with teachers and other professional staff, regular reports on the student's progress and information on ways to monitor and work with teachers to improve the student's performance.



2024-2025 Code of Conduct

E2CCB CODE OF CONDUCT

I. Introduction

Erie 2-Chautauqua-Cattaraugus Board of Cooperative Educational Services (E2CCB) strives to sustain and enhance the capacity of component school districts to carry out their roles as the chief instrument in the education of the children, youth and adults in their communities.

Moreover, E2CCB seeks to engage students as partners in their education, by encouraging students to reflect on and structure their behavior in a positive manner that enables them to achieve their goals. To that end E2CCB seeks to reduce exclusionary discipline when other interventions or types of discipline would be effective.

E2CCB is committed to providing a safe and orderly educational environment where students have access to equitable, inclusive and diverse opportunities to reach their highest potential, and E2CCB personnel deliver quality educational services without disruption or interference. Responsible behavior by students, teachers, other E2CCB personnel, parents, volunteers, vendors, contractors and other visitors is essential to achieving this goal.

The E2CCB Board of Education has a long-standing set of expectations for conduct on E2CCB property and at E2CCB functions. These expectations are based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty and integrity, and aspire to:

- Foster an environment of mutual trust and respect;
- Raise people's knowledge, skill and opportunity;
- Inspire students, staff and communities to pursue equity and excellence; and
- Encourage everyone to lead by example.

The Board of Education recognizes that learning environments that are safe, supportive, and inclusive can increase student attendance and improve academic performance. A student's ability to learn and achieve high academic standards, and a school's ability to educate students, is compromised by incidents of discrimination or harassment, including but not limited to bullying/cyberbullying, taunting and intimidation.

Therefore, in accordance with applicable laws and regulations, including but not limited to the Dignity for All Students Act (DASA), E2CCB will strive to create an environment free of discrimination and harassment and will foster civility in the schools to prevent and prohibit conduct which is inconsistent with E2CCB's educational mission. E2CCB employees who witness or receive a report of harassment, bullying/cyberbullying, or discrimination must promptly notify the principal, District Superintendent, or the principal or District Superintendent's designee within one (1) school day after witnessing the incident or receiving the report and must file a written report within two (2) school days thereafter.

E2CCB condemns and prohibits all forms of discrimination and harassment, marginalization, bullying, and cyberbullying, of students based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex, or other protected category, by E2CCB employees or students on E2CCB property and at E2CCB-sponsored activities and events on or off site. In addition, any act of discrimination or harassment, outside of

E2CCB sponsored events, which can reasonably be expected to materially and substantially disrupt the education process may be subject to discipline.

The Board recognizes the need to clearly define these expectations for acceptable conduct on E2CCB property, to identify the possible consequences of unacceptable conduct, and to ensure that discipline when necessary is administered promptly, fairly, and equitably. The E2CCB Code of Conduct has been developed and will be maintained in collaboration with students, teachers, administrators, parents or guardians, E2CCB safety personnel and other representation.

Further, the Code of Conduct has been written to comply with Project SAVE legislation – the Safe Schools Against Violence in Education Act, Dignity for All Students Act (DASA), and other applicable laws. These laws seek to improve school safety and ensure a safe, inclusive, and effective learning environment.

Unless otherwise indicated, this Code applies to all students, E2CCB employees, parents or guardians, volunteers, vendors, contractors and other visitors when on E2CCB property or attending or participating in an E2CCB-sponsored activities and events on or off site. Adult students enrolled in workforce development programs should consult their individual program handbook and/or student handbook for specific disciplinary procedures. E2CCB programs or services provided in component district/“host building” locations, unless otherwise authorized, shall comply with the Code of Conduct prescribed by that building/district, in addition to this Code.

Finally, students who attend any E2CCB program, regardless of that program's location, should be aware that their conduct will be subject not only to E2CCB's Code of Conduct, the applicable component district's/"host building's" Code of Conduct, but may also be governed by additional provisions of the Code of Conduct in place in the students' home district of residence.

II. Definitions

For purposes of this code, the following definitions apply:

“Ammunition” means ammunition or cartridge cases, primers, bullets, or propellant powder designed for use in any firearm, as defined by the Gun Free School Act (18 USC 921 (17)).

“Behavior Management System” means a process or system of consequences for behavior that is developed and monitored by staff in a particular building or program which is used by staff and students in order to monitor and improve student behaviors.

“E2CCB Function” means an E2CCB-sponsored extracurricular event or activity, an E2CCB sponsored work site/internship, or remote learning activities. “E2CCB Function” and “School Function” have the same meaning and are used interchangeably throughout this document.

“E2CCB Property” means any owned or leased equipment, building, structure, playground, parking lot or land contained within the real property boundary line of the E2CCB schools or centers or in or on a E2CCB supervised school bus. “E2CCB Property” and “School Property” have the same meaning and are used interchangeably throughout this document.

“Building Administrator” means a certified administrator who is responsible for the supervision and management of an E2CCB site or program, including, but not limited to Principals or Supervisors.

“Color” refers to the apparent pigmentation of the skin, especially as an indication or possible indication of race.

“Committee on Special Education,” or “CSE” means the committee on special education, subcommittee on special education, or other multidisciplinary team of the student’s home school district.

"Dangerous Weapon" means 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 that such term does not include a pocket knife with a blade of less than two and one-half inches (2 1/2") in length. The penal code of the State of New York shall be used to determine what is considered a weapon (See Article 265 of the New York Penal Law) .

“Disability” means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment, provided, however, that in all provisions of this article dealing with employment, the term must be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupationsought or held (See Education Law §11[3] and Executive Law §292[21]).

“Disciplinary Change in Placement” means suspension or removal by the home school district of a student with a disability from the student’s current educational placement that is either: 1) for more than ten (10) consecutive school days, or 2) for a period of ten (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 ten (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 is removed and the proximity of the suspensions or removals to one another.

“Discrimination” means discrimination against any student by a student or students and/or employee or employees on school property or at a school function including, but not limited to, discrimination based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, or other protected category.

“Disruptive Student” means an elementary or secondary student whose conduct is substantially disruptive of the educational process or substantially interferes with the teacher’s authority over the classroom.

“Emotional Harm” that takes place in the context of harassment or bullying means harm to a student’s emotional well-being through creation of a hostile school environment that is so severe or pervasive as to unreasonably and substantially interfere with a student’s education.

“Employee” means any person 1) who is receiving compensation from a school, or 2) whose duties involve direct student contact and a) who is receiving compensation from any person or entity that contracts with a school to provide transportation services to children, or (b) who is an employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title 9-B of article five of the Social Services Law, and consistent with the provisions of such title for the provision of services to such school, its students oremployees, directly or through contract.(Education Law §1125[3]).

“Ethnic Group” means a group of people who identify with each other through a common heritage including language, culture, and often a shared or common religion and or ideology that stresses ancestry.

“Exclusionary Discipline” means an adult response to student behavior that includes removal or exclusion from the classroom or school environment, including but not limited to short and long term suspensions.

“Firearm” as defined by the Gun-Free School Act (18 USC §921) means any (A) weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of such weapon; (C) any firearm muffler or silencer; or (D) any “destructive device.” (i.e., any explosive, incendiary, or poison gas - i) bomb, ii) grenade, iii) rocket having a propellant charge of more than four ounces, iv) missile having an explosive or incendiary charge of more than one-quarter ounce, v) mine, or vi) other similar devices).

“Gender” means a person’s actual or perceived sex and includes a person's gender identity or expression (Education Law §11[6]).

“Harassment/bullying” means the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse including cyberbullying as defined in Education Law §11(8), that:

- a) 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
- b) reasonably causes or would reasonably be expected to cause a student to fear for the student’s physical safety;
- c) reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or
- d) occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. For the purpose of this definition, the term “threats, intimidation or abuse” shall include verbal and non-verbal actions. (Education Law §11[7])

“Cyberbullying” means harassment/bullying, as defined above, through any form of electronic communication. (Education Law §11[8])

“Home school district” means the student’s school district of residence.

“Individualized Educational Program (IEP)” means a written statement developed, reviewed and revised in accordance with Section 200.4 of the Regulations of the Commissioner that includes the components specified in Section 200.4(d)(2) of the Regulations to be provided to meet the unique educational needs of a student with a disability.

“Individuals with Disabilities Education Act (IDEA)” means the Federal laws related to the education of students with disabilities.

“Itinerant Teacher” means a certified staff member who provides specialized services, such as hearing, vision, or other educationally related services to students and is not assigned to one program or building. These teachers usually travel to various district sites in order to deliver

specialized services. Itinerant teachers are expected to adhere to the building and/or program parameters for discipline of each location in working with students attending that school unless otherwise authorized.

“Long Term Suspension” means a suspension of more than five consecutive school days.

“Manifestation Determination” means a review of the relationship between the student’s disability and the behavior subject to disciplinary action that is conducted by the manifestation team from the student’s home school district. (See 8 NYCRR §201.4)

“National Origin” means a person's country of birth or ancestor's country of birth.

“Non-violent Crisis Intervention” means those techniques that enable staff to maintain control in an unlimited number of crisis situations through calm, confident actions that help staff defuse the disruptive student and reduce the chance for physical injury to all who are present. In non-violent crisis intervention, the emphasis is always on the staff’s primary responsibility, the care, welfare, safety and security of our students and staff. Physical restraint is only used when all verbal techniques have been exhausted and the individual’s actions are escalating toward physical aggression. Even when physical control is used, it is used in such a way to control and protect students.

“Other Administrative, Managerial, and Technical Staff” means those individuals who are responsible for central office operations and/or specialized instructional or administrative management services who provide support and/or oversight to various E2CCB programs and/or to component districts.

"Plagiarism" is the use or close imitation of the language and ideas of another author without appropriate citation, and representation of them as one's own original work. This includes copying from electronic sources, including those available on the internet, even with minor alterations.

“Race” means a group of persons related by a common descent or heredity. For purposes of enumeration the U.S. Census Bureau uses terms such as: "White/Caucasian", "Black/African American/African-descent", "Asian", "Bi-racial", "Hispanics/Latinos" etc. to describe and classify the inhabitants of the United States.

“Religion” means specific fundamental beliefs and practices generally agreed to by large numbers of the group or a body of persons adhering to a particular set of beliefs and practices.

“Religious Practice” means a term including practices and observances such as attending worship services, wearing religious garb or symbols, praying at prescribed times, displaying religious objects, adhering to certain dietary rules, refraining from certain activities, proselytizing, etc.

“School Bus” means every motor vehicle owned by a public or governmental agency or private school and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities, or, privately owned and operated for compensation for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities (Education Law §11[1] and Vehicle and Traffic Law §142).

“Sex” means the biological and physiological characteristics that define men and women. (MALE and FEMALE denote "sex".)

“Sexual Orientation” means actual or perceived heterosexuality, homosexuality, or bisexuality (Education Law §11[5]).

“School Employee” means any and all E2CCB employees, including, but not limited to teachers, related service providers, aides, teaching assistants, and administrators. “School Employee(s)”, and “E2CCB Employee(s)” have the same meaning and are used interchangeably throughout this document.

“School Property” means, unless otherwise designated, the location of a E2CCB program or service, within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of E2CCB.

“Short Term Suspension” means a suspension of five or less consecutive school days.

“Student Support Service Personnel” means any staff member who provides direct educationally related services and/or assists students in coping with peer pressure and emerging personal, social, emotional and physical problems. These services are provided by psychologists, social workers, counselors, school counselors, ESL teachers, hearing teachers, vision teachers, mobility teachers, speech teachers, and occupational or physical therapists.

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

1. Commits an act of violence upon a school employee, or attempts to do so.
2. Commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at a school function, or attempts to do so.
3. Possesses or displays, while on school property or at a school function, or engaged in an online, or remote environment, what appears to be a weapon.
4. Threatens, while on school property or at a school function, or engaged in an online, or remote environment, to use any instrument that appears capable of causing physical injury or death.
5. 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.
6. Knowingly and intentionally damages or destroys school district property.

“Weapon” means a firearm as defined in 18 USC §921 for purposes of the Gun Free School Act. It also means: any other gun including but not limited to BB gun, pellet gun, pistol, revolver, shotgun, rifle, machine gun, or disguised gun; ammunition; dagger; dirk; machete; razor; stiletto; switchblade knife; army knife; gravity knife; brass knuckles; slingshot; 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 device; paintball gun or other similar device that propels projectiles; or other device, instrument, material or substance that can cause physical injury or death when used to cause physical injury or death.

“Weight” means aside from the obvious meaning in the physical sciences, the word is used in reference to a person's "size".

III. Student Rights And Responsibilities

E2CCB is committed to safeguarding the rights given to all students under state and federal law and to promote a safe, inclusive, healthy, orderly, and civil school environment. The purpose of this section is to outline student’s rights as well as the accompanying responsibility. This section is based on the fundamental principle that with every right comes a responsibility.

Rights	Responsibilities
To attend E2CCB and be granted the opportunity to receive a quality education	To attend school, internships, and job sites regularly and on time, perform assignments, and strive to do your highest quality work.
To be made aware of the E2CCB rules and policies and to be treated in a manner consistent with these policies when resolving disciplinary matters.	To understand the E2CCB Code of Conduct, obey the rules it contains and to be accountable for your actions.
To have the opportunity to present your version of the facts and circumstances in all disciplinary matters.	To be truthful and respectful in the resolution of conflicts with all parties involved.
To take part in all E2CCB activities on an equal basis regardless of race, sex, religion, age, political affiliation, sexual orientation, gender/gender identity, use of a recognized guide dog, hearing dog and service dog, national origin, disability, or other protected category.	To be respectful and supportive to all who are participating in E2CCB academic and extracurricular activities.
To feel safe in the school environment and not be intimidated or harassed by others.	To behave in a manner that will not jeopardize the safety and well-being of yourself or others, and respect and treat others in a fair and equitable manner.
To express your style and dress according to your own individual taste.	To dress in a safe manner that is appropriate to the program, and is in accordance with the E2CCB dress code.
To be protected from intimidation, harassment or discrimination based on actual or perceived race, color, weight, national origin, ethnic group, religion, or religious practice, sex, gender/gender identity, sexual orientation, or disability by employees or	To respect one another and treat others fairly in accordance with the E2CCB Code of Conduct and the provisions of the DignityFor All Students Act (DASA). To conduct themselves in a manner that fosters an environment that is free from intimidation, harassment, or discrimination. To report and

students on school property or at a school sponsored event, function or activity.	encourage others to report any incidents of intimidation, harassment, or discrimination.
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IV. Essential Partners In Creating A Positive School Climate

All parents and guardians are expected to:

- Recognize that the education of their children is a joint responsibility of the parents or guardians and the school community.
- Send their children to school, or have their children present for remote learning activities, on time, ready to participate and learn as required by NYS Law and in accordance with E2CCB Comprehensive Student Attendance Policy. Ensure children attend school regularly and on time. Ensure absences are excused.
- Insist their children be dressed and groomed in a manner consistent with the student dress code, uniform requirements and/or safety requirements for specific programs. This includes physical attendance in a school program, or in a remote learning environment.
- Know school rules and help their children understand them.
- Help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
- Promote positive behavior in their children by helping them to accept the consequences of their actions and by becoming involved in the behavior management/disciplinary process.
- Convey to their children a supportive attitude toward education and E2CCB.
- Build positive relationships with teachers, other parents and their children’s friends.
- Help their children deal effectively with peer pressure.
- Inform school officials of changes in the home situation that may affect student conduct or performance.
- Inform school officials of any changes in address, phone number and/or medication.
- Teach their children respect and dignity for themselves, and other students by contributing to a welcoming environment where all students feel safe, included, and accepted, and experience a sense of belonging and academic success regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, which will strengthen the child’s confidence and promote learning in accordance with the Dignity For All Students Act.

All teachers are expected to:

- Maintain and encourage 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/gender identity, or sex, with an understanding of

appropriate appearance, language and behavior in a school setting, which will strengthen student's self-concept and promote confidence to learn.

- Be prepared to teach and engage students in a positive manner that facilitates a welcoming environment where all students feel safe, included, and accepted, and experience a sense of belonging, and academic success.
- Demonstrate interest in teaching, concern for student well-being, achievement and educational progress, and respond appropriately to the individual needs of each student.
- Be knowledgeable of and be able to apply effective classroom/building behavior management techniques and the non-violent crisis intervention philosophy and techniques.
- Communicate to students and parents or guardians that which is important to each student's emotional, social, behavioral and academic progress, including but not limited to:
 - Course objectives and requirements
 - Marking/grading procedures
 - Assignment deadlines
 - Expectations for students
 - Classroom discipline plan
 - Behavior management plans
- Communicate regularly with students, parents or guardians, and other teachers concerning students' well-being, growth, and achievement.
- Confront issues of discrimination and harassment in 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.
- Address personal biases that may prevent equal treatment of all students in the school or classroom setting and/or interfere with a welcoming environment where all students feel safe, included, and accepted, and experience a sense of belonging, and academic success.
- Report incidents of discrimination and harassment that are witnessed or otherwise brought to a teacher's attention to the building administrator and/or appropriate individual in a timely manner.
- Be familiar with and adhere to E2CCB Board of Education policies, E2CCB administrative regulations, and Code of Conduct for E2CCB and the component district(s) in which teachers or itinerant staff (see definition) are providing services.
- Utilize their training and expertise to address the specific needs of students.

All student support service personnel and teacher aides are expected to:

- Provide educationally related service(s), as appropriate, to support students in their Educational program.
- Maintain and encourage 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/gender identity, or sex, with an understanding or appropriate appearance, language, and behavior in a school setting which will strengthen students' self-image and promote confidence to learn.

- Support educational and academic goals.
- Assist students in coping with peer pressure and emerging personal, social, emotional, and physical problems.
- Be familiar with and adhere to E2CCB Board of Education policies, E2CCB administrative regulations, and E2CCB Code of Conduct.
- Be knowledgeable of and be able to apply effective classroom behavior/building management techniques and non-violent crisis intervention philosophy and techniques.
- Communicate regularly, as appropriate, with students, parents or guardians and other staff.
- Report incidents of discrimination and harassment that are witnessed or otherwise brought to the staff member's attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.
- Adhere to the Code of Conduct for the E2CCB or district-based school in which staff are providing services.
- Utilize their expertise to address the specific needs of students.

All building administrators are expected to:

- Promote a safe, orderly and academically stimulating school environment that supports active teaching and learning.
- Maintain and encourage 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/gender identity, or sex, with an understanding or appropriate appearance, language, and behavior in a school setting which will strengthen students' self-image and promote confidence to learn.
- Ensure that students and staff have the opportunity to communicate regularly with the building principal or supervisors and approach the building principal or supervisors for redress of grievances.
- Evaluate all instructional programs for which they are responsible on a regular basis.
- Support the development of and student participation in appropriate extracurricular activities.
- Be familiar with and adhere to E2CCB Board of Education policies, E2CCB administrative regulations, and E2CCB Code of Conduct.
- Be responsible for enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.
- Be knowledgeable of and be able to apply effective classroom behavior/building management techniques, non-violent crisis intervention philosophy and techniques and assure their utilization in the building/program.

- Ensure that a building-wide behavior management system is created and supported to meet the needs of students enrolled in their building.
- Report incidents of discrimination and harassment that are witnessed or otherwise brought to the staff member's attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.
- Utilize their expertise to address the specific needs of students.

All administrative, managerial, and technical staff are expected to:

- Provide specialized instructional and administrative services to E2CCB and component district(s).
- Maintain and encourage 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/gender identity, or sex, with an understanding or appropriate appearance, language, and behavior in a school setting which will strengthen the self-image of the student and promote confidence to learn.
- Be familiar with and adhere to E2CCB Board of Education policies, E2CCB administrative regulations, and E2CCB Code of Conduct.
- Assure that the staff under their supervision support the implementation of and uphold the Code of Conduct.
- Report incidents of discrimination and harassment/bullying/cyberbullying that are witnessed or otherwise brought to the staff member's attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.

All other E2CCB staff are expected to:

- Perform specialized non-instructional duties that support the operational functioning of the school/E2CCB.
- Be familiar with and adhere to E2CCB Board of Education policies, E2CCB administrative regulations, and E2CCB Code of Conduct.
- Maintain and encourage 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/gender identity, or sex, with an understanding or appropriate appearance, language, and behavior in a school setting which will strengthen students' self-image and promote confidence to learn.
- Report incidents of discrimination and harassment that are witnessed or otherwise brought to the staff member's attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.

The Deputy and Assistant Superintendents are expected to:

- Promote a safe, orderly, and academically stimulating school environment, supporting active teaching and learning.
- Maintain and encourage 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/gender identity, or sex, with an understanding or appropriate

appearance, language, and behavior in a school setting which will strengthen students' self-image and promote confidence to learn.

- Promote a safe, orderly and productive work environment.
- Be familiar with and adhere to E2CCB Board of Education policies, E2CCB administrative regulations, and E2CCB Code of Conduct.
- Review with E2CCB and component district administrators the policies of the E2CCB Board pertaining to safety-related issues that impact component districts.
- Inform the Board about educational trends relating to student discipline and other safety issues.
- Work to create instructional programs that are academically sound and promote an environment that is sensitive to student and teacher needs and designed to minimize problems of student misconduct.
- Work with E2CCB administrators in enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.
- Report incidents of discrimination and harassment that are witnessed or otherwise brought to the staff member's attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.

The District Superintendent and the Board are expected to:

- Ensure the collaboration of student, teacher, administrator, and parent organizations, E2CCB safety personnel and other E2CCB personnel to develop a Code of Conduct that clearly defines expectations for the conduct of students, E2CCB personnel, volunteers, vendors, contractors and visitors on E2CCB property and at E2CCB functions.
- Promote a safe, orderly, respectful and stimulating school environment, free from intimidation, discrimination and harassment, supporting active teaching and learning.
- Approve and review at least annually the E2CCB Code of Conduct to evaluate the Code's effectiveness and the fairness and consistency of its implementation.
- Appoint a Dignity Act Coordinator in each school building. The Dignity Act Coordinator will be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, and sex. The Dignity Act Coordinator will be accessible to students and other staff members for consultation and advice as needed on the Dignity Act.
- Lead by example by conducting Board meetings in a professional, respectful and courteous manner.
- Be familiar with and adhere to E2CCB Board of Education policies, E2CCB administrative regulations, and E2CCB Code of Conduct.

V. Student Civility, Dress Code, And Electronic Devices

Civility

All student interaction and communication among themselves and E2CCB personnel, including, but not limited to teachers and administrators, and volunteers, vendors, contractors and visitors on E2CCB property will be appropriate, civil and respectful, and contribute in a positive manner that facilitates a welcoming environment where all students feel safe, included, and accepted, and experience a sense of belonging, and academic success.

Students are expected to conduct themselves with dignity and treat others with respect and courtesy. Students should act in a respectful manner toward their peers, E2CCB personnel, volunteers, vendors, contractors and visitors on E2CCB property. Individual behavior should not interfere with the rights of others. Profanity, vulgar language including, but not limited to, negative comments based on race or ethnicity and obscene comments or gestures or threats toward others will not be tolerated. Appropriate interventions and/or disciplinary action will be taken.

Dress Code

The responsibility for the dress and appearance of students shall rest with individual students and parents or guardians in all educational environments. They have the right to determine how the student shall dress, provided that such attire complies with requirements for health and safety, does not interfere with and/or distract from the educational process, or impinge upon the rights of others. Further, such attire shall not damage or destroy E2CCB property. The administration is authorized to take action in instances where individual dress does not meet these stated requirements.

While the E2CCB administration may require students participating in physical education classes to wear certain types of clothing such as sneakers, socks, shorts and tee shirts, they may not prescribe a specific brand which students must buy. A student's dress, grooming and appearance, including hair style/color, jewelry, make-up and nails, shall:

- Be safe, appropriate and not disrupt or interfere with the educational program.
- Tops must be worn so that the torso is covered and plunging necklines are prohibited.
- Shorts, skirts, dresses, pants and similar outer garments must have an appropriate and modest length and fit. The discretion of the building administrator or his/her designee may also be used to determine if a garment is inappropriate for school due to being too short, too tight, and/or too loose.
- Undergarments must be fully covered. See-through garments are prohibited.
- The wearing of hats and head attire is prohibited indoors during the school day, except for a medical or religious purpose, or unless otherwise authorized by the school principal.
- Include footwear at all times. Footwear that is a safety hazard will not be allowed. No open toe shoes/flip flops in the lab/workshop setting. Work-boots in lab/workshop areas are encouraged.
- Not include any item or characteristic that is vulgar, dangerous, obscene, libelous, or that denigrates others on account of race, color, religion, creed, national origin, gender or gender identity, sexual orientation, disability, or other protected classes.
- Not promote, encourage, or endorse the use of alcohol, tobacco, cannabis (or other substances containing THC), or illegal drugs.
- Not promote, encourage, or endorse illegal, violent, or sexual activities.

- Not display any signs of gang symbols, apparel, or affiliation.

This statement does not mean that student, faculty, or parent groups may not recommend appropriate dress for school or special occasions. It means that a student shall not be prevented from attending school or an E2CCB function as long as the student's dress and appearance meet the above requirements. Be advised that additional uniform/dress requirements or specific rules regarding jewelry, nails, piercings etc. may be requirements for enrollment/participation in certain programs (e.g., CTE, PTECH, and New Visions) or internships. Clothing should be changed in areas designated by the classroom teacher. Students shall not change clothing in hallways, classrooms or in or any public area on campus.

Each building principal or supervisor shall be responsible for informing all students and their parents or guardians 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 directed by an administrator or their designee to modify their appearance by covering or removing the offending item and, if necessary or practical, replacing it with the acceptable item. Any student who refuses to comply with the dress code maybe subject to interventions and/or discipline.

Electronic Devices

Students are prohibited from using personally owned technology or electronic devices during instructional time, except as expressly permitted in connection with authorized use in classrooms. While students are permitted to possess such devices during the school day, they are prohibited from using them in any manner which invades the privacy of students, employees, volunteers or visitors, including but not limited to recording video or audio, or taking unauthorized pictures. If a student violates this prohibition, then the student is subject to discipline under this provision and/or any other provision in the E2CCB Code of Conduct that may be applicable to the circumstances involved.

Any personally owned technology or electronic device that is permitted on school property is encouraged to be kept on the person and in a concealed manner and not in use. No person may take photos or videos of persons while on E2CCB property, (including, but not limited to in classrooms, both in-person and during remote instruction), or engaged in E2CCB activities unless they are taken as part of a E2CCB sanctioned class assignment with permission from the appropriate faculty or staff member.

E2CCB is not responsible for lost, stolen, or damaged personal electronic devices.

Teachers and all other E2CCB personnel should exemplify and reinforce acceptable student behavior (including possession/use of electronic devices) and help students develop an understanding of appropriate conduct in the in-person and remote school setting.

VI. Prohibited Student Conduct

The E2CCB Board of Education expects all students to conduct themselves in an appropriate and civil manner per the E2CCB Code of Conduct, with proper regard for the rights and welfare of other students, personnel and other members of the school community, and for the care of facilities and equipment. These expectations also apply to internships and student work experiences.

The best discipline is self-imposed, and students must learn to assume and accept responsibility for their own behavior, as well as the consequences of their misbehavior. E2CCB personnel who interact with students are expected to provide appropriate support to students and help them understand and develop the ability to regulate their own conduct. Where appropriate E2CCB personnel may also utilize restorative practices before, or in addition to, disciplinary action.

The Board recognizes the need to be clear and specific in expressing its expectations for student conduct while on E2CCB property, in an E2CCB remote instructional setting, or engaged in an E2CCB function. The rules of conduct listed below are intended to do that and focus on safety and respect for the rights and property of others.

Students who will not accept responsibility for their own behavior or who violate these rules will be required to accept the consequences for their conduct. Students may be subject to interventions and/or disciplinary action when they engage in conduct that is disorderly, insubordinate, disruptive, violent, or endangers the safety, morals, health or welfare of others. Students may also be subject to intervention and/or disciplinary action if they engage in misconduct on the school bus, or engage in academic misconduct.

A. Engage in Conduct That is Disruptive

Examples of disruptive conduct include, but are not limited to:

1. Engaging in any act which disrupts the normal operation of the school community or educational setting, including remote learning activities, running in hallways, making unreasonable noise, and using language or gestures that are profane, lewd, abusive, intimidating, or that incite others, etc.
2. Obstructing vehicular or pedestrian traffic.
3. Trespassing. Students are not permitted in any area of the school building, other than the one they regularly attend, without permission from the building/campus administrator.
4. Misusing computer/electronic communications devices, including any unauthorized or inappropriate use of computers, software, or internet/intranet account; accessing inappropriate websites; or any other violation of the E2CCB's Student Use of Computerized Information Resources Policy.
5. Unauthorized use of personal electronic devices/equipment (i.e., cell phones, video games, IoT devices like smartwatches, smart speakers and streaming devices, flash drives, and other personal electronic devices deemed inappropriate by the building/campus administration).

6. Use of personal computers, laptops and/or other computerized information resources through the E2CCB computer system is limited to the Guest Network only, and only if authorized by the Supervisor, Principal or the Associate Director of Technology.

B. Engage in Conduct That is Insubordinate

Examples of insubordinate conduct include, but are not limited to:

1. Failing to comply with the reasonable directions of teachers, school administrators, or other E2CCB employees or otherwise demonstrating disrespect.
2. Missing or leaving school or class, including but not limited to remote learning activities, without permission.

C. Engage in Conduct That is Violent

Examples of violent conduct include, but are not limited to:

1. Committing, threatening or attempting an act of violence (such as hitting, kicking, punching, biting, or scratching) upon any E2CCB Employee, student(s), or any other person(s) lawfully on E2CCB property or at an E2CCB function.
2. Engaging in harassing conduct, verbal threats, intimidation, or abuse that reasonably causes or would reasonably be expected to cause a student to fear for their physical wellbeing.
3. Possessing a weapon (see definition). Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on E2CCB property or at a E2CCB function.
4. Using weapon(s) or attempting to do so.
5. Threatening to use any weapon(s); Displaying what appears to be a weapon; Possessing, displaying, threatening to use or using ammunition or what appears to be ammunition (see definition) in an E2CCB school setting, either in-person or remote.
6. Intentionally damaging or attempting to damage or destroy E2CCB property, the personal property of an E2CCB Employee, student(s), or any other person(s) lawfully on E2CCB property, or at a E2CCB function, including but not limited to graffiti or arson.
7. Communication by any means, including oral, written or electronic (such as through cell phones, internet, social media platforms, etc.) off school property, where the content of such communication:
 - a. can reasonably be interpreted as a threat to commit an act of violence on school property; or,

- b. results in material or substantial disruption to the educational environment.

D. Engage in Any Conduct That Endangers the Safety, Morals, Physical or Mental Health or Welfare of Others

Examples of such conduct include, but are not limited to:

1. Committing a crime recognized by criminal law as such on campus.
2. Endangering the health and safety of E2CCB Employee(s), student(s), or any other person(s) lawfully on E2CCB property or at an E2CCB function.
3. Interfering with classes or E2CCB activities by means of inappropriate appearance or behavior as per E2CCB Code of Conduct.
4. Throwing of snowballs and other items that endanger the safety of E2CCB Employee(s), student(s), or any other person(s) lawfully on E2CCB property or at an E2CCB function.
5. Lying, deceiving or giving false information to E2CCB Employees.
6. Stealing E2CCB property or the property of E2CCB Employee(s), student(s), or any other person(s) lawfully on E2CCB property or at an E2CCB 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. This can include posting or publishing video, audio recordings or pictures (written material, cell phones, internet, social media platforms, etc.).
8. Discrimination, which includes but is not limited to the use of race, age, physical attributes, sexual orientation, use of a recognized service animal, color, creed, national origin, ethnic group, religion, religious practice, gender or gender identity, marital or veteran status, disability, or any other legally protected category as a basis for treating another in a negative manner.
9. Harassment, the creation of a hostile environment by conduct or communication (verbal, written, electronic, or graphic) 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 based on a person's actual or perceived race, color, weight, physical attributes, national origin, political affiliation, ethnic group, religion, religious practice, marital or veteran status, use of a recognized service animal disability sexual orientation, gender, sex, or any other legally protected category.
10. Bullying and intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm and/or emotional discomfort; for example, "play" fighting, extortion of money, overt teasing, etc.
11. Cyberbullying may include, among other things, the use, both on and off school property, of electronic technology, including, but not limited to, e-mail, text messaging, instant messaging, blogs, chat rooms, cell phones, gaming systems and social media websites, to deliberately harass or threaten others, when such use interferes with the operation of the

- school; or infringes upon the general health, safety and welfare of E2CCB Employee(s), student(s), or any other person(s) lawfully on E2CCB property or at an E2CCB function..
12. Sexual harassment, which may include but is not limited to sexually degrading comments, sexual advances, requests for sexual favors, taking, sending, receiving, or sharing sexually explicit videos, pictures or auditory recordings and other verbal or physical conduct or communication of a sexual nature.
 13. Engaging in gang-related behavior (e.g., wearing or displaying gang apparel and/or accessories, writing graffiti, making gestures or signs).
 14. Hazing, which includes any intentional or reckless act directed against another for the purpose of initiation into, affiliating with or maintaining membership in any E2CCB or school sponsored activity, organization, club or team.
 15. Selling, using, possessing or distributing obscene material.
 16. Possessing, consuming, selling, attempting to sell, distributing or exchanging alcoholic beverages, tobacco, tobacco products, e-cigarettes (also known as electronic cigarettes or smokeless cigarettes), vape devices, marijuana or marijuana related products, or illegal and/or controlled substances, counterfeit and designer drugs, or paraphernalia; using such drugs: or being under the influence of any such substances on school property or at a school function. “Illegal substances” include, but are not limited to: inhalants, marijuana, synthetic cannabinoids, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, drug paraphernalia and any substances commonly referred to as “designer drugs.”
 17. Possessing, consuming, selling, attempting to sell, distributing or exchanging prescription or over-the-counter drugs.
 18. Possessing, consuming, selling, attempting to sell, distributing, or exchanging, synthetic drugs, “look-alike drugs”; or, possessing or consuming (without authorization), selling, attempting to sell, distributing or exchanging other substances such as dietary supplements, CBD products (i.e., products containing cannabidiol, such as oils, pills, candy, etc.), weight loss pills, etc.
 19. Gambling on E2CCB property or at an E2CCB function.
 20. Inappropriate touching and/or indecent exposure.
 21. Initiating, reporting, or warning of an emergency (such as a fire, bomb threat, active shooter, or other catastrophe) without valid cause, misusing 911, or inappropriately discharging a fire extinguisher.
 22. Violating gender privacy when using school restrooms and/or changing facilities.
 23. Creating any situation which threatens to disrupt the school environment and/or violates the private rights of individuals or a group of individuals.

E. Engaging in conduct off E2CCB property that interferes with, or can reasonably be expected to substantially disrupt the educational process.

Examples of such conduct include, but are not limited to:

1. Cyber-bullying (i.e. inflicting willful harm through the use of information technology, including but not limited to, e-mail, instant messaging, blogs, chat rooms, cell phones, gaming systems, texting and social network sites.)
2. Threatening, hazing or harassing students or school personnel over the phone or through other electronic media.
3. Using social media to convey threats or derogatory comments or to post pornographic or obscene pictures or videos of students or school personnel.
4. Creating any situation which threatens to disrupt the school environment and/or violates the private rights of individuals or a group of individuals.

F. Engaging in misconduct while on a school bus

It is crucial for students to behave appropriately while riding on home school district buses and buses under the authority of E2CCB 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 the E2CCB and/or district Code of Conduct and established standards for classroom behavior. Behaviors such as excessive noise, pushing, shoving, fighting, harassment, and discrimination will not be tolerated. Students misbehaving on school buses under the authority and/or supervision of E2CCB will be in violation of the E2CCB Code of Conduct. Students who misbehave on school buses under the authority or supervision of the home district going to or from a E2CCB program will be immediately referred to their home district for discipline. Students are required to follow their home districts' health directives while on the bus, and when transitioning between the bus and classroom.

G. Engaging in any form of academic misconduct

Examples of academic misconduct include, but are not limited to:

1. Plagiarism.
2. Using Artificial Intelligence (such as Chat GPT) to complete assignments without the instructor's permission.
3. Cheating.
4. Copying.
5. Altering and/or forging records.
6. Violation of Student Use of Computerized Information Resources Policy (Policy # 4105)
7. Assisting another student in any of the above actions.

VII. Disciplinary Consequences And Procedures

Methods of student discipline vary in style and effectiveness. Discipline is most effective when it deals directly with the problem at the time and place it occurs, and in a way that students view as fair and impartial. While no single method of discipline is recommended or mandated, all discipline is to be appropriate to the situation and in accordance with law, regulations and E2CCB policies.

School personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the student's ability to develop self discipline.

Disciplinary action, when necessary, will be firm, fair and consistent. So as to be the most effective in changing student behavior, there will be a rational relationship between the student's behavior and the consequences of that behavior. In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary consequences will consider the following:

1. The student's age.
2. The seriousness of the behavior and the degree of harm caused.
3. The circumstances and context in which the conduct occurred.
4. The student's prior conduct and behavior.
5. Whether efforts were made to address the student's behavior using positive, preventative methods prior to the incident at issue.
6. The likelihood that a lesser intervention would adequately address the violation. .
7. Information from parents, teachers and/or others, as appropriate.
8. Other mitigating or extenuating circumstances that may be relevant.
9. If the conduct of a student is related to a disability or suspected disability, specific procedures outlined within this Code must be followed.

E2CCB will follow a progressive discipline model. Progressive discipline uses incremental interventions to address inappropriate behavior with the ultimate goal of teaching pro-social behavior. Progressive discipline seeks concurrent accountability, learning, and behavioral change. Progressive discipline aims at creating learning opportunities around behavioral, moral, and ethical issues, and to prevent recurring negative behaviors by helping students learn from their mistakes. Implementing progressive discipline requires that school staff help students who have engaged in misconduct:

1. Understand the harm the behavior caused.
2. Understand why the behavior occurred and what they could have done differently in the same situation
3. Take responsibility for their actions
4. Use the opportunity to repair the harm, to rebuild relationships, and to learn strategies and skills to use in the future
5. Understand the progression of more stringent consequences if the behavior reoccurs.

Whenever possible and appropriate, the response to misconduct should begin with the lowest level of disciplinary response and should include appropriate guidance intervention(s). This means that a student's first violation will usually lead to a less serious consequence than subsequent violations.

Each student will be disciplined individually taking into account the above listed factors.

E2CCB accepts that students with disabilities often display a range of behaviors which would be deemed disruptive within a regular education setting. These behaviors may include conduct that is disruptive and/or violent as defined in this Code of Conduct. The E2CCB education programs may incorporate behavior management systems as part of the overall instructional program that are designed to address a range of student behaviors. However, students with disabilities will be subject to discipline in accordance with this Code of Conduct and consistent with applicable laws and regulations.

A. Disciplinary Consequences

Students learn socially appropriate behavior by being allowed to experience both positive and negative consequences for their actions. In addressing student behaviors that may impede learning, E2CCB uses a variety of appropriate classroom management techniques including:

1. Positive supports, strategies and interventions to improve students' motivation, social skills, problem solving abilities, anger management, and conflict resolution abilities;
2. Environmental modifications to support students' abilities to maintain attention, stay on task, and control their behavior; and
3. Building-wide behavior management systems to improve students' abilities to understand the connections between their behavior and more or less desired outcomes.

As a general practice and whenever possible, these interventions are used in combination prior to imposing more severe disciplinary consequences. Students who are found to have violated the E2CCB Code of Conduct may be subject to the following disciplinary actions whether alone or in combination. The school personnel identified after each consequence listed in the table below are authorized to impose that consequence consistent with the student's right to due process.

B. Consequence Authorized Personnel

1. Oral Warning: Any member of E2CCB staff.
2. Written Warning/Referral: Educational program staff (e.g., teacher aides, teaching assistants, teachers, principals, and supervisors), and/or bus drivers.
3. Written notification to parents or guardians: Teachers, student support services personnel, Principal, and Supervisor.
4. Suspension of other privileges: Principal, and Supervisor.
5. In-School Suspension: Principal, and Supervisor.
6. Formal Removal from Classroom as permitted by Education Law Sec. 3214: Teachers, Principals, or Supervisors.
7. Short-term (five days or less) suspension: Principal, Supervisor, District Superintendent, superintendent of the student's home district, E2CCB Board of Education, and/or the board of education of the student's home district.
8. Long-term (more than five days) suspension from school: District Superintendent, Superintendent of the student's home district, E2CCB Board of Education, and/or the Board of Education of the student's home district.

9. E2CCB Program exclusion: Officials of the E2CCB and the student's home District
10. Permanent suspension from school: Superintendent of the student's home district and/or the Board of Education of the student's home district.

Parents and guardians are powerful partners in a student's behavioral growth, and in their child's development of acceptable social skills. E2CCB realizes that good communication and informal relations between parents and educators are critical to resolving discipline issues. The use of sustained, multiple, coordinated interventions at home and in school provides students with the consistency they need to develop appropriate behaviors. Parents and guardians must help the school staff by reinforcing positive school behavior and disciplinary consequences. E2CCB recognizes that parental involvement in the behavioral process is required for the student to develop the behaviors that will ensure success in the school setting and life. Therefore, it is our practice to provide, when practicable, the parent or guardian with regular and early notification by phone and/or writing when a student's behavior is becoming problematic in addition to the required procedural notifications covered below.

C. Procedures

The amount of due process a student is entitled to receive before a consequence is imposed depends on the nature of the circumstances. In all cases, regardless of the consequence being imposed, the authorized school personnel must inform the student of the alleged misconduct and must investigate, to the extent necessary, the facts surrounding the alleged misconduct. Prior to imposing the disciplinary consequence, the authorized school personnel shall provide the student an opportunity to present his/her version of the facts.

Students may be entitled to additional rights before the disciplinary consequence is imposed if that consequence is other than an oral warning, written warning, or written notification to their parents. These additional rights are explained below.

D. In-School Suspension

The Board recognizes the E2CCB must balance the needs 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 Principal/Supervisors/designees to place students who would otherwise be suspended from E2CCB as the result of a Code of Conduct violation in "in-school suspension." The in-school suspension teacher will be a certified teacher.

A student subject to an in-school suspension is not entitled to a full hearing pursuant to Education Law Section 3214. However, the student and the student's parent or guardian will be provided with a reasonable opportunity for an informal conference with the E2CCB official imposing the in-school suspension to discuss the conduct and the penalty involved.

E. Formal Removal of Disruptive Students by a Teacher

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 person or remotely. In most instances, the classroom teacher can manage a student's behavior and maintain or restore control over the classroom by using appropriate classroom management techniques.

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 in person or remotely. 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.

The procedural requirements for a formal removal by a teacher of a student are as follows:

1. Teacher removal of a disruptive pupil. Any teacher shall have the power and authority to remove a disruptive pupil from such teacher's classroom consistent with the general principles of discipline contained in this Code of Conduct. E2CCB will take steps to ensure any student removed from the classroom consistent with the procedures below will be provided with continued educational programming and activities. No pupil shall return to the classroom until the principal makes a final determination pursuant to paragraph c of this section, or the period of removal expires, whichever is less.
 - a. Such teacher shall inform the pupil and the school principal or supervisor of the reasons for the removal. If the teacher finds that the pupil's continued presence in the classroom does not pose a continuing danger to persons or property and does not present an ongoing threat of disruption to the academic process, the teacher shall, prior to removing the student from the classroom, provide the student with an explanation of the basis for the removal and allow the pupil to informally present the pupil's version of relevant events. In all other cases, the teacher shall provide the pupil with an explanation of the basis for the removal and an informal opportunity to be heard within twenty-four hours of the pupil's removal, provided that if such twenty-four-hour period does not end on a school day, it shall be extended to the corresponding time on the next school day.
 - b. The principal or supervisor shall inform the person in parental relation to such pupil of the removal and the reasons therefore within twenty-four hours of the pupil's removal, provided that if such twenty-four hour period does not end on a school day, it shall be extended to the corresponding time on the next school day. The pupil and the person in parental relation shall, upon request, be given an opportunity for an informal conference with the principal or supervisor to discuss the reasons for the removal. If the pupil denies the charges, the principal or supervisor shall provide an explanation of the basis for the removal and allow the pupil and/or person in parental relation to the pupil an opportunity to present the pupil's version of relevant events. Such informal hearing shall be held within forty-eight hours of the pupil's removal, provided that if such forty-eight hour period does not end on a school day, it shall be extended to the corresponding time on the second school day next following the pupil's removal
 - c. The principal or supervisor shall not set aside the discipline imposed by the teacher unless the principal or supervisor finds that the charges against the pupil are not supported by substantial evidence or that the pupil's removal is otherwise in violation

of law or that the conduct warrants suspension from school pursuant to Education Law Section 3214 and a suspension will be imposed. The principal's or supervisor's determination made pursuant to this paragraph shall be made by the close of business on the day succeeding the forty-eight hour period for an informal hearing contained in paragraph b, above.

- d. The principal or supervisor may, in his or her discretion, designate a school district administrator, to carry out the functions required of the principal or supervisor under this subdivision.
2. If the student poses a danger or ongoing threat of disruption, the teacher may formally remove the student 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, provided that if such 24-hour period does not end on a school day, it shall be extended to the corresponding time on the next school day.
 - a. The teacher must complete a discipline referral for a formal removal and meet with the principal or supervisor as soon as possible, but no later than the end of the school day, to explain the circumstances of the formal removal. If the principal or supervisor 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 supervisor or designee prior to the beginning of classes on the next school day.
 - b. Within 24-hours after the student's formal removal by a teacher, the principal or supervisor or another district administrator designated by the principal or supervisor must notify the student's parents that the student has been formally removed from the class and why. The notification must also inform the parent that he or she has the right, upon request, to meet informally with the principal or supervisor or the principal or supervisor's designee to discuss the reasons for the formal removal. If such a 24-hour period does not end on a school day, it shall be extended to the corresponding time on the next school day. The 24 hours notification, if by telephone or in person, will be immediately followed by a written notice.
 - c. The principal or supervisor may require the teacher who ordered the formal removal to attend the informal conference.
 - d. If at the informal meeting the student denies the charges, the principal or supervisor or the principal or supervisor's designee must explain why the student was formally 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 formal removal by a teacher. If such a 48-hour period does not end on a school day, it shall be extended to the corresponding time on the second school day following the pupil's removal. The timing of the informal meeting may be extended by mutual agreement of the parent and principal or supervisor.
 - e. The principal or supervisor or the principal or supervisor's designee may overturn the formal removal of the student from class if any one of the following are found:

- i. The charges against the student are not supported by substantial evidence;
 - ii. The student's formal removal is otherwise in violation of law or the provisions of this Code of Conduct; or
 - iii. The conduct warrants suspension from school pursuant to Education Law Section §3214 and a suspension will be imposed.
3. Each teacher must complete the E2CCB Disciplinary Referral for all cases of formal removal of students from his or her class.
4. Removal of a student with a disability, under certain circumstances, may constitute a change in the student's placement. See Section II (Definitions) "Disciplinary Change of Placement" for details. 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 supervisor and/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. For programs that regularly enroll one or more students with a disability, it is recommended that behavior management systems be implemented as a means of anticipating and preventing discipline problems.

F. Suspension from School

Suspension from school is a severe consequence, which may be imposed upon students who are insubordinate, disorderly, violent or disruptive, or whose conduct otherwise endangers the safety, morals, health or welfare of self or others.

The Board retains its authority to suspend students, but places primary responsibility for the suspension of students with the building principal or supervisor (short-term suspension) or the home school district (long-term suspension). All students who are under suspension in their home school shall be automatically suspended by E2CCB during the time of their home school suspension, provided that such students will be permitted to attend the E2CCB out-of-school suspension program as appropriate. Administrators of the home districts shall inform E2CCB of student suspensions.

All staff members must immediately report and refer a violent student to the principal or supervisor for 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 report is to be prepared as soon as possible by the staff member recommending the suspension.

The principal or supervisor, 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.

Short-term (5 days or less) suspension from school

E2CCB shall initiate the suspension of a disruptive student from one of its programs when other forms of behavior intervention and disciplinary action have failed unless circumstances otherwise warrant.

1. Suspension may be made by a principal or supervisor or authorized administrator for a period

of time not to exceed five school days. Suspensions may not be imposed by any other staff member.

2. The student being suspended must be told of the suspension and the reason for the proposed suspension by the appropriate administrator.
3. The parents and guardians of the student are to be notified in writing by personal delivery, express mail delivery or equivalent means within 24 hours, with notification by telephone where possible.
4. The student and parent(s) or guardians(s) shall, on request, be given an opportunity for an informal conference with the building administrator at which the pupil and/or person in parental relation shall be authorized to present the pupil's version of the event and to ask questions of the complaining witnesses. Such notice and opportunity for an informal conference shall take place prior to the suspension of the student unless the student's presence in the school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process, in which case the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable.
5. A copy of the suspension letter shall be placed in the student's file.
6. The home school district shall be notified of the suspension when appropriate.
7. Upon return to school for reinstatement, the student should be accompanied, if possible, by either or both parents and guardians for a reinstatement interview, if deemed necessary by the principal or supervisor.

The Building Principal, Supervisor, or District Superintendent/designee may order the suspension of a student with a disability for a period not to exceed five (5) consecutive school days and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior unless the particular suspension would result in a disciplinary change of placement. Any student with a disability who has been suspended for any 10 days within a school year must be referred to the Committee on Special Education (see definition) of the home school district for a manifestation determination (see definition) hearing. Students with disabilities and their parents should be aware that there are special protections surrounding disciplinary actions which may warrant a manifestation determination and should request specifics of these legal protections from the Committee on Special Education of their home school district.

Long-term (more than 5 days) suspension from school, permanent suspension, and removals or suspensions that constitute a disciplinary change of placement for students with disabilities (which may include an interim alternative educational setting).

In order to facilitate review and action according to the disciplinary procedures established within the home district's code of conduct or, in the case of a student with disabilities, by a manifestation determination as required by state and federal law, the E2CCB principal, supervisor, or their designee shall provide appropriate documentation to the appropriate school official of the student's home school district.

G. Minimum Periods Of Suspension

As prescribed by law, the following behaviors are serious enough to justify referral of students to the home school district for long-term (more than 5 days) suspension from school, permanent suspension, or a manifestation determination:

1. Bringing or possessing a firearm (as defined by the Gun Free Schools Act) to E2CCB
 - a. Any student found guilty of bringing or possessing a firearm, as defined by 18 USC Section 921 for purposes of the Gun-Free Schools Act, onto E2CCB property will be subject to suspension from E2CCB by their home school district for at least one calendar year. Before being suspended, the student will have an opportunity for a hearing convened by the home school district pursuant to Education Law Section 3214. The Superintendent of the home school district has the authority to modify the one-year suspension on a case-by-case basis. In deciding whether to modify the suspension period, the Superintendent of the home school district may consider the student's age, grade in school, prior disciplinary record, potential effectiveness of other forms of discipline, input from parents, teachers and/or others, other extenuating circumstances. A student with a disability may be suspended only in accordance with the requirements of state and federal law.
2. Committing violent acts
 - a. Any student who is found to have committed a violent act, other than bringing a firearm onto E2CCB property as defined by the Gun Free Schools Act (see page 2 dangerous weapons), shall be subject to suspension from school for at least five days. The Superintendent/designee of the home school district has the authority to modify the minimum five-day suspension on a case-by-case basis.
3. Repeatedly and substantially disrupting the educational process or repeatedly and substantially interfering with the teacher's authority over the classroom
 - a. Any student who repeatedly is substantially disruptive of the educational process or substantially interferes with the teachers' authority over the learning environment, whether in-person or remote, shall be subjected to a suspension from school for at least five days. For purposes of this Code of Conduct, "being repeatedly and substantially disruptive" means engaging in conduct that results in the student being removed from the classroom by the teacher(s) pursuant to Education Law Section 3214(3-a) and this Code on four or more occasions during a semester, or three or more occasions during a trimester. The Superintendent of the home school district has the authority to modify the minimum five-day suspension on a case-by-case basis.

H. Referrals

1. Counseling: E2CCB may make recommendations for counseling evaluations to appropriate programs.

2. PINS Petitions: A PINS (person in need of supervision) petition may be filed in Family Court on any student under the age of 18 who demonstrates that he or she requires supervision and treatment by:
 - a. Being habitually truant and not attending school as required by part one of Article 65 of the Education Law;
 - b. Engaging in an ongoing or continual course of conduct which makes the student ungovernable, or habitually disobedient and beyond the lawful control of the school; or
 - c. Violating the provisions of Section 230.00 of the penal law.
3. Juvenile Delinquents and Juvenile Offenders:
 - a. The superintendent of the home school district shall refer the pupil under the age of sixteen who has been determined to have brought a weapon or firearm to school in violation of this subdivision to a presentment agency for a juvenile delinquency proceeding consistent with article three of the family court act except a student fourteen or fifteen years of age who qualifies for juvenile offender status under subdivision forty-two of section 1.20 of the Criminal Procedure Law.
 - b. The superintendent of the home school district shall refer any pupil sixteen years of age or older or a student fourteen or fifteen years of age who qualifies for juvenile offender status under subdivision forty-two of section 1.20 of the Criminal Procedure Law, who has been determined to have brought a weapon or firearm to school in violation of this subdivision to the appropriate law enforcement officials.

VIII. Alternative Instruction

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

IX. Disciplining 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 may be provided certain procedural protections when school authorities intend to impose discipline upon them. The Board is committed to ensuring that the procedures followed for suspending, removing or otherwise disciplining students with disabilities are consistent with the procedural safeguards required by applicable laws and regulations.

This Code of Conduct affords students with disabilities subject to disciplinary action, no greater or lesser rights than those expressly afforded by applicable federal and state law and regulations.

A. Authorized Suspensions or Removals of Students with Disabilities

Many of the due process protections afforded students with disabilities in cases where suspension or removal may be imposed will be performed by the student's home district. What follows is a general restatement of rights and responsibilities in those situations. Students and parents are encouraged to consult their home districts' codes of conduct and the applicable sections of law and/or regulation for additional information.

1. For purposes of this section of the Code of Conduct, the following definitions apply:
 - a. A "suspension" means a suspension pursuant to Education Law Section 3214.
 - b. A "removal" means a removal for disciplinary reasons from the student's current educational setting, other than a suspension, and the change in setting 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, or pursuant to a suspension from school for behavior involving serious bodily injury, weapons, illegal drugs or controlled substances.
 - c. An "Interim alternative educational setting" or "IAES" means a temporary educational placement, other than the student's current placement at the time the behavior precipitating the IAES placement occurred. A student who is placed in an IAES shall:
 - i. continue to receive educational services so as to enable the student to continue to participate in the general education curriculum, although in another setting and to progress toward meeting the goals set out in the student's IEP; and
 - ii. receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur.
 - d. "Serious bodily injury" means bodily injury which involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ or mental faculty.
 - e. "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 U.S.C. section 812(c)) .
 - f. "Weapon" means 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 that such term does not include a pocket knife with a blade of less than two and one-half inches in length.
2. Removal of a student with a disability from his or her current educational placement:
 - a. Subject to the "Change of Placement Rule" below, the Board, the District (E2CCB) Superintendent of schools, or a building principal, or supervisor 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. Subject to the “Change of Placement Rule” below, the superintendent of the home school district, either directly or upon recommendation of a hearing officer designated to conduct a superintendent's hearing pursuant to Education Law Section 3214(3)(c) and (g), may order the placement of a student with a disability into an IAES, another setting or suspension for more than five and up to 10 consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (a) above for the same behavior, where the Superintendent determines in accordance with the procedures set forth in Section 3214(3)(c) that the student has engaged in behavior that warrants a suspension, provided 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 of the home school district 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 of the home school district, either directly or upon recommendation of a hearing officer designated to conduct a superintendent's hearing pursuant to Education Law Section 3214(3)(c), may order the change in placement of a student with a disability to an appropriate IAES, to be determined by the committee on special education (CSE), for up to 45 school days, but not to exceed the period of suspension ordered by the superintendent in accordance with Education Law Section 3214, where the student:
 - i. Has inflicted serious bodily injury upon another person while at school, on school premises or at a school function under the jurisdiction of the educational agency;
 - ii. Carries or possesses a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of the educational agency; or
 - iii. 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 jurisdiction of the educational agency.
- e. The period of suspension or removal ordered by the superintendent may not exceed the amount of time that a non-disabled student would be suspended for the same behavior.
- f. Subject to specified conditions required by both federal and state law and regulations, an impartial hearing officer may order the placement of a student with a disability in an IAES setting for up to 45 days at a time, if maintaining the student in his or her current educational setting poses a risk of harm to the student or others.
- g. The home 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 serious bodily injury, 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.

3. Change of Placement Rule

- a. A disciplinary change in placement means a suspension or removal from a student's current educational placement that is either:
 - i. For more than 10 consecutive school days; or
 - ii. 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 is removed, and the proximity of the suspensions or removals to one another.
- b. 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, except where the CSE has determined that the behavior was not a manifestation of the student's disability, or the student is placed in an IAES for behavior involving serious bodily injury, weapons, illegal drugs or controlled substances, as set forth above.

4. Manifestation Review

A review of the relationship between the student's disability and the behavior subject to disciplinary action to determine if the conduct is a manifestation of the disability must be made immediately, if possible, but in no case later than 10 school days after:

- a. a decision is made by a superintendent of schools to change the placement of a student to an interim alternative educational setting pursuant to section 201.7(e) of the Regulations of the Commissioner of Education;
- b. a decision is made by an impartial hearing officer to place a student in an interim alternative educational setting; or
- c. a decision is made by a board of education, district superintendent of schools, building principal or superintendent to impose a suspension that constitutes a disciplinary change in placement.

5. Additional Procedural Protections

If the manifestation team makes the determination that the conduct subject to the disciplinary action was a manifestation of the student's disability, the CSE must either:

- a. conduct a functional behavioral assessment, unless the school district had conducted a functional behavioral assessment before the behavior that resulted in the change of placement occurred, and implement a behavioral intervention plan for the student; or
- b. if a behavioral intervention plan has already been developed, review the behavioral intervention plan and modify it as necessary to address the behavior.

6. Students Presumed to Have a Disability

- a. The parents of a student who is facing disciplinary action, but who has not been identified as a student with a disability 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 the 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.
- b. The Superintendent, building principal, supervisor 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.
- c. *Basis of knowledge.* Except as otherwise provided below, a school district shall be deemed to have knowledge that such student had a disability if prior to the time the behavior occurred:
 - i. the parent of such student has expressed concern in writing to supervisory or administrative personnel of the appropriate educational agency or to a teacher of the student that the student is in need of special education, provided that such expression of concern may be oral if the parent does not know how to write or has a disability that prevents a written statement;
 - ii. the parent of the student has requested an evaluation of the student pursuant to section 200.4 or 200.16 of the Regulations of the Commissioner of Education; or
 - iii. a teacher of the student, or other personnel of the school district, has expressed specific concerns about a pattern of behavior demonstrated by the student, directly to the director of special education of the school district or to other supervisory personnel of the school district.
- d. *Exception.* 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:
 - i. conducted an individual evaluation and determined that the student is not a student with a disability, or
 - ii. 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.
- e. 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.

7. Provision of Services During Suspension or Removal

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 hereby incorporated into this Code.

8. Expedited Due Process Hearings

- a. An expedited due process hearing shall be conducted in the manner specified by the Commissioner's regulations hereby incorporated into this Code, if:
 - i) 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.
 - ii) 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, with respect to discipline, including but not limited to any decision to place the student in an IAES.
- b. During the pendency of an expedited due process hearing or appeal regarding the placement of a student in an IAES for behavior involving weapons, illegal drugs or controlled substances, or on grounds of dangerousness, or regarding a determination that the behavior is not a manifestation of the student's disability for a student who has been placed in an IAES, the student shall remain in the IAES pending the decision of the impartial hearing officer or until expiration of the IAES placement, whichever occurs first, unless the parents and the district agree otherwise.
- c. 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.
- d. An expedited due process hearing shall be conducted in accordance with the procedures set forth in the Regulations of the Commissioner of Education.

9. Referral to law enforcement and judicial authorities

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

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

- b.
- c. 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, to the extent permitted by the Family Educational Rights and Privacy Act.

X. Corporal Punishment And Emergency Interventions

Corporal punishment as a means of discipline shall not be used against a student by any teacher, administrator, officer, employee or agent of E2CCB.

Whenever an E2CCB employee uses physical force against a student, the school employee shall, within the same school day, make an immediate written report to his/her supervisor describing in detail the circumstances and nature of action taken.

A. Emergency Interventions

The E2CCB Board of Education holds the belief that the classroom teacher is the key person responsible for the maintenance of acceptable discipline among students. A well-planned program that keeps students occupied with work that is meaningful, interesting and challenging is the best means of preventing disruptive behavior by students. The Board recognizes, however, that under certain limited circumstances, a classroom teacher, teacher aide, student support service personnel, supervisor or administrator may find it necessary to resort to reasonable and prudent physical restraint in maintaining order in or on school premises.

If alternative procedures and methods which would not involve physical force do not work, or cannot reasonably be employed, then the use of reasonable physical force is not prohibited for the following reasons:

1. To protect the student from physical injury;
2. To protect oneself from physical injury;
3. To protect another student or teacher or any other person from physical injury; or
4. To restrain or remove a student whose behavior is interfering with the orderly exercise and performance of school district functions, powers or duties, if that student has refused to comply with a request to refrain from further disruptive acts.

Such emergency interventions shall only be used in situations where alternative procedures and methods not involving the use of reasonable physical force cannot reasonably be employed. Emergency interventions shall not be used as a punishment or as a substitute for systematic behavioral interventions that are designed to change, replace, modify or eliminate a targeted behavior.

The program administrator (i.e., Principal or Supervisor) must be notified of any use of emergency intervention immediately. As soon as possible a detailed report of the circumstances must be reported to the program administrator in person, by phone, or by e-mail and describe the nature of the incident and action taken. If the program administrator is unavailable that same day, the staff member must provide the aforementioned detailed report to the Director of Alternative and Special Education.

In addition, the appropriate forms will be completed and submitted by the end of the day except in exceptional circumstances in which case the forms will be completed and submitted as soon as practicable thereafter.

When E2CCB personnel utilize an emergency intervention on a student, the Principal or program supervisor will notify the parent or guardian of the use of such emergency intervention on the same day the emergency intervention is utilized.

The District will maintain documentation on the use of emergency interventions for each student including:

1. Name and date of birth of student;
2. Setting, location, date and time of the incident;
3. Name of staff who participated in the implementation, monitoring and supervision of the use of timeout and/or physical restraint and any other persons involved;
4. Description of the incident and emergency intervention used, including duration;
5. A statement as to whether the student has a current individualized education program (IEP), Section 504 accommodation plan, behavioral intervention plan (BIP), or other plan developed for the student by their home school or E2CCB; and
6. A list of all positive, proactive intervention strategies utilized prior to the emergency intervention; and for students with disabilities, whether those strategies were consistent with a student's behavioral intervention plan, if applicable;
7. The details of any injuries sustained by the student or staff during the incident and whether the student was evaluated by the school nurse or other medical personnel;
8. The date and method of notification to the parent or person in parental relation pursuant Board of Education Policy 4100 and whether a meeting was held; and
9. The date of the debriefing held consistent with the requirements of Policy 4100.

This documentation will be reviewed by E2CCB supervisory personnel and, if necessary, by the school nurse or other medical personnel.

XI. Student Searches And Interrogations

E2CCB's Board of Education is committed to providing an atmosphere for a positive, safe and orderly school environment. Students are protected by the Constitution from unreasonable searches and seizures. A student may be searched and contraband seized on school grounds or in a school building by a school administrator only when the administrator has reasonable suspicion to believe the student is engaging in proscribed activity which is in violation of school rules or the law.

Factors to be considered in determining whether reasonable suspicion exists to search a student include:

- a) Nature and reliability of the information received regarding the proscribed activity. 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 E2CCB 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. E2CCB employees will be considered reliable informants unless they are known to have previously supplied information that they knew was not accurate.

- b) The existence of observable phenomena, such as direct observation of use and/or the physical symptoms of using or being under the influence of illegal controlled substances or alcohol such as slurred speech; disorientation; a pattern of abnormal conduct or erratic behavior; or information provided either by reliable and credible sources or which is independently corroborated.

XII. Searches and Seizure of School Property

Student desks, lockers, textbooks, computers, and other materials, supplies or storage spaces loaned by the school to students remain the property of the school and may be opened and inspected without prior notice to students and without their consent by school employees at any time. Students have no reasonable expectation of privacy with respect to school property; and school officials retain complete control over such property.

A. Questioning of Students by School Officials

School officials or designees have the right to question students regarding any violations of school rules and/or illegal activity. In general, administration may conduct investigations concerning reports of misconduct which may include, but are not limited to, questioning students, staff, parents and guardians, or other individuals as may be appropriate and, when necessary, determining disciplinary action in accordance with applicable due process rights.

Should the questioning of students by school officials focus on the actions of one particular student, the student will be questioned, if possible, in private by the appropriate school administrator. The student's parent or guardian may be contacted; the degree, if any, of parental/guardian involvement will vary depending upon the nature and the reason for questioning, and the necessity for further action which may occur as a result.

The questioning of students by school officials does not preclude subsequent questioning/interrogations by police authorities as otherwise permitted by law. Similarly, the questioning of students by school officials does not negate the right/responsibility of school officials to contact appropriate law enforcement agencies, as may be necessary, with regard to such statements given by students to school officials.

School officials acting alone and on their own authority, without the involvement of or on behalf of law enforcement officials (at least until after the questioning of students by school authorities has been conducted) are not required to give the so-called "Miranda warnings" (i.e., advising a person, prior to any custodial interrogations as defined in law, of the right to remain silent; that any statement made by the individual may be used as evidence against him/her; and that the individual has the right to the presence of an attorney, either retained or appointed) prior to the questioning of students.

If deemed appropriate and/or necessary, the District Superintendent/designee may also review the circumstances with E2CCB legal counsel so as to address concerns and the course of action, if any, which may pertain to and/or result from the questioning of students by school officials.

B. Law Enforcement Officials

Administrators have the responsibility and the authority to determine when the assistance of law enforcement officers is necessary within their respective jurisdictions. E2CCB' administrators shall at all times act in a manner that protects and guarantees the rights of students and parents.

E2CCB will maintain a cooperative effort between the school administration and law enforcement agencies. Law enforcement officials may be summoned in order to conduct an investigation of alleged criminal conduct on school premises or during a school-sponsored activity. They may also be summoned for the purpose of maintaining or restoring order when the presence of such officers is necessary to prevent injury to persons or property.

C. Interrogation of Students by Law Enforcement Officials

If police are involved in the questioning of students on school premises, whether or not at the request of school authorities, it will be in accordance with applicable law and due process rights afforded students. Generally, police authorities may only interview students on school premises without the permission of the parent or guardian in situations where a warrant has been issued for the student's arrest (or removal) or the questioning of students concerning a crime committed on school property. In all other situations, unless an immediate health or safety risk exists, if the police wish to speak to a student without a warrant, they should directly contact the student's parents and guardians.

Whenever police wish to question a student on school premises, administration will attempt to notify the student's parent or guardian.

Questioning of a student by police should take place in private and in the presence of the building principal or supervisor, except in the case of an emergency.

Child Protective Services' Investigations. From time to time, Child Protective Services may desire to conduct interviews of students on school property. Such interviews generally pertain to allegations of suspected child abuse and/or neglect. The Board encourages cooperation with Child Protective Services in accordance with applicable Social Services Law.

XIII. Visitors To The Schools

The Board welcomes parents and other members of the public to visit E2CCB schools and classrooms to observe the work of students, teachers and other staff. Since schools are places of work and learning, however, certain limits must be set for such visits. The building principal or supervisor or his or her designee is responsible for all persons in the building and on the grounds. For these reasons, the following rules and restrictions apply to visitors to the schools:

- Anyone who is not a regular staff member or student of the school will be considered a visitor.
- All visitors to the school must report to the Main Office and/or Office of the principal or supervisor upon arrival at the school. There they will be required to sign the visitor's register and will follow the prescribed building procedures.
- Parents who wish to observe a classroom while school is in session are required to arrange such visits in advance and with permission of the building administrator and the classroom teacher(s).
- Teachers and student support service personnel shall not take class time or related service sessions to discuss individual matters with visitors.
- Any unauthorized person on E2CCB property will be reported to the principal, supervisor, or their designee. Unauthorized persons will be asked to leave. The police may be called if the unauthorized person does not respond to requests or directions from the school personnel.

- All visitors are expected to abide by the rules for public conduct on E2CCB property contained in this Code of Conduct.
- All visitors must comply with health and safety protocols.
- Visits to schools and classrooms may be restricted for health and safety reasons as appropriate.

XIV. Public Conduct On E2CCB Property Or At E2CCB Functions

E2CCB is committed to providing an orderly, respectful environment. To create and maintain this kind of an environment, it is necessary to regulate public conduct on E2CCB property and at E2CCB functions whether in-person or remote). For purposes of this section of the Code, “public” shall mean all persons when on E2CCB property or attending a E2CCB function (whether in-person or remote) including, but not limited to, students, teachers, volunteers, vendors, contractors, other E2CCB staff, and component district personnel.

The restrictions on public conduct on E2CCB property and at E2CCB functions whether in-person or remote contained in this Code are not intended to limit freedom of speech or peaceful assembly. E2CCB recognizes that free inquiry and free expression are indispensable to the objectives of the E2CCB. The purpose of this is to maintain public order and prevent abuse of the rights of others.

All persons on E2CCB property or attending a E2CCB function whether in-person or remote shall conduct themselves in a respectful and orderly manner. In addition, all persons on E2CCB property or attending a E2CCB function whether in person or remote are expected to be properly attired for the purposes for which they are attending whether in-person or remote.

A. Prohibited Conduct

No person, either alone or with others, shall:

- Intentionally injure any person or threaten to do so.
- Intentionally damage or destroy E2CCB property or the personal property of a student, teacher, administrator, other E2CCB employee or any person lawfully on E2CCB property.
- Disrupt the orderly conduct of classes, E2CCB programs, other E2CCB activities, or other E2CCB work sites/internships whether in-person or remote.
- Distribute or wear materials on E2CCB grounds or at E2CCB functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, gang related, or are disruptive to the school program or E2CCB workplace whether in-person or remote.
- Intimidate, harass or discriminate against any person on the basis of race, color, creed, national origin, religion, age, gender, disability, political affiliation, sex, sexual orientation, marital status, military status, veteran status, or use of a recognized guide dog, hearing dog or service dog, or other protected class or category.
- Enter any portion of the E2CCB premises without authorization or remain in any building or facility after it is normally closed.
- Obstruct the free movement of any person in any place to which this Code applies.
- Violate the traffic laws, parking regulations or other restrictions on vehicles.

- Possess, consume, sell, attempt to sell, distribute or exchange alcoholic beverages, tobacco, tobacco products, e-cigarettes (also known as electronic cigarettes or smokeless cigarettes), vape devices, illegal substances, controlled substances, drug paraphernalia, synthetic, designer, and/or look alike drugs or be under the influence on E2CCB property or at a E2CCB function whether in-person or remote .
- Possess or use weapons, or what appears to be a weapon in or on E2CCB property or at a E2CCB function, except in the case of law enforcement officers or except as specifically authorized by E2CCB.
- Loiter on E2CCB property.
- Refuse to comply with any reasonable order from identifiable E2CCB officials performing their duties.
- Willfully incite others to commit any of the acts prohibited by this Code.
- Violate any federal or state statute, local ordinance or Board policy while on E2CCB property or while at an E2CCB function.

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

- Visitors: Their authorization, if any, to remain on school/E2CCB grounds or at the school/E2CCB function shall be withdrawn and they shall be directed to leave the school sponsored activity. If they refuse to leave, they shall be subject to removal by appropriate authorities.
- Students: They shall be subject to disciplinary action as the facts may warrant, in accordance with this Code of Conduct and the due process requirements.
- Teachers and other E2CCB staff: They shall be subject to disciplinary action as the facts may warrant, in accordance with this Code of Conduct, applicable law and/or collective bargaining units and the due process requirements.

XV. Enforcement

The building principal or supervisor of an instructional site or in any E2CCB facility shall be responsible for enforcing the conduct required by this Code.

When the building principal, supervisor, or other administrator 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, supervisor, or administrator shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The principal, supervisor, or administrator shall also warn the individual of the consequences for failing to stop. If the person still 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, supervisor, or administrator may have the individual removed immediately from E2CCB property or the E2CCB function. If necessary, local law enforcement authorities may be contacted to assist in removing the person.

E2CCB may initiate disciplinary action against any student or staff member, as appropriate, consistent with the penalties section above. In addition, E2CCB reserves its right to pursue a civil or criminal legal action, if applicable, against any person violating the E2CCB Code of Conduct.

XVI. 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:

- Providing a public hearing prior to the Board approval of the Code of Conduct.
- Providing copies of the Code to all students and parents, in an age appropriate, plain- language version, at the beginning of each school year and upon enrollment during the school year.
- Providing all current teachers and other staff member's access to the Code of Conduct and any amendments to the Code as soon as practicable after adoption.
- Providing all new employees' access to the current Code of Conduct when they are first hired.
- Making copies of the Code available for review by component school districts, students, parents and other community members in addition to posting on the E2CCB website.

The principal or supervisor will review the code of conduct during a faculty meeting in September.

B. Review of Code of Conduct

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

Before approving 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.

E2CC BOCES Board Policies

- Appendix A - Comprehensive Student Attendance Policy (Board Policy 4000)
- Appendix B - Dignity For All Students Act (Board Policy 4003)
- Appendix C - Peer Abuse/Cyberbullying (Board Policy 4004)
- Appendix D - Acceptable Use Of Electronic Devices In School(Policy 4005)
- Appendix E - Student Use Of Computerized Information Resources (Board Policy 4105)
- Appendix F - Alcohol, Tobacco, Drugs, And Other Substances (Board Policy 4113)
- Appendix G - Smoking, Tobacco, And Cannabis (Marijuana) Use (Board Policy 1332)

Appendix A

Comprehensive Student Attendance Policy (Board Policy 4000)

Statement of Overall Objectives

School attendance is both a right and a responsibility. The task of ensuring that all students meet or exceed the New York State Learning Standards requires an active partnership among students, parents and Erie 2-Chautauqua-Cattaraugus BOCES. The BOCES recognizes that consistent school attendance, academic success, and school completion have a positive impact on student success. Therefore, E2CC BOCES has adopted a Comprehensive Student Attendance Policy to meet the following objectives:

- a) To increase school attendance and completion for all students regardless of educational setting, in-person or remote;
- b) To improve student achievement performance;
- c) To identify attendance patterns in an effort to improve student attendance;
- d) To know the whereabouts of every student regardless of educational setting, in-person or remote for safety and other reasons;
- e) To verify that individual students are complying with education laws relating to compulsory attendance;
- f) To determine the BOCES' average daily attendance or report attendance to the home district for State aid purposes.

Description of Strategies to Meet Objectives

Erie 2-Chautauqua-Cattaraugus BOCES will:

- a) Create and maintain a positive school culture by fostering a nurturing physical and psychological environment where **the presence of** strong adult role models encourages respectful and supportive **interactions between** adults and students. This positive school culture is aimed at encouraging a high level of student commitment to the school, which in turn should lead to increased attendance.
- b) Maintain accurate record keeping via a Register of Attendance to record attendance, absence, tardiness or early departure of each student.
- c) Utilize data analysis systems for tracking individual student attendance and individual and group trends in student attendance, including looking at problems and modes of participation.
- d) Develop early intervention strategies to improve school attendance for all students.

Determination of Excused and Unexcused Absences, Tardiness and Early Departures

Based upon our BOCES education and community needs, values and priorities, the BOCES has determined that absences, tardiness, and early departures will be considered excused or unexcused

according to the following standards.

- a) **Excused:** An absence, tardiness or early departure may be excused if due to personal illness, illness or death in the family, impassable roads due to inclement weather, religious observance, quarantine, required court appearances, medical/dental appointments, pre-approved college visits, approved cooperative work programs, military obligations, home school excused, administratively approved BOCES-sponsored activities or other such reasons as may be approved by the administration.
- b) **Unexcused:** An absence, tardiness or early departure is considered unexcused if the reason for the lack of attendance does not fall into the above excused categories. Examples of unexcused absences include, but are not limited to, family vacations, hunting, babysitting, obtaining learner's permit, road test, and oversleeping. BOCES students attending programs in a district operated building will follow the host building's district attendance policy for excused and unexcused absences. All other BOCES students' absences will be classified as listed above.

All absences require a written note, including date(s) of and reason(s) for absence, from the parent/person in parental relation on the student day of return to school or as soon as possible. Such parental notification for student tardiness or early departure will be presented on the day of the tardiness/early departure, indicating the date, time and reason. Excuses may be verified for authenticity. If no note is received after five (5) school days, the absence will be recorded as unexcused.

Student attendance Recordkeeping/Data Collection

The record of each student's presence or participation, absence, tardiness and early departure shall be kept in a register of attendance regardless of instructional setting in a manner consistent with Commissioner's Regulations. An absence, tardiness or early departure will be entered as "excused" or "unexcused" along with the BOCES code for the reason. Commencing July 1, 2010 attendance shall be taken and recorded in accordance with the following:

- a) For students in non-departmentalized kindergarten through grade five and other self-contained classrooms (K-12) and supervised group or individual movement to other scheduled school activities such as specialized therapies, physical education in the gym, assembly, etc., such student's presence or absence shall be recorded after taking of attendance once per school day, provided that the students are not dismissed from school grounds. Where students are dismissed from the building for lunch or for attendance at alternate Career & Technical Centers, satellites or buildings and supervised work experiences, their presence or absence shall also be recorded upon return from lunch or arrival at the other program.
- b) For students in grades six through twelve or in departmentalized schools at any grade level (e.g. students pass individually to different classes throughout the day), each student's presence or absence shall be recorded after the taking of attendance in each period of scheduled instruction, except that where students do not change classrooms for each period of scheduled instruction, attendance shall be taken in accordance with paragraph "a" above.
- c) Any absence for a school day or portion thereof shall be recorded as excused or unexcused in accordance with the standards articulated in this policy.
- d) In the event that a student at any instructional level from pre-kindergarten through grade twelve

arrives late or departs early from scheduled instruction, such tardiness or early departure shall be recorded as excused or unexcused in accordance with the standards articulated in this policy and accompanied by a written note from the parent or guardian as well as contact information for the purpose of verification.

A record shall be kept of each scheduled day of instruction during which the school is closed for all or part of the day because of extraordinary circumstances including adverse weather conditions, impairment of heating facilities, insufficiency of water supply, shortage of fuel, destruction of or damage to a school building, or such other cause as may be found satisfactory to the Commissioner of Education.

Attendance records shall also indicate the date when a student withdraws from enrollment or is dropped from Enrollment in accordance with Education Law Section 3202(1-a) At the beginning of each class period or school day, all attendance information shall be compiled and provided to the designated school personnel who are responsible for attendance. The nature of the absence, tardiness, or early departure shall be coded on a student's record in accordance with the established BOCES/building procedures.

Student Attendance and Course Credit

The BOCES believes that classroom participation is related to and affects a student's performance and grasp of the subject matter and, as such, is properly reflected in a student's final grade. For purposes of this policy, classroom participation means that a student has engaged in learning through one or more of the following key activities on a daily basis:

- (1) presence in a classroom,
- (2) presence during a teacher/staff member led video conference,
- (3) participation in a course approved on-line platform,
- (4) submission of a work product to the teacher,
- (5) written interaction with the teacher through means such as emails or document comments, or
- (6) a check-in or conference with a teacher or staff member.

Consequently, in courses for which credit is earned or recommended, each marking period a certain percentage of a student's final grade will be based on classroom participation as well as the student's performance on homework, tests, papers, projects, etc. as determined by the program administrator and/or classroom teacher. Course percentages will be communicated to students prior to taking the class.

Students are expected to attend all scheduled classes and/or participate in all activities, including, but not limited to, those activities described above. Consistent with the importance of classroom participation, unexcused student absences, tardiness, and early departures will affect a student's grade, including credit for classroom participation, for the marking period. Students will be considered in attendance if the student is:

- a) Physically present in the classroom or working under the direction of the classroom teacher in one or more of the activities described above; or
- b) Working pursuant to an approved independent study program; or
- c) Receiving approved alternative instruction.

Students who are absent from class due to their participation in a school-sponsored activity are to

arrange with their teachers to make up any work missed in a timely manner as determined by the student's teacher. Attendance at school sponsored events where instruction is substantially equivalent to the instruction which was missed shall be counted as the equivalent of regular attendance in class.

Upon returning to participation in instruction following a properly excused absence, tardiness or early departure, it shall be the responsibility of the student to consult with his/her teacher(s) regarding arrangements to make up missed work, assignments and/or tests in a timely manner for their completion.

All other students in BOCES programs will be held accountable as follows:

- a) Any student with more than 18 absences in a course during a school year may not receive credit for the course.
- b) However, it is BOCES policy that a student's properly excused absence, tardiness and early departure for which the student has performed any assigned make-up work, assignments and/or tests, shall not be counted as an absence for the purpose of determining the student's eligibility for course credit.
- c) BOCES procedures will specify how student tardiness and early departures will be calculated and factored into the BOCES' minimum attendance standard.
- d) Where a student earns a passing grade, credit will not be denied for the course(s).
- e) A BOCES administrator will review each case, as appropriate.
- f) For courses meeting 12 year or 14 year, the same policy will apply and a calculation of the absences will be prorated accordingly.
- g) Transfer students re-enrolling after having dropped out will be expected to attend a prorated minimum number of the scheduled class meetings during their time of enrollment.

Notice of Minimum Attendance Standard/Intervention Strategies Prior to the Denial of Course Credit

In order to ensure that parents/persons in parental relation and students are informed of the BOCES' policy regarding minimum attendance and course credit, and the implementation of specific intervention strategies to be employed prior to the denial of course credit to the student for insufficient attendance the following guidelines may be followed:

- a) Copies of the BOCES Comprehensive Student Attendance Policy will be provided to parents/persons in parental relation and students at the beginning of each school year and/or during annual re-entry and enrollment conference interviews.
- b) The Attendance Policy will be included in the student handbook, where appropriate.
- c) A designated staff member will review the BOCES Attendance Policy with students within the first days of the school year and with those who have excessive absences, including requests for early dismissal and tardiness. Further, prior to denial of credit for excessive absences and negligence for completing assignments, student support services will be initiated to assist and

coordinate efforts for completing assignments.

- d) Designated staff member(s) will notify by telephone the parent/persons in parental relations of student's absence or tardiness, explaining where appropriate, the relationship of the student's attendance to his/her ability to receive course credit. Messages will be left when contact is not made. Extended absences will be followed up with written notice, copies sent to the home school and a conference requested involving all parties, when necessary, prior to the denial of course credit for insufficient attendance by the student. Requests for early dismissal must be verified by designated staff members prior to granting approval.

Notice of Students who are Absent, Tardy or Depart Early Without Proper Excuse

A designated staff member shall notify by telephone the parent/person in parental relation to a student who is absent, tardy or departs early without proper excuse. The staff member shall explain the BOCES comprehensive Student Attendance Policy, the BOCES/building/divisional level intervention procedures, and, if appropriate, the relationship between student attendance and course credit. If the parent/person in parental relation to promote awareness and help ensure compliance with the policy.

If deemed necessary by appropriate school officials, or if requested by the parent/person in parental relation, a school conference shall be scheduled between the parent/person in parental relation and appropriate staff members in order to address the student's attendance. The student may also be requested to attend this conference in order to address appropriate intervention strategies that best meet the needs of the student.

Parents/persons in parental relation will be notified by designated BOCES personnel at periodic intervals to discuss their child's absences, tardiness or early departures and the importance of class attendance and appropriate interventions. Individual buildings/divisions/grade levels will address procedures to implement the notification process to the parent/person in parental relation.

Intervention Strategy Process

In order to effectively intervene when an identified pattern of unexcused absences, tardiness or early departures occur, designated BOCES personnel will pursue the following:

- a) Notification by designated staff member(s) to the parent/person in parental relations or to the student's home district if the student attends a BOCES program for less than a full school day, of any student's absence or tardiness. Messages will be left for the parent if contact is not made. Documentation of all successful and unsuccessful contacts regarding absences will be maintained. Extended absences/tardiness will be followed up with written notice and copies sent to home school with a conference involving all parties when necessary. Requests for early dismissal must be verified by a designated staff member.
- b) There will be identified milestones for attendance to determine students with attendance concerns. These milestones will be accompanied by prescribed interventions which are defined by each program. (e.g. certified letter; home visit by counselor; referral to counseling/court; district involvement, etc.).
- c) Designated staff person, under the supervision of the program administrator, will monitor and be

able to report regarding program procedures and implementation of these procedures.

Appeal Process

A parent/person in parental relation may request a review of their child's attendance record. Review of Attendance Records Commencing with the 2003-04 school year, the program administrator will work in conjunction with the appropriate attendance clerk and other designated staff in reviewing attendance records at the end of each term. This review is conducted to identify individual and group attendance patterns and to initiate appropriate action to address the problem of unexcused absences, tardiness and early departures.

Annual Review by the Board of Education

The Board of Education shall annually review the program/site level student attendance records and if such records show a decline in student attendance, the Board shall make any revisions to the Policy and plan deemed necessary to improve student attendance.

Community Awareness

The Board of Education shall promote necessary community awareness of the BOCES Comprehensive Student Attendance Policy by:

- a) Providing a copy policy to parents or persons in parental relation to students at the beginning of the each school year and promoting the understanding of such a policy to students and their parents/persons in parental relation;
- b) Providing each student, at the beginning of the school year or upon entrance into the program, with a copy of the policy
- c) Providing appropriate personnel, at the beginning of the school year or upon employment, with a copy of the policy; and
- d) Providing copies of the policy to any other member of the community upon request.

8 New York Code of Rules and Regulations (NYCRR) Sections 104.1, 109.2 and 175.6 Ed Law 3205
<http://codes.findlaw.com/ny/education-law/edn-sect-3205.html>

Education Law Sections 3024, 3025, 3202, 3205, 3206, 3010, 3211, 3213

<http://public.leginfo.state.ny.us/lawsarch.cgi?NVLWO>: First Reading: July 8, 2002 Adopted: August 7, 2002 Amended: August 4, 2010 Amended: June 10, 2015 Amended: September 23, 2020

Appendix B

Dignity For All Students Act (Board Policy 4003)

The BOCES seeks to create an environment free of harassment, bullying, and discrimination; to foster civility in its schools; and to prevent conduct that is inconsistent with its educational mission. The BOCES, therefore, prohibits all forms of harassment and bullying of students by employees or other students on school property and at school functions.

The BOCES further prohibits discrimination against students, including, but not limited to, discriminatory acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex by employees or other students on school property and at school functions

In addition, other acts of harassment, bullying, and/or discrimination that occur off school property may be subject to discipline or other corrective action, where such acts create or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation, or abuse might reach school property.

Dignity Act Coordinator

In each of its schools, the BOCES will designate at least one employee to serve as the Dignity Act Coordinator (DAC) and receive reports of harassment, bullying, and/or discrimination. Each DAC will be:

- a) Approved by the Board;
- b) Licensed and/or certified by the Commissioner as a classroom teacher, school counselor, school psychologist, school nurse, school social worker, school administrator or supervisor, or Superintendent;
- c) Instructed in the provisions of the Dignity for All Students Act and its implementing regulations;
- d) Thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender and sex;
- e) Provided with training which addresses: the social patterns of harassment, bullying, and discrimination, including, but not limited to, those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, and sex;
- f) Provided with training in the identification and mitigation of harassment, bullying, and discrimination; and
- g) Provided with training in strategies for effectively addressing problems of exclusion, bias, and aggression in educational settings.

The BOCES will widely disseminate the name, designated school, and contact information of each DAC to all school personnel, students, and parents or persons in parental relation by:

- a) Listing it in the Code of Conduct, with updates posted on the BOCES's website;
- b) Including it in the Code of Conduct's plain language summary provided to all parents or persons in parental relation to students before the beginning of each school year;
- c) Providing it to parents or persons in parental relation in at least one BOCES or school mailing or other method of distribution each school year, including, but not limited to, electronic communication and/or sending information home with each student. If the information changes, parents and persons in parental relation will be notified in at least one subsequent BOCES or school mailing, or other method of distribution as soon as practicable thereafter;
- d) Posting it in highly visible areas of school buildings; and
- e) Making it available at the BOCES and school-level administrative offices.

If a DAC vacates his or her position, the BOCES will immediately designate another eligible employee as an interim DAC, pending approval of a successor DAC from the Board within 30 days of the date the position was vacated. In the event a DAC is unable to perform his or her duties for an extended period of time, the BOCES will immediately designate another eligible employee as an interim DAC, pending the return of the previous individual to the position.

Training and Awareness

Each year, all employees will be provided with training to promote a supportive school environment that is free from harassment, bullying, and/or discrimination, and to discourage and respond to incidents of harassment, bullying, and/or discrimination. This training may be provided in conjunction with existing professional development and will be conducted consistent with guidelines approved by the Board, and will include training to:

- a) Raise awareness and sensitivity to potential acts of harassment, bullying, and discrimination;
- b) Address social patterns of harassment, bullying, and discrimination;
- c) Inform employees on the identification and mitigation of harassment, bullying, and discrimination;
- d) Enable employees to prevent and respond to incidents of harassment, bullying, and discrimination;
- e) Make employees aware of the effects of harassment, bullying, cyberbullying, and discrimination on students;
- f) Provide strategies for effectively addressing problems of exclusion, bias, and aggression;
- g) Include safe and supportive school climate concepts in curriculum and classroom management; and
- h) Ensure the effective implementation of school policy on conduct and discipline.

Rules against harassment, bullying, and discrimination will be included in the Code of Conduct,

publicized BOCES-wide, and disseminated to all staff and parents or persons in parental relation. Any amendments to the Code of Conduct will be disseminated as soon as practicable following their adoption. The BOCES will provide new employees with a complete copy of the current Code of Conduct upon beginning their employment, and distribute an age-appropriate summary to all students at a school assembly at the beginning of each school year.

Internal Reports and Investigations of Harassment, Bullying, and/or Discrimination All BOCES employees who witness or receive an oral or written report of harassment, bullying, and/or discrimination are required to take action. BOCES employees must make an oral report promptly to the Superintendent or principal, their designee, or the Dignity Act Coordinator (DAC) not later than one school day after witnessing or receiving an oral or written report of harassment, bullying, and/or discrimination. No later than two school days after making the oral report, the BOCES employee must file a written report with the Superintendent or principal, their designee, or the DAC.

The Superintendent or principal, their designee, or the DAC will lead or supervise the thorough investigation of all reports of harassment, bullying, and/or discrimination and ensure that all investigations are promptly completed after the receipt of a written report. In investigating any allegation, the investigator may seek the assistance of the BOCES's Civil Rights Compliance Officer in investigating, responding to, and remedying complaints of harassment, bullying, and/or discrimination.

When an investigation verifies a material incident of harassment, bullying, and/or discrimination, the Superintendent or principal, their designee, or the DAC will take prompt action, consistent with the BOCES's Code of Conduct, reasonably calculated to end the harassment, bullying, and/or discrimination, eliminate any hostile environment, create a more positive school culture and climate, prevent recurrence of the behavior, and ensure the safety of the student or students against whom the behavior was directed.

The Superintendent or principal, their designee, or the DAC will promptly notify the appropriate local law enforcement agency when it is believed that any harassment, bullying, and/or discrimination constitutes criminal conduct.

Reporting Incidents

Reporting Incidents to the Superintendent

At least once during each school year, each building principal will provide a report on data and trends related to harassment, bullying, and/or discrimination to the Superintendent in a manner prescribed by the BOCES. This report will be used to submit the annual School Safety and the Educational Climate (SSEC) Summary Data Collection form to the State Education Department (SED).

Reporting of Material Incidents to the Commissioner of Education

Each school year, the BOCES will submit to the Commissioner a report of material incidents of harassment, bullying, and/or discrimination that occurred during the school year in accordance with law and regulation. This report will be submitted in a manner prescribed by the Commissioner, on or before the basic educational data system (BEDS) reporting deadline or other date determined by the Commissioner.

Prohibition of Retaliatory Behavior (Whistle-Blower Protection)

Any person who has reasonable cause to suspect that a student has been subjected to harassment, bullying, and/or discrimination by an employee or student on school grounds or at a school function, and who acts reasonably and in good faith in reporting it to school officials, the Commissioner or law enforcement authorities, or who otherwise initiates, testifies, participates, or assists in any formal or informal proceedings, will have immunity from any civil liability that may arise from making that report, or from initiating, testifying, participating, or assisting in those proceedings. The BOCES also prohibits any retaliatory behavior directed against any complainant, victim, witness, or any other individual who participated in the reporting or investigation of an incident of alleged harassment, bullying, or discrimination.

Publication of BOCES Policy

At least once during each school year, all employees, students, and parents or persons in parental relation will be provided with a written or electronic copy of this policy, or a plain-language summary of it. The policy or summary will include information relating to how students, parents or persons in parental relation, and employees may report harassment, bullying, and/or discrimination. Additionally, the BOCES will maintain a current version of this policy on its website at all times.

Application

Nothing in this policy or its implementing regulations should be interpreted to preclude or limit any right or cause of action provided under any local, state, or federal ordinance, law or regulation including, but not limited to, any remedies or rights available under the Individuals with Disabilities Education Act, Title VII of the Civil Rights Law of 1964, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act of 1990. Education Law §§ 10-18 and 2801 8 NYCRR § 100.2

NOTE: Refer also to Policies #1330 -- Appointments and Designations by the Board #3410 -- Code of Conduct #3420 -- Non-Discrimination and Anti-Harassment in the BOCES #5670 -- Records Management #6411 -- Use of Email in the BOCES #7551 -- Sexual

Harassment of Students #7552 -- Student Gender Identity #7553 -- Hazing of Students #8242 -- Civility, Citizenship, and Character Education/Interpersonal Violence Prevention Education Adoption Date: March 4, 2020

Appendix C

Peer Abuse/Cyberbullying (Board Policy 4004)

The E2CCB Board of Education is committed to providing a safe, productive, and positive learning environment within its schools. Peer abuse is demeaning, abusive, and/or illegal behavior that harms victims, and is inconsistent with the educational goals of the E2CCB by negatively impacting the school environment. Abuse of a student by another student or group of students is strictly prohibited on school property; in school buildings; on school buses; by school sponsored groups, clubs or teams; and at school sponsored events and/or activities whether occurring on or off-campus. Peer abuse shall include, but not be limited to, bullying and hazing. The Board of Education shall require the prohibition of peer abuse-along with the range of possible intervention activities and/or sanctions for such misconduct-to be included in the *E2CCB Code of Conduct* for all grade levels.

For purposes of this policy, the term “hazing” among students is defined as any humiliating or dangerous activity expected of a student to join a group, regardless of their willingness to participate. Hazing of a student refers to soliciting, encouraging, aiding, or engaging in “hazing” behavior as defined pursuant to E2CCB policy, regulation, and/or law. Hazing behaviors include, but are not limited to, the following general categories:

- a) Humiliation: socially offensive, isolating, or uncooperative behaviors.
- b) Substance use/abuse: abuse of tobacco products, alcohol, or illegal drugs.
- c) Dangerous hazing: hurtful, aggressive, destructive, and disruptive behaviors.

Incorporated within this definition are various forms of physical, emotional, and/or sexual abuse, which may range in severity from teasing/embarrassing activities to life threatening actions.

Even if the hazing victim participated “willingly” in the activity, or there was no “intent” by the hazer to harm or injure another individual, hazing is still hazing and against Board policy, the E2CCB Code of Conduct and may be in violation of New York State Law. However, hazing of students does not need to rise to the level of criminal activity for such conduct to be in violation of E2CCB rules and subject to appropriate disciplinary sanctions. Any hazing activity, whether by an individual or group, shall be presumed to be a forced activity and in violation of Board policy, regardless of the “willingness” of the student to participate.

For purposes of this policy, the term “bullying” among children is defined, in general, as: “a variety of negative acts carried out repeatedly over time. It involves a real or perceived imbalance of power, with a more powerful child or group attacking those who are less powerful.” Bullying can take three forms:

- a) Physical (including, but not limited to, hitting, kicking, spitting, pushing, taking personal belongings);
- b) Verbal (including, but not limited to, taunting, malicious teasing, name calling, making threats);
and
- c) Psychological (including, but not limited to, spreading rumors; manipulating social relationships, or engaging in social exclusion, extortion or intimidation).

Cyberbullying Behavior

As with other forms of bullying, cyberbullying is an attempt to display power and control over someone perceived as weaker. Cyberbullying involving E2CCB students may occur both on campus and off school grounds and may involve student use of the E2CCB Internet system or student use of personal digital devices while at school, such as cell phones, digital cameras, and personal computers to engage in bullying.

Cyberbullying includes, but is not limited to, the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another student or staff member by way of any technological tool, such as sending or posting inappropriate or derogatory e-mail messages, instant messages, text messages, digital pictures or images, or web site postings (including blogs).

Cyberbullying has the effect of:

- a) Physically, emotionally or mentally harming a student;
- b) Placing a student in reasonable fear of physical, emotional or mental harm;
- c) Placing a student in reasonable fear of damage to or loss of personal property;
- d) Creating an intimidating or hostile environment that substantially interferes with a student's educational opportunities.

Also, cyberbullying that occurs off-campus, that causes or threatens to cause a material or substantial disruption in the school, could result in disciplinary action in accordance with the *E2CCB Code of Conduct* and possible referral to local law enforcement authorities.

Reports of Allegations of Bullying/Cyberbullying Behavior

Any student who believes that he/she is being subjected to bullying/cyberbullying behavior, as well as any other person who has knowledge of or witnesses any possible occurrence of bullying/cyberbullying, shall report the behavior to any staff member or the Building Principal. The staff member/Building Principal to whom the report is made (or the staff member/Building Principal who witnesses bullying/cyberbullying behavior) shall investigate the complaint and take appropriate action to include, as necessary, referral to the next level of supervisory authority and/or other official designated to investigate allegations of bullying/cyberbullying. Investigation of allegations of bullying/cyberbullying shall follow the procedures utilized for complaints of harassment within the School District. Allegations of bullying/cyberbullying shall be promptly investigated and will be treated as confidential and private to the extent possible within legal constraints.

Prohibition of Retaliation

The Board of Education prohibits any retaliatory behavior directed against complaints, victims, witnesses, and/or any other individuals who participate in the investigation of allegations of peer abuse. Follow-up inquiries and/or appropriate monitoring of the alleged abuser(s) and victim(s) shall be made to ensure that peer abuse has not resumed and that all those involved in the investigation of allegations of abuse have not suffered retaliation. Any act of retaliation is subject to appropriate disciplinary action.

Knowingly Makes False Accusations

Students who knowingly make false accusations against another individual as to allegations of peer abuse may also face appropriate disciplinary action.

Prevention/Intervention and Responsibility/Training

Personnel at all levels are responsible for taking corrective action to prevent peer abuse/cyberbullying of which they have been made aware at E2CCB sites; by school sponsored groups, clubs or teams; and at school sponsored events and/or activities whether occurring on or off-campus. Further, as may be applicable, personnel are to report such behavior to their immediate supervisor. Staff training shall be provided to raise awareness of the problem of peer abuse/ cyberbullying within the schools and to facilitate staff identification of, and response to, such peer abuse among students.

Prevention and intervention techniques within the E2CCB to help prevent peer abuse/ cyberbullying and to support and protect victims shall include building-level and classroom-level strategies and activities as determined by administration. Individual intervention will be provided by appropriate staff members to abusers, victims and their parents to help ensure that the abuse stops.

Rules against peer abuse/ cyberbullying shall be publicized E2CCB-wide and shall be disseminated as appropriate to staff, students, and parents. Disciplinary sanctions for violation of this policy shall be outlined in the District Code of Conduct and may be incorporated in staff and student handbooks. In addition, allegations of peer abuse/ cyberbullying may result in referral to law enforcement officials as necessary.

New York State Penal Law Sections 120.16 and 120.17
Education Law Sections 1709-a, 1503-a, 2554-a, and 2801
8 New York Code of Rules and Regulations (NYCRR) Section 100.2(1)(2)

Amended: March 3, 2010

Appendix D

Acceptable Use Of Electronic Devices In School (Policy 4005)

The Board of Education recognizes that electronic devices are an integral part of our student's lives, and that we need to recognize the value of such devices, while recognizing that some devices could become disruptive to the educational process.

Electronic devices including but not limited to cell phones, radios, headsets, electronic games must be used responsibly. The use of these devices may or may not be appropriate in the classroom or other areas of the school; the discretion rests with the teacher and/or administrator.

Any personal electronic device that may be deemed disruptive to the educational setting will be dealt with in accordance with the Code of Conduct.

The Administrative staff shall develop procedures and regulations to implement this policy, these procedures shall be included in the student handbook.

First Reading: December 5, 2003

Adopted: February 4, 2004

Amended: December 15, 2004

Amended: January 2, 2019

Appendix E

Student Use Of Computerized Information Resources (Board Policy 4105)

The Board of Education will provide access to various computerized information resources through the Erie 2-Chautauqua-Cattaraugus BOCES computer system (“BCS” hereafter) consisting of software, hardware, computer networks and electronic communications systems. This may include access to electronic mail, so-called “on-line services” and the “Internet.” It may include the opportunity for some students to have independent access to the BCS from their home or other remote locations. All use of the BCS including independent use off school premises, shall be subject to this policy and accompanying regulations. Further, all such use must be in support of education and/or research and consistent with the goals and purposes of Erie 2-Chautauqua-Cattaraugus BOCES.

Access to Inappropriate Content/Material and Use of Personal Technology or Electronic Devices

This policy is intended to establish general guidelines for the acceptable student use of the BCS and also to give students and parents and guardians notice that student use of the BCS will provide student access to external computer networks not controlled by the BOCES. The BOCES cannot screen or review all of the available content or materials on these external computer networks. Thus some of the available content or materials on these external networks may be deemed unsuitable for student use or access by parents and guardians.

Despite the existence of BOCES policy, regulations and guidelines, it is virtually impossible to completely prevent access to content or material that may be considered inappropriate for students. Students may have the ability to access such content or material from their home, other locations off school premises and/or with a student's own personal technology or electronic device on school grounds or at school events. Parents and guardians must be willing to establish boundaries and standards for the appropriate and acceptable use of technology and communicate these boundaries and standards to their children. The appropriate/acceptable use standards outlined in this policy apply to student use of technology via the BCS or any other electronic media or communications, including by means of a student's own personal technology or electronic device on school grounds or at school events.

Standards of Acceptable Use

Generally, the same standards of acceptable student conduct, which apply to any school activity, shall apply to use of the BCS. This policy does not attempt to articulate all required and/or acceptable uses of the BCS; nor is it the intention of this policy to define all inappropriate usage. Administrative regulations will further define general guidelines of appropriate student conduct and use as well as prescribed behavior.

BOCES students shall also adhere to the laws, policies, and rules governing computers including, but not limited to, copyright laws, rights of software publishers, license agreements, and student rights of privacy created by federal and state law.

Students who engage in unacceptable use may lose access to the BCS in accordance with applicable due process procedures, and may be subject to further discipline under the BOCES school conduct and discipline policy and the BOCES Code of Conduct. The BOCES reserves the right to pursue legal action against a student who willfully, maliciously or unlawfully damages or destroys property of the BOCES. Further, the BOCES may bring suit in civil court against the parents and guardians of any student who willfully, maliciously or unlawfully damages or destroys BOCES property pursuant to General

obligations Law Section 3-112.

Student data files and other electronic storage areas will be treated like school lockers. This means that such areas shall be considered to be BOCES property subject to control and inspection. The BOCES Technology Department may access all such files and communications to ensure system integrity and that users are complying with the requirements of this policy. Students should NOT expect that information stored on the BCS will be private.

Notification/Authorization

This Policy will be disseminated to parents and students in order to provide notice of the requirements, expectations, and student's obligations when accessing the BCS.

Regulations will be established as necessary to implement the terms of this policy.

Adopted: January 4, 2006

Amended: August 1, 2012

Appendix F

Alcohol, Tobacco, Drugs, And Other Substances (Board Policy 4113)

The Board recognizes that the misuse of alcohol, drugs, tobacco, electronic cigarettes (e- cigarettes), and other illegal substances is a serious problem with legal, physical, emotional, and social implications for our students, as well as the entire community. Therefore, the consumption, sharing, selling, use, or possession of alcoholic beverages, tobacco products, e- cigarettes, illegal drugs, counterfeit and designer drugs are prohibited. Paraphernalia for the use of drugs is prohibited at any school sponsored function, on school grounds, and on school vehicles, including private vehicles on school property at all times. The unauthorized use or misuse of prescription and over-the-counter (OTC) drugs is also prohibited. Students are not permitted to be under the influence of alcohol or other prohibited substances on school grounds or at school-sponsored events. A school-sponsored function includes a school sponsored or school-authorized extracurricular event or activity regardless of where the event or activity takes place.

Smoking

Smoking, or vaping, including the use of e-cigarettes is not permitted and no person is permitted to smoke within 100 feet of the entrance, exits, or outdoor areas of any public or private elementary or secondary schools. However, this prohibition does not apply to smoking in a residence or within the real property boundary lines of residential real property.

Non-Medical Use of Prescription and/or Over the Counter Drugs (OTC)

Non-medical use of prescription drugs is prohibited. If a student is found to be in possession of unauthorized prescription and/or OTC, he or she will be disciplined in accordance with the District Code of Conduct.

Disciplinary Measures

Disciplinary measures for students consuming, sharing, selling, using, or possessing alcoholic beverages, tobacco products, e-cigarettes, illegal drugs, counterfeit and designer drugs, or paraphernalia for the use of these drugs are outlined in the District Code of Conduct.

Education Law §§ 409 and 2801(1) Public Health Law 1399-o

NOTE: Refer also to: Student Handbook/Code of Conduct
Policy 1329 Maintenance of Public Order/Code of conduct on School Property

Adopted: August 1, 1990

Adopted: March 28, 2018

Appendix G

Smoking, Tobacco, And Cannabis (Marijuana) Use (Board Policy 1332)

The following actions are prohibited on school grounds and at school functions: smoking, vaping, using tobacco products, and/or using or ingesting any form of cannabis.

In addition, smoking and vaping are prohibited within 100 feet of the entrances, exits, or outdoor areas of any BOCES's schools. However, this prohibition does not apply to smoking or vaping in a residence, or within the real property boundary lines of residential real property.

Exceptions may exist for authorized medical cannabis use.

Definitions

For purposes of this policy, the following definitions apply:

- a) "Cannabis" means all parts of the plant of the genus Cannabis, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. It does not include hemp, cannabinoid hemp or hemp extract as defined by this section or any drug products approved by the federal Food and Drug Administration.
- b) "Electronic cigarette" (or "e-cigarette") means an electronic device delivering vapor inhaled by an individual user, and includes any refill, cartridge, and any other component of such a device.
- c) "School function" means a school-sponsored or school-authorized extracurricular event or activity regardless of where the event or activity takes place, including any event or activity that may take place virtually or in another state.
- d) "School grounds" means any building, structure, and surrounding outdoor grounds, including entrances or exits, contained within any building or upon any grounds (or portion thereof) which is owned, leased and/or occupied by the BOCES, as well as any vehicles used to transport children or school personnel.
- e) "Smoking" means the burning of a lighted cigar, cigarette, pipe, or any other matter or substance containing tobacco, cannabis, or cannabinoid hemp.
- f) "Tobacco products" means cigarettes or cigars, bidis, chewing tobacco, powdered tobacco, nicotine water, or any other tobacco products.
- g) "Vaping" means the use of an electronic cigarette.

Notification

The BOCES will communicate this policy to staff, students, parents and guardians, volunteers, visitors, contractors, and outside groups through means such as the *Code of Conduct*, student handbooks, newsletters, announcements, facilities use forms/agreements, and/or the prominent display of this policy in appropriate locations.

The BOCES will prominently post signs prohibiting smoking and vaping on school grounds in accordance with applicable law. Appropriate BOCES officials will inform individuals smoking or vaping in a non-smoking area that they are in violation of law and/or BOCES policy. Individuals found smoking, vaping, using tobacco products, and/or using or ingesting any form of cannabis, or knowingly tampering, damaging, removing or concealing equipment and/or signs prohibiting smoking and vaping on school grounds will be considered in violation of this policy and subject to appropriate disciplinary action.

Employees are encouraged to utilize smoking cessation programs available through the Employee Assistance Program and other community agencies.

Prohibition of Alcohol or Tobacco Promotional Items/Tobacco Advertising

Alcohol or Tobacco promotional items (e.g., brand names, logos, and other identifiers) are prohibited:

- a) On school grounds;
- b) In any vehicles used to transport students or school personnel;
- c) At school functions;
- d) In school publications;
- e) On clothing, shoes, accessories, gear, and school supplies in accordance with the District's Code of Conduct and applicable collective bargaining agreements.

This prohibition of tobacco promotional items will be enforced in accordance with the BOCES's *Code of Conduct* and applicable collective bargaining agreements.

The BOCES will request, whenever possible, tobacco free editions of periodical publications for school libraries and classroom use.

20 USC §§ 6081-6084 and 7971-7974
 41 USC § 8101 et seq.
 Education Law § 409
 Penal Law § 222.10
 Public Health Law §§ 1399-n, 1399-o, 1399-p, and 1399-aa
 8 NYCRR §§ 155.5 and 156.3

Adopted: September 2, 1998
 Last Revised: February 4, 2015
 Adopted: November 3, 2021