

West Valley Central School District

Code of Conduct 2022-2023



INDEX OF STUDENT RELATED INFORMATION PAGE

Mission Statement 3
 Code of Conduct..... 4
 Student Rights and Responsibilities 5
 Essential Partners 5
 Student Appearance Code 7
 Prohibited Student Conduct..... 8
 Reporting Violations 10
 Consequences of Student Behavior 10
 Dignity for Students Act (DASA).....12
 Student Searches & Interrogations 16
 Attendance..... 18
 Miscellaneous Topics19

- Fire Drills
- Student Agendas
- Hall Passes
- Study Hall Rules
- Passes From Study Hall
- Revoking A Study Hall Pass
- Permanent Pass
- Revoking A Permanent Pass
- Leaving School
- Lockers
- Textbooks
- Dances
- Lavatories
- Electronic Devices
- Cell Phones
- Inappropriate Articles
- Displays of Affection
- Restricted Activity List
- Before School
- After School
- Ellicottville BOCES Vo-tech

Cafeteria21
 Transportation21
 a) Bus Regulations
 b) Motor Vehicles

INDEX OF PARENT RELATED INFORMATION

Disciplinary Procedures.....23
a) Detention
b) Suspension From Transportation
c) Suspension From Activities
d) ISS
e) Teacher Removal Of Students
f) OSS

Minimum Periods of Suspension.....26
a) Weapons
b) Violence
c) Repeat Offenders

Alternative Instruction.....27
Discipline of Students with Disabilities27
Referral to Law Enforcement.....31
Child Protective Services Investigations31
Visitors to School.....31
Public Conduct on School Property32
Athletic Code.....34
School Accident Insurance.....36
Acceptable Use Policy.....39
Dissemination and Review47

Dr. Taweepon Farrar, Superintendent
Daniel L. Amodeo, PreK-12 Principal/Curriculum Coordinator
Danielle Behringer, Assistant Principal/CSE-CPSE Chairperson
Carolyn Boberg, Confidential Secretary and Board Clerk
Dana Westfall, Keyboard Specialist and Attendance
Matthew LaBrake, Guidance Counselor

5359 School Street, West Valley, New York 14171
Phone 716-942-3100 Fax 716-942-3440

WVCS Mission Statement

The West Valley Central School District supports and empowers all students to realize their full potential by preparing them to become lifelong learners and leaders in our society.

Vision Statement

West Valley Central School will become an exemplary learning community in our region, leading with pride and positivity, striving for excellence in and outside the classroom, moving forward for our students.

Guiding Principles/Core Beliefs

We believe that all individuals can learn and that learning is a lifelong process. Our responsibility is to:

- Create an educational atmosphere conducive to all learners focusing on the New York State Education Learning Standards and social-emotional learning while providing a positive and inclusive environment.
- Hold ourselves accountable with the highest expectations in providing support to all students in all facets of learning.
- Foster collaboration and communication between students, parents, the community, and the school.

Code of Conduct

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

GUIDING PRINCIPLES:

- civility
- respect
- citizenship
- character
- tolerance
- honesty
- integrity
- self-efficacy

To this end, the Board adopts this code of conduct (“code”). Unless otherwise indicated, this code applies to all students, school personnel, parents and other visitors when on school property or attending a school function.

Definitions: For purposes of this code, the following definitions apply.

- a. “Disruptive student” means an elementary or secondary student who is substantially disruptive of the educational process or substantially interferes with the teacher’s authority over the classroom.
- b. “Parent” means parent, guardian or person in parental relation to a student.
- c. “School property” means in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of a public elementary or secondary school, or in or on a school bus, as defined in Vehicle and Traffic Law §142.
- d. “School function” means any school-sponsored extra-curricular event or activity.
- e. “Violent student” means a student who:
 1. Commits an act of violence upon a school employee, or attempts to do so.
 2. Commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at the school function, or attempts to do so.
 3. Possesses, threatens to use, or displays what appears to be a, weapon while on school property or at a school function.
 4. Knowingly and intentionally damages or destroys property not theirs on school property or at a school function.
- f. “Weapon” means a firearm as defined in 18 USC §921 for purposes of the Gun-Free Schools Act. It also means any other gun, BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckle knife, box cutter, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance that can cause physical injury or death when used to cause physical injury or death.

Student Rights and Responsibilities

A. Student Rights

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

1. Take part in all district activities on an equal basis regardless of race, color, creed, national origin, religion, gender or sexual orientation or disability.
2. Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty in connection with the imposition of the penalty.
3. Access school rules and, when necessary, receive an explanation of those rules from school personnel.

B. Student Responsibilities

All district students have the responsibility to:

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

Essential Partners

All essential partners are expected to model the provisions of this code of conduct.

Parents: All parents are expected to:

1. Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community.
2. Send their children to school ready to participate and learn and dressed and groomed in a manner consistent with the student appearance code.
3. Ensure their children attend school regularly and on time. Ensure absences are excused.
4. Help their children understand that in our society appropriate rules are essential to maintain a safe, orderly environment.
5. Convey to their children a supportive attitude toward education and school rules to help their children understand them.
6. Build good relationships with teachers, other parents and their children's friends to help their children deal effectively with peer pressure.
7. Inform school officials of changes in the home situation that may affect student conduct or performance.
8. Provide a place for study and ensure homework assignments are completed.

Teachers: All district teachers are expected to:

1. Maintain a climate of mutual respect and dignity, which will strengthen students' self-concept and promote confidence to learn.
2. Be prepared to teach and inspire a lifelong interest in learning.
3. Demonstrate interest and concern for student achievement.
4. Know school policies and rules, and enforce them in a fair and consistent manner.
5. Communicate to students and parents:
 - a. Course objectives and requirements
 - b. Marking/grading procedures
 - c. Assignment deadlines
 - d. Expectations for students
 - e. Classroom discipline plan.
6. Communicate regularly with students, parents and other teachers concerning growth and achievement.

Guidance Counselors

1. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
2. Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary, as a way to resolve problems.
3. Regularly review with students their educational progress and career plans.
4. Provide information to assist students with career planning.
5. Encourage students to benefit from the curriculum and extracurricular programs.
6. Facilitate outside tutoring.

Deans

1. A Dean functions as a member of a team which assists the principal, primarily in the area of discipline.
2. The main responsibility of a dean is to administer the school code of conduct consistently and equitably.
3. Deans will work with students to work through whatever is necessary to enable them to make better choices in the future.
4. The Deans will meet regularly with the principals.

Principal

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
2. Ensure that students and staff have the opportunity to communicate regularly with the principal and approach the principal for redress of grievances.
3. Evaluate on a regular basis all instructional programs in collaboration with the curriculum coordinator.
4. Support the development of, and student participation in, appropriate extracurricular activities.
5. Be responsible for enforcing the code of conduct and ensuring that all cases are resolved.

Superintendent

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
2. Review with district administrators the policies of the board of education and state and federal laws relating to school operations and management.
3. Inform the board about educational trends relating to student discipline.
4. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.

5. Work with district administrators in enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.

Board of Education

1. Review and discuss with the superintendent annually the districts code of conduct.
2. Adopt the code of conduct annually and approve a Dignity Act Coordinator.
3. Lead by example by conducting board meetings in a professional, respectful, courteous manner.

Student Appearance Code

PURPOSE: Help students develop an understanding of appropriate appearance in the school, community, and workplace.

All students are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions. Clothing should be clean and properly fitted. Students and their parents may determine a student's personal dress and grooming standards, provided that they comply with the guidelines in this code.

Teachers and all other district personnel should exemplify and reinforce acceptable student dress that is safe, appropriate, and does not disrupt or interfere with the educational process.

A student's dress, grooming and appearance shall follow the guidelines below:

- a. Be safe, appropriate, and does not disrupt or interfere with the educational process.
- b. The school prohibits unsafe immodest or revealing clothing (i.e., low necklines, bare midriffs). Clothing (shorts, skirts, and dresses) must be of modest length. All students must be covered from mid-thigh to top of chest in non-see through materials. Clothing or styles of clothing that have been modified in a revealing manner are not appropriate.
- c. Ensure that underwear is completely covered with outer clothing.
- d. Include footwear at all times. Footwear that is a safety hazard will not be allowed
- e. Not include the wearing of hats, hoods or other headgear in the school except for a medical or religious purpose or at athletic events. Materials (like bandanas) used as hair bands need to be 3" or smaller in width.
- f. Large or oversized coats/jackets must be put in lockers (this excludes zipper hoodies, fleeces, sweaters, or other light weight jackets that are similar to pull over hoodies, fleeces, or sweaters).
- g. Blankets are not permissible for students to carry or wear around the building.
- h. Not include items that are vulgar, obscene, and libelous, or attack others on the basis of race, color, religion, creed, national origin, gender, sexual orientation or disability.
- i. Not reference or imply the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities.
- j. **Students may not carry book bags, string bags, or other such bags throughout the school building.**

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

Students who violate the student dress code shall be required to modify their appearance by covering or removing the offending item and, if necessary or practical, replacing it with an acceptable item.

Any student who refuses to do so shall be subject to discipline. **A student who has attended one or more classes dressed inappropriately does not mean that the student may not be**

referred for disciplinary action later in the day. Any student who repeatedly fails to comply with the dress code shall be subject to further discipline.

Prohibited Student Conduct

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

The rules of conduct listed below are intended to do that and focus on the purpose and principles outlined in the introduction and ensure safety and respect for the rights and property of others. Students may be subject to disciplinary action, up to and including suspension from school, when they:

- A. Engage in conduct that is disorderly. Examples of disorderly conduct include but are not limited to:
 - 1. Running in hallways.
 - 2. Making unreasonable noise.
 - 3. Using language or gestures that are profane, lewd, vulgar or abusive.
 - 4. Obstructing vehicular or pedestrian traffic.
 - 5. Engaging in any willful act which disrupts the normal operation of the school community.
 - 6. Trespassing. Students are not permitted in the school outside of the regular school day unless they are in an approved activity or with permission from a school administrator.
 - 7. Computer/electronic communications misuse, including any unauthorized use of computers, software, or internet/intranet account; accessing inappropriate websites; or any other violation of the district's acceptable use policy. Need to Include AUP in Code of Conduct

- 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 school employees in charge of students.
 - 2. Lateness, skipping, or leaving school/class without permission.
 - 3. Skipping detention.

- C. Engage in conduct that is disruptive. Examples of disruptive conduct include, but not limited to: Disrupting school or causing or attempting to cause the disruption or obstruction of any lawful mission, process, or function of the school, including any school-sponsored activity, by violence, force, noise, coercion, threat, intimidation, passive resistance, or other disorderly conduct, or urging other students to disrupt or to obstruct the process or function of school by the use of same.

- D. Engage in conduct that is violent. Examples of violent conduct include but are not limited to:
 - 1. Committing an act of violence (such as unwanted touching, hitting, kicking, punching, and scratching) upon any person or animal.
 - 2. Possessing a weapon, displaying what appears to be, or threatening the use of a weapon.
 - 3. Intentionally damaging or destroying property not theirs, including graffiti or arson of property.
 - 4. Threats of violence electronic, verbal or written.

E. Engage in any conduct that endangers the safety, morals, health or welfare of others.

Examples of such conduct include but are not limited to:

1. Lying or false reporting to school personnel or public officials.
2. Stealing property
3. Defamation, which includes making false or public 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.
4. Discrimination, which includes the use of race, color, creed, national origin, religion, gender, sexual orientation or disability as a basis for treating another in a negative manner.
5. Harassment, which includes a sufficiently severe action or pattern of actions or statements directed at an identifiable individual or group which are intended to be or which a reasonable person would perceive as seriously annoying, ridiculing, or demeaning.
6. Intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm.
7. Hazing, whether voluntary or not, which includes any intentional or reckless act directed against another for the purpose of initiation into, affiliating with or maintaining membership in any school sponsored activity, organization, club or team.
8. Selling, viewing, or possessing obscene material.
9. Vulgar or abusive language, cursing or swearing.
10. Possessing, abusing, consuming, selling, distributing or exchanging of illegal substances, or being under the influence. including, but are not limited to:
 - a. tobacco products
 - b. alcoholic beverages
 - c. controlled substances such as prescription and over-the-counter drugs.
 - d. illegal substances such as inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any substances commonly referred to as "designer drugs."
11. Gambling.
12. Indecent exposure, that is, exposure of the private parts of the body in a lewd or indecent manner.

F. Engage in misconduct while on a school bus. It is crucial for students to behave appropriately while riding on district buses to ensure their safety and that of other passengers and to avoid distracting the bus driver. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. Excessive noise, pushing, shoving and fighting will not be tolerated.

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

1. Plagiarism
2. Copyright infringement.
3. Cheating.
4. Copying.
5. Altering records.
6. Assisting another student in any of the above actions.

Reporting Violations

All students are expected to promptly report violations of the code of conduct to any school personnel that is available including teachers, counselors, the building principal or his or her designee.

Any student observing a student possessing a weapon, alcohol or illegal substance on school property or at a school function shall report this information immediately to a teacher, the building principal, the principal's designee or the superintendent.

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

Any weapon, alcohol or illegal substance found shall be confiscated immediately, if possible, followed by notification to the parent of the student involved and the appropriate disciplinary sanction if warranted, which may include permanent suspension and referral for prosecution.

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

Consequences of Student Behavior

Use of progressive discipline is the expectation of the code of conduct. The listed penalties are guidelines; school officials have the right to supersede the guidelines when warranted.

EXAMPLES OF MINOR CODE OF CONDUCT VIOLATIONS

- Bus Violation
- Cell phone use
- Computer procedure violation (AUP)
- Copying/sharing homework
- Disrespect
- Disrupting class
- Dress code violation
- Failure to follow procedures
- Forgery of non-staff signature
- Inappropriate classroom behavior
- Inappropriate hallway behavior
- Inappropriate school behavior
- Lack of homework/class work
- Lying
- Skipping class/detention
- VADIR: New York State Reportable Incidents (see page 13-15)

EXAMPLE OF PROGRESSIVE CONSEQUENCES FOR MINOR VIOLATIONS

- Verbal and/or Written Warning
- Lunch Detention
- Removal from activity
- Short Time-Out
- Loss of Privileges
- After/Before School Detention
- In-School Suspension
- Repeated minor offenses may result in a Major Code of Conduct Violation that may lead to a period of suspension or to a request for a Superintendent's Hearing.

Parents will be notified by telephone or other means within 24 hours of the issuance of disciplinary consequence. Students due process rights will be provided for any consequence that leads to a suspension from class or classes as outlined in this Code of Conduct (see page....)

EXAMPLES OF MAJOR CODES OF CONDUCT VIOLATIONS

- Computer Procedure Violation (AUP) affecting network security and/or internet safety
- Cheating on a test
- Counterfeiting
- Forgery of staff signature
- Repeated or severe Insubordination
- Plagiarism
- Profanity or obscenity
- Trespassing
- Truancy: Excessive Unexcused absences from school or class as defined in the Attendance Policy.
- Smoking or possession of tobacco; including vapes or any other product
- Striking or assaulting school employee
- VADIR: New York State Reportable Incidents (see page 13-15)

EXAMPLE OF PROGRESSIVE CONSEQUENCES FOR MAJOR VIOLATIONS

- Removal from activity
- Loss of Privileges
- After/Before School Detention
- Teacher Removal From Class
- In-School Suspension
- Out-of-School Suspension
- Repeated major offenses may lead to a request for a Superintendent's Hearing that may result in the following:
 - Period of suspension longer than 5 days
 - Expulsion
 - Placement in an Alternative school setting

Parents will be notified by telephone or other means within 24 hours of the issuance of disciplinary consequence. Students due process rights will be provided for any consequence that leads to a suspension from class or classes as outlined in this Code of Conduct (see page....)

DIGNITY FOR ALL STUDENTS ACT (DASA)

What is DASA?

The Dignity for All Students Act is a New York State Law that prohibits harassment, discrimination, and bullying by students to other students and teachers to students.

It states:

No student shall be subjected to harassment by employees or students on school property or at a school function; nor shall any student be subjected 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 by school employees or students on school property or at a school function.

What is harassment?

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

What do I do if I believe harassment is occurring?

Any member of the school community may make a verbal, written, or electronic complaint of harassment to West Valley's Dignity Act Coordinator. The Dignity Act Coordinator is posted throughout the school building and on the school's website. During the school day students may retrieve a "Material Incident Reporting Form" from one of the main offices. Students complete the form and may submit that to any adult in the building or directly to the Dignity Act Coordinator.

The Dignity Act Coordinator will review the "Material Incident" report or the complaint and conduct an investigation. The investigation may include interviews with students, adults, and other school personnel. After completing the investigation, the Dignity Act Coordinator will make a determination with respect to the original report and will communicate the outcome of the investigation to the student who may have been harassed. The Dignity Act Coordinator has a wide range of options to resolve a potential harassment situation including but not limited to, issuing a warning, mediation, disciplinary consequences, contacting parents, contacting law enforcement, etc.

Glossary of Terms used in the Annual Reporting of Incidents Concerning School Safety and Educational Climate (SSEC)

Violent or Disruptive Incident Related Terms

Violent or disruptive incident: an incident that occurs on school property of the school district, board of cooperative educational services, charter school or county vocational education and extension board, and falls under one of these categories:

1. Homicide: any intentional violent conduct that results in the death of another person.

2. Sexual Offenses:

2a. Forcible Sex Offenses: Sex offenses involving forcible compulsion and completed or attempted sexual intercourse, oral sexual conduct, anal sexual conduct or aggravated sexual contact, with or without a weapon including but not limited to penetration with a foreign object, rape and sodomy; or resulting from forcibly touching or grabbing another student on a part of the body that is generally regarded as private, such as buttocks, breast, genitalia.

2b. Other Sex Offenses: Other non-consensual sex offenses involving inappropriate sexual contact, including, but not limited to, touching another student on a part of the body that is generally regarded as private, which includes, but is not limited to, the buttocks, breasts, and genitalia, removing another student's clothing to reveal underwear or private body parts, or brushing or rubbing against another person in a sexual manner. Other sex offenses shall also include, but not limited to conduct that may be consensual or involve a child who is incapable of consent by reason of disability or because he or she is under 17 years of age, provided that such term shall not include consensual sexual conduct involving only students, and/or students 18 years of age or under, unless at least one the individuals participating in the conduct is at least four years older than the youngest individual participating in this conduct.

3. Assault: engaging in behavior intentionally or recklessly that causes physical injury to another person with or without a weapon, in violation of school district code of conduct and falls under one of these categories:

3a. Physical Injury: means impairment of physical condition or substantial pain and includes, but is not limited to, black eyes, welts, abrasions, bruises, cuts not requiring stitches, swelling and headaches not related to a concussion

3b. Serious Physical Injury: means physical injury which creates a substantial risk of death or which causes death or serious and protracted disfigurement or protracted impairment of health or protracted loss or impairment of the function of any bodily organ and requires hospitalization or treatment in an emergency medical care facility outside of school, including but not limited to, a bullet wound, fractured or broken bones or teeth, concussions, cuts requiring stitches and any other injury involving risk of death or disfigurement.

4. Weapons Possession: possession of one or more weapons, except possession in a classroom or laboratory as part of an instructional program or in a school-related activity under the supervision of some teacher or other school personnel as authorized by school officials and falls under one of these categories:

4a. Routine Security Checks: possession of one or more weapons (see list below) secured through routine security checks.

Weapons: means one or more of the following dangerous instruments:

1. firearm, including, but not limited to, a rifle, shotgun, pistol, handgun, silencer, electronic dart gun, stun gun, machine gun, air gun, spring gun, BB gun, or paint ball gun;
2. a switchblade knife, gravity knife, pilum ballistic knife, cane sword, dagger, stiletto, dirk, razor, box cutter, metal knuckle knife, utility knife, or any other dangerous knife;
3. a billy club, blackjack, bludgeon, chukka stick, or metal knuckles;
4. a sandbag or sandclub;
5. a sling shot or slungshot;
6. a martial arts instrument, including, but not limited to, a kung fu star, ninja star, nunchuck, or shiriken;
7. an explosive, including but not limited to, a firecracker or other fireworks;
8. a deadly or dangerous chemical, including, but not limited to, a strong acid or base, mace, or pepper spray;
9. an imitation gun that cannot be easily distinguished from a real gun;
10. loaded or blank cartridges or other ammunition; or
11. any other deadly or potentially dangerous object that is used with the intent to inflict injury or death.

4b. Weapons possessed under other circumstances: Possession of one or more weapons at a school function or on school property which are not discovered through a routine security check, including but not limited to, weapons found in possession of a student or within a locker.

5a. Material Incident of Discrimination, Harassment, and Bullying (excluding Cyberbullying)

A single verified incident or a series of related verified incidents where a student is subjected to harassment, bullying, and/or discrimination by a student and/or employee on school property or at a school function². In addition, such term shall include a verified incident or series of related incidents of harassment or bullying that occur off school property, as defined in Commissioner's regulation §100.2(kk)(1)(viii). Such conduct shall include, but is not limited to, threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex.

Commissioner's regulation 100.2(kk)(1)(vii) provides that harassment or bullying means the creation of a hostile environment by conduct or by threats, intimidation or abuse that either: (a) has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional and/or physical well-being, including conduct, threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause emotional harm; or (b) reasonably causes or would reasonably be expected to cause physical injury to a student or to cause a student to fear for his or her physical safety. Such definition shall include acts of harassment or bullying that occur on school property, at a school function, or off school property where such act 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 purposes of this definition the term "threats, intimidation or abuse" shall include verbal and non-verbal actions.

Bullying is defined as a form of unwanted, aggressive behavior among students that involves a real or perceived power imbalance and that is repeated, or has the potential to be repeated, over time.

Imbalance of power: An imbalance of power involves the use of physical strength, popularity, or access to embarrassing information to hurt or control another person.

Repetition: Bullying typically repeated, occurring more than once or having the potential to occur more than once.

Intent to Harm: The person bullying has the goal to cause harm. Bullying is not accidental.

Discrimination is not specifically defined in the Dignity Act. However, it would include any form of discrimination against students prohibited by state or federal law such as, for example, the denial of equal treatment, admission, and/or access to programs, facilities, and services based on the person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity), or sex. It should be noted that Educational Law §3201 and 3201-a prohibit discrimination in the form of denial of admission into or exclusion from any public school on the basis of race, creed, color, national origin, and sex.

5b. Cyberbullying is defined as harassment or bullying that occurs through any form of electronic communication, (Ed. Law §11[8]) including, but not limited to, cell phones, computers, and tablets, or other communication tools, including social media sites, text messages, chat rooms, and websites. (See definition of harassment or bullying as defined in 5a. and Commissioner's regulation 100.2(kk)(1)(viii))

6. Bomb Threat: a telephoned, written or electronic message that a bomb, explosive, or chemical or biological weapon has been or will be placed on school property.

7. False Alarm: Causing a fire alarm or other disaster alarm to be activated knowing there is no danger or, through false reporting of a fire or disaster.

8. Use, Possession, or Sale of Drugs: illegally using, possessing or being under the influence of a controlled substance or marijuana on a person, on school property or at a school sponsored event. This includes in a locker, a vehicle or other personal space; selling or distributing a controlled substance or marijuana on school property or at a school sponsored event; finding a controlled substance or marijuana on school property that is not in the possession of any person. This does not apply to the lawful administration of a prescription drug on school property.

9. Use, Possession, or Sale of Alcohol: illegally using, possessing, or being under the influence of alcohol on school property or at a school function. This includes possessing alcohol on a person, in a locker, a vehicle or other personal space; selling or distributing alcohol on school property or at a school function; and finding alcohol on school property that is not in the possession of any person.

Corporal Punishment

Corporal punishment is any act of physical force upon a student for the purpose of punishing that student. Corporal punishment of any student by any district employee is strictly forbidden. However, in situations where alternative procedures and methods that do not involve the use of physical force cannot reasonably be used, reasonable physical force may be used to:

- a. Protect oneself, another student, teacher or any person from physical injury.
- b. Protect the property of the school or others.
- c. Contain or remove a student whose behavior interferes with the orderly exercise and performance of school district functions, powers and duties, if that student has refused to refrain from further disruptive acts. The district will file all complaints about the use of corporal punishment with the Commissioner of Education in accordance with Commissioner's regulations.

Student Searches and Interrogations

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

The Board authorizes the superintendent and his or her designee’s to conduct searches of students and their belongings if the authorized designee has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the district code of conduct. An authorized school official may conduct a search of a student’s belongings that is minimally intrusive, such as touching the outside of a book bag, without reasonable suspicion, so long as the school official has a legitimate reason for the very limited search.

An authorized school official may search a student or the student’s belongings based upon information received from a reliable informant. Individuals, other than the district employees, will be considered reliable informants if they have previously supplied information that was accurate and verified, or they make an admission against their own interest, or they provide the same information that is received independently from other sources, or they appear to be credible and the information they are communicating relates to an immediate threat to safety.

District employees will be considered reliable informants unless they are known to have previously supplied information that they knew was not accurate. Before searching a student or the student’s belongings, the authorized school official should question the student regarding their knowledge/involvement, that he or she possesses physical evidence that they violated the law or the district code, and/or allow the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought. Whenever practicable, searches will be conducted in the privacy of administrative offices and students will be present when their possessions are being searched.

A. Student Lockers, Desks and other School Storage Places

The rules in this code of conduct regarding searches of students and their belongings do not apply to student lockers, desks and other school storage places. Students have no reasonable expectation of privacy with respect to these places and school officials retain complete control over them. This means that student lockers, desks and other school storage places may be subject to search at any time by school officials, without prior notice to students and without their consent.

B. Strip Searches

A strip search is a search that requires a student to remove any or all of his or her clothing, other than an outer-wear such as a “hoodie”, coat, or jacket. If an authorized school official believes it is necessary to conduct a strip search of a student, the school official may do so only if the search is authorized in advance by the superintendent or the school attorney. The only exception to this rule requiring advanced authorization is when the school official believes there is an emergency situation that could threaten the safety of the student or others.

Strip searches may only be conducted by an authorized school official of the same sex as the student being searched and in the presence of another district professional employee who is also of the same sex as the student. In every case, the school official conducting a strip search must have probable cause – not simply reasonable cause – to believe the student is concealing evidence of a violation of law or the district code. In addition, before conducting a strip search, the school official must consider the nature of the alleged violation, the student’s age, the student’s record and the need for such a search. School officials will attempt to notify the student’s parent

by telephone before conducting a strip search, or in writing after the fact if the parent could not be reached by telephone.

C. Documentation of Searches

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

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

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

D. Police Involvement in Searches and Interrogations of Students

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

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

Before police officials are permitted to question or search any student, the building principal or his or her designee shall first try to notify the student's parent to give the parent the opportunity to be present during the police questioning or search. If the student's parent cannot be contacted prior to the police questioning or search, the questioning or search shall not be conducted. The principal or designee will also be present during any police questioning or search of a student on school property or at a school function. Students who are questioned by police officials on school property or at a school function will be afforded the same rights they have outside the school.

This means:

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

Attendance

CODE OF STUDENT ATTENDANCE

The West Valley Central School Board of Education expects students to be regular in their attendance. The primary purpose of a school is to educate its students to become responsible citizens and to prepare them for entry-level employment or higher education. All students are required by state law to attend school every day unless they have a legal excuse.

Legal excuses for absences, tardy, early dismissal and class attendance include:

- personal illness,
- doctors' appointments,
- death in the family,
- religious observances,
- quarantine,
- required court attendance,
- school sponsored activities and,
- documented pre-arranged college visits.

Excused absences other than these conditions may be granted on a case by case basis by the building principal. All others absences are considered to be unexcused.

DAILY ATTENDANCE PROCEDURES AND POLICIES

1. Attendance will be taken during each class period and submitted electronically to the attendance officer.
2. All students should strive for perfect attendance. To qualify for perfect attendance, students must be in school for at least half of a school day or 4 academic periods.
3. Following any absence, a student must report to the attendance office and present a written excuse from the parent or guardian. A phone call is not sufficient. New York State requires schools to have written excuse notes from parents/guardians for all absences and tardiness. They are required to be on file for several years.
4. Tardy/late to school is defined as entering school at any point after the start of the 1st academic period or designated homeroom period. For a tardy to school to be excused students must have an "excused reason" (listed above) and must bring in a note signed by the parent when they enter school. If the parent calls the attendance office before the student arrives tardy, the note may be turned in on the following day.
 - Students will serve a detention on the occurrence of the 4th unexcused tardy/late to school and every one thereafter for each semester.
 - On the 6th unexcused tardy/late to school a student will be referred for further remediation that may include a parent conference and/or discipline consequences above and beyond after-school detention which may include In-School Suspension.
5. Students leaving school for any reason during the day must have a note signed by a parent that states the reason for leaving early. This note must be must be approved by the attendance office before homeroom. Students who wish to go home due to illness must get approval from the health office. Students leaving school early for any reason must then sign-out in the attendance office. The only "excused reasons" for leaving school early are the same as legal excused absences defined above.
6. Students entering school any time after homeroom must sign-in at the attendance office.

MINIMAL ATTENDANCE PROCEDURE

1. Parents will be notified of the number of absences as part of the quarterly report cards.
2. Parents will also be notified by letter, throughout the school year, when a student has reached 6, 10, and 15 daily unexcused absences. Copies will be given to the guidance counselor to allow support personnel an opportunity to assist the student with their attendance. A conference may be held with the student, parent, principal, guidance counselor, and other support personnel to work towards a resolution of the attendance issues of the student.
3. In order to earn credit for a class, students may not have more than 20 unexcused absences from class for a full credit course or more than 10 unexcused absences from class for a half credit course.
4. If 21 unexcused absences for a full credit course or 11 for a ½ credit course are reached, the student may forfeit the opportunity to receive credit for the course. If a student with more than 20 (full year course) or 10 (half year course) unexcused absences takes all tests, completes all missed class work and secures a passing grade, course credit will be given.
5. If credit is denied, the student or parent/guardian may file a written appeal with the Superintendent. An Attendance Committee consisting of the Principal, attendance officer, guidance counselor, school health office, one elementary teacher and/or one secondary teacher may then consider that appeal. In any appeal there must also be documentation from the classroom teacher that missed classes and homework assignments have been made up by the student. The committee may allow credit for said course as long as all other course requirements have been met by the student who is appealing.

SPECIAL COURSE REQUIREMENTS

6. All students must have two credits of physical education for graduation, unless medically excused. The student with excessive absenteeism will be counseled by the Principal who will work with the counselor and teachers. The student will be advised of the necessity of Physical Education and will remain in the course.
7. Students transferring from outside the district will have their attendance prorated for the year.

PERFECT ATTENDANCE POLICY K- 12

The students receive a Certificate of Perfect Attendance and/or a ribbon when they have achieved perfect attendance for the year.

Miscellaneous Topics

DANCES

- Guests must be students of other secondary schools and have the guest form signed by the principal of the home school.
- Seniors may be given the privilege of bringing guests that are out of high school for certain designated dances (Homecoming, Winter Ball, and Prom).
- All students must remain within the building during a dance. Once a student leaves the building he/she will not be able to re-enter and his/her parents may receive a phone call informing them that the student has left the dance early.
- Students on the Restricted Activity list may attend if they give the Dean what is owed. Students on AI or RA who come to the dance without permission will be sent home, or restricted to the district office for the duration of the dance, and the Dean may assign I.S.S. the next school day.

ELECTRONIC DEVICES

With **TEACHER APPROVAL** electronic devices including but not limited to, cell phones, ear buds, headphones, tablets, and smart watches, can be used/worn in study halls, lunch, and classrooms when students are working individually on academic work. Electronic devices cannot be used during testing or during regular class time (full class teaching, group work, etc.)

Ear buds, headphones, or other listening devices that obstruct the ability of student hear/receive instructions shall not be worn in the hallways.

The use (or non-use) of personal music devices is always at the discretion of the supervising adult.

INAPPROPRIATE ARTICLES

Some items that may be acceptable at home are not appropriate for school. Occasionally a teacher needs to put away a student's toys or attractions. Such articles are eventually returned, either to the pupil or the parents, whichever seems more appropriate.

DISPLAYS OF AFFECTION

Students may hold hands, put an arm around one another in hallways and lunch but no further public displays of affection are appropriate in school. No public display of affection of any sort is acceptable in class.

LATE BUS

In order to ride the late bus, students must sign up for the late bus by the end of school. Students must also present a bus pass to the bus driver with appropriate signatures indicating that the student was with a staff member or mentor since the end of the school day.

Students on suspension (ISS or OSS) on Academic Ineligibility (AI) or Restricted Activity (RA) must leave school property at the end of the school day and may not return until the following day. The only exceptions are if the student is serving detention, or if the student has been granted special permission from the principal.

ELLCOTTVILLE BOCES VO-TECH

Transportation: All students must ride the bus provided by the school unless he/she has obtained prior written permission. Permission to drive may be granted under certain circumstances when the appropriate forms are filled out and signed by parents, BOCES administration and WVCS administration. The form must be on file before a student begins to drive to or from BOCES.

If BOCES classes are cancelled due to any emergency (weather, illness, impassable road, etc.), the following procedures will be used:

1. All BOCES students are to report to the guidance office to determine where they are going to be for the periods they are in the building and are not scheduled for a regular class. The guidance counselor will conduct this meeting and compile a list.
2. Students wishing to leave the premises will be given the opportunity to make phone contact with their parents to obtain permission.
3. The list then will be distributed to all teachers in the secondary.

Any student found wandering the hall will be sent to the office, pass revoked and assigned to studyhalls for the remainder of the half day (with no sign-out privileges).

Cafeteria

The school cafeteria is maintained as a vital part of the health program of the school. A well-balanced lunch is offered at a reasonable price, and students are encouraged to participate in the varied lunch program.

Cafeteria Rules:

- Deposit all litter in garbage cans.
- Return all trays and utensils to the dishwashing area.
- Leave the table and floor around your place in a clean condition.
- Follow the requests of cafeteria workers or teachers in charge of the cafeteria.
- Do not use profanity.
- Do not throw food.

FAILURE TO COMPLY WITH REASONABLE REQUESTS OF THE LUNCH MONITORS MAY RESULT IN DISCIPLINARY ACTION.

Transportation

BUS REGULATIONS

Safe reliable transportation for our students is always a concern of parents and staff. Safe drivers and safe buses have made this part of the school day pleasant for students for many years. We strive to have the best routing and timing to get our students to school safely and, on time.

Parents can do several things to help with this job:

1. Try to establish a morning routine so that students have time for a proper breakfast, dressing and organization of materials for school.
2. Allow about five minutes variation in bus arrival time.
3. Get to know the bus driver. He/She is the student's first and last contact with school each day.

If there is a question about transportation or bus drivers, please contact the Superintendent at 942-3100.

BUS REGULATIONS - STUDENT RESPONSIBILITIES

Students are expected to accept certain responsibilities in return for the privilege of riding the school bus. Please understand that a student may lose his/her privilege if he/she fails to follow bus rules and directions of the bus driver. The student must be on time at the bus stop which means getting there prior to the arrival of the bus.

Please review with the student the following important rules:

1. Always go to the correct bus stop and ride the bus assigned.
2. Respect other people's property and stay off lawns and gardens.
3. Stay safely out of the road while waiting.
4. Line up with the other students when the bus arrives.
5. Be courteous to one another.
6. Don't crowd or push.
7. Look out for younger children.

RULES FOR BUS PASSENGERS

1. Stay seated until bus comes to full stop.
2. Unacceptable language is not allowed.
3. Keep bus neat and clean.
4. Windows must remain closed unless students have permission to open them.
5. No fighting or quarreling is allowed on the bus.
6. Students may not change seats after they are seated on the bus.
7. Always face forward while riding the bus.
8. The bus driver is in complete charge of students.
9. There is to be no food or drink consumed on the bus without bus driver permission.
10. A student must be 15 feet from the bus before the bus can move. Because of this, no students should be going to the family mailbox until the bus is out of sight of the student.

MISBEHAVIOR ON THE BUS

The driver shall report all incidents directly to the Dean or Principal through a disciplinary referral. Students may be subject to disciplinary consequences outlined in this code of conduct.

NOTE: For the safety of all students in West Valley, if the bus incident is severe enough, loss of bus privileges may occur at any stage of the disciplinary process.

SCHOOL BUS BAGGAGE

The New York State Department of Transportation has certain regulations concerning items which may be transported on district school buses. The district must comply with these regulations while permitting students to carry necessary items on the school bus whenever possible.

Baggage which can be held comfortably on the student's lap may be carried on the bus. Most items that are too big and/or bulky may be tied down under the seat or secured at the rear of the bus in a cargo net. No items may be permitted which protrude into the aisle hampering normal or emergency exiting.

There are some items which may NOT be carried on school buses, **including weapons, glass containers, flammable products, aerosol cans, certain live insects or animals, etc.**

The Department of Transportation states that the bus driver is responsible for determining what will be carried on the school bus. Questions are to be directed to the student's bus driver or the Principal.

OTHER TRANSPORTATION: MOTOR VEHICLES

No unlicensed cars or trucks are to be on school property for any reason. To prevent injury to those people on the school's campus, motorbikes and ATVs are not permitted on school property. Violators will be warned or reported to the local law enforcement agency. Students may lose their privilege of driving to school if their driving is seen as a danger to the student population or themselves

DRIVING TO SCHOOL

If a student is permitted to drive (or ride a bicycle or walk to school) here are a few guidelines to help instruct him/her on school rules.

1. Students will be expected to complete a parking/driving permit form.
2. Drivers and passengers must come into the school building as soon as they arrive in the parking lot. **Students may not sit in parked vehicles in the parking lot.**
3. Students arriving to school before the homeroom period should go to the cafeteria or be in a classroom with a teacher. Students should not be in any other part of the building.
4. Once a student vehicle has arrived at school, it may not leave again until the close of school, **unless with special permission from the Principal.** Students that drive to

- school and decide to leave while school is in session, without permission, will be subject to disciplinary consequences.
5. Student drivers should not carry passengers without parental knowledge and consent. Parents may want to check their insurance before allowing extra riders.
 6. No student may ride home with another without permission from his/her parents.
 7. Ensure that all traffic regulations are followed and safety precautions are taken.

Disciplinary Procedures

The amount of due process a student is entitled to receive before a penalty is imposed depends on the penalty being imposed. In all cases, regardless of the penalty imposed, the school personnel authorized to impose the penalty must inform the student of the alleged misconduct and must investigate, to the extent necessary, the facts surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to the school personnel imposing the disciplinary penalty in connection with the imposition of the penalty. Students who are to be given penalties other than an oral warning, written warning or written notification to their parents are entitled to additional rights before the penalty is imposed. These additional rights are explained below.

1. Detention: Teachers, principals and the superintendent may use after school detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate.
2. Suspension from transportation: If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the building principal's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the building principal or the superintendent or their designees. In such cases, the student's parent will become responsible for seeing that his or her child gets to and from school safely. Should the suspension from transportation amount to a suspension from attendance, the district will make appropriate arrangements to provide for the student's education. A student subjected to a suspension from transportation is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the building principal or the principal's designee to discuss the conduct and the penalty involved.
3. Suspension from athletic participation, extra curricular activities and other privileges: A student subjected to a suspension from athletic participation, extra-curricular activities or other privileges is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the district official imposing the suspension to discuss the conduct and the penalty involved.
4. In-school suspension: The board recognizes the school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the board authorizes building principals and the superintendent to place students who would otherwise be suspended from school as the result of a code of conduct violation in "in-school suspension." The in-school suspension teacher will be a certified teacher. A student subjected to an in-school suspension is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the district official imposing the in-school suspension to discuss the conduct and the penalty involved.
5. Student Time-out: A student's behavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In most instances the classroom teacher can control a student's behavior and maintain or restore control over the classroom by using good

classroom management techniques. These techniques may include practices that involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain his or her composure and self-control in an alternative setting. Such practices may include, but are not limited to: (1) short-term “time out” in an administrator’s office; (2) sending a student into the hallway briefly; (3) sending a student to the principal’s office for the remainder of the class time only; or (4) sending a student to a guidance counselor or other district staff member for counseling. Time-honored classroom management techniques such as these do not constitute disciplinary removals for purposes of this code

6. Teacher disciplinary removal of student: On occasion, a student’s behavior may become disruptive. For purposes of this code of conduct, a disruptive student is a student who is substantially disruptive of the educational process or substantially interferes with the teacher’s authority over the classroom.

A substantial disruption of the educational process or substantial interference with a teacher’s authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher’s instructions or repeatedly violates the teacher’s classroom behavior rules. A classroom teacher may remove a disruptive student from class for up to two days. The removal from class applies to the class of the removing teacher only.

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

If the student poses a danger or ongoing threat of disruption, the teacher may order the student to be removed immediately. The teacher must, however, explain to the student why he or she was removed from the classroom and give the student a chance to present his or her version of the relevant events within 24-hours. The teacher must complete a district-established disciplinary removal form and meet with the principal or his or her designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the removal form. If the principal or designee is not available by the end of the same school day, the teacher must leave the form with the secretary and meet with the principal or designee prior to the beginning of classes on the next school day.

Within 24-hours after the student’s removal, the principal or another district administrator designated by the principal must notify the student’s parents, in writing, that the student has been removed from class and why. The notice must also inform the parent that he or she has the right, upon request, to meet informally with the principal or the principal’s designee to discuss the reasons for the removal. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the student’s removal at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents.

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

1. The charges against the student are not supported by substantial evidence.
2. The student’s removal is otherwise in violation of law, including the district’s code of conduct.

3. The conduct warrants suspension from school pursuant to Education Law §3214 and a suspension will be imposed.

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

Any disruptive student removed from the classroom by the classroom teacher shall be offered continued educational programming and activities until he or she is permitted to return to the classroom. Each teacher must keep a complete log (on a district provided form) for all cases of removal of students from his or her class. The principal must keep a log of all removals of students from class. Removal of a student with a disability, under certain circumstances, may constitute a change in the student's placement. Accordingly, no teacher may remove a student with a disability from his or her class until he or she has verified with the principal or the chairperson of the Committee on Special Education that the removal will not violate the student's rights under state or federal law or regulation.

6. Suspension from school: Suspension from school is a severe penalty, which may be imposed only upon students who are insubordinate, disorderly, violent or disruptive, or whose conduct otherwise endangers the safety, morals, health or welfare of others. The board retains its authority to suspend students, but places primary responsibility for the suspension of students with the superintendent and the building principals. Any staff member may recommend to the superintendent or the principal that a student be suspended. All staff members must immediately report and refer a violent student to the principal or the superintendent for a violation of the code of conduct. All recommendations and referrals shall be made in writing unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases a written report is to be prepared as soon as possible by the staff member recommending the suspension. The superintendent or principal, upon receiving a recommendation or referral for suspension or when processing a case for suspension, shall gather the facts relevant to the matter and record them for subsequent presentation, if necessary.

a. Short-term (5 days or less) suspension from school: When the superintendent or principal (referred to as the "suspending authority") proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law §3214(3), the suspending authority must immediately notify the student orally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student's parents in writing that the student may be suspended from school. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting the parents. The notice shall provide a description of the charges against the student and the incident for which suspension is proposed and shall inform the parents of the right to request an immediate informal conference with the principal. Both the notice and informal conference shall be in the dominant language or mode of communication used by the parents. At the conference, the parents shall be permitted to ask questions of complaining witnesses under such procedures as the principal may established. The notice and opportunity for an informal conference shall take place before the student is suspended unless the student's presence in school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process. If the student's presence does pose such a danger or threat of disruption, the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable. After the conference, the principal shall promptly advise the parents in writing of his or her decision. The principal shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a

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

b. Long-term (more than 5 days) suspension from school: When the superintendent or building principal determines that a suspension for more than five days may be warranted, he or she shall give reasonable notice to the student and the student's parents of their right to a fair hearing. At the hearing the student shall have the right to be represented by counsel, the right to question witnesses against him or her and the right to present witnesses and other evidence on his or her behalf. The superintendent shall personally hear and determine the proceeding or may, in his or her discretion, designate a hearing officer to conduct the hearing. The hearing officer shall be authorized to administer oaths and to issue subpoenas in conjunction with the proceeding before him or her. A record of the hearing shall be maintained, but no stenographic transcript shall be required. A tape recording shall be deemed a satisfactory record. The hearing officer shall make findings of fact and recommendations as to the appropriate measure of discipline to the superintendent. The report of the hearing officer shall be advisory only, and the superintendent may accept all or any part thereof. An appeal of the decision of the superintendent may be made to the Board that will make its decision based solely upon the record before it. All appeals to the Board must be in writing and submitted to the district clerk within 10 business days of the date of the superintendent's decision, unless the parents can show that extraordinary circumstances precluded them from doing so. The Board may adopt in whole or in part the decision of the superintendent. Final decisions of the board may be appealed to the Commissioner within 30 days of the decision.

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

Minimum Periods of Suspension

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

- a) The student's age.
- b) The student's grade in school.
- c) The student's prior disciplinary record.
- d) The superintendent's belief that other forms of discipline may be more effective.
- e) Input from parents, teachers and/or others.
- f) Other extenuating circumstances.

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

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

will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension.

If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

3. Students who are repeatedly substantially disruptive of the educational process or repeatedly substantially interferes with the teacher's authority over the classroom: Any student, other than a student with a disability, who repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom will be suspended from school for at least five days. For purposes of this code of conduct, "repeatedly is substantially disruptive" means engaging in conduct that results in the student being removed from the classroom by teacher(s) pursuant to Education Law §3214(3-a) and this code on four or more occasions during a semester, or three or more occasions during a trimester. If the proposed penalty is the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

Alternative Instruction

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

Students that are of compulsory school age, between 6 and 16, are entitled to the continuation of instructional services when they are suspended for school or class. Elementary students are entitled to one hour of instruction per day for each day of suspension. Secondary students are entitled to two hours of instruction per day for each day of suspension.

Discipline of Students with Disabilities

The Board recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior. The Board also recognizes that students with disabilities enjoy certain procedural protections whenever school authorities intend to impose 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

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 § 3214.
 - b) A "removal" means a removal for disciplinary reasons from the student's current educational placement other than a suspension and change in placement to an interim

- alternative educational setting (IAES) ordered by an impartial hearing officer because the student poses a risk of harm to himself or herself or others.
- c) An "IAES" means a temporary educational placement for a period of up to 45 days, other than the student's current placement at the time the behavior precipitating the IAES placement occurred, that enables the student to continue to progress in the general curriculum, although in another setting, to continue to receive those services and modifications, including those described on the student's current individualized education program (IEP), that will enable the student to meet the goals set out in such IEP, and include services and modifications to address the behavior which precipitated the IAES placement that are designed to prevent the behavior from recurring.
2. School personnel may order the suspension or removal of a student with a disability from his or her current educational placement as follows:
 - a) The Board, the district (BOCES) superintendent of schools or a building principal may order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed five consecutive school days and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior.
 - b) The superintendent may order the placement of a student with a disability into an IAES, another setting or suspension for 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, if the superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.
 - c) The superintendent may order additional suspensions of not more than 10 consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement.
 - d) The superintendent may order the placement of a student with a disability in an IAES to be determined by the Committee on Special Education (CSE), for the same amount of time that a student without a disability would be subject to discipline, but not more than 45 days, if the student carries or possesses a weapon to school or to a school function, or the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function.
 - 1) "Weapon" means the same as "dangerous weapon" under 18 U.S.C. § 930(g)(w) which includes "a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except...[for] a pocket knife with a blade of less than 2 1/2 inches in length."
 - 2) "Controlled substance" means a drug or other substance identified in certain provisions of the federal Controlled Substances Act specified in both federal and state law and regulations applicable to this policy.
 - 3) "Illegal drugs" means a controlled substance except for those legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or any other federal law.
 3. 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 placement poses a risk of harm to the student or others.

B. Change of Placement Rule

1. A disciplinary change in placement means a suspension or removal from a student's current educational placement that is either:
 - a) for more than 10 consecutive school days; or

- b) for a period of 10 consecutive school days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they cumulate to more than 10 school days in a school year and because of such 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.
2. School personnel may not suspend or remove a student with disabilities if imposition of the suspension or removal would result in a disciplinary change in placement based on a pattern of suspension or removal. However, the district may impose a suspension or removal, which would otherwise result in a disciplinary change in placement, based on a pattern of suspensions or removals if 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 weapons, illegal drugs or controlled substances.

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

1. The district's Committee on Special Education shall:
 - a) Conduct functional behavioral assessments to determine why a student engages in a particular behavior, and develop or review behavioral intervention plans whenever the district is first suspending or removing a student with a disability for more than 10 school days in a school year or imposing a suspension or removal that constitutes a disciplinary change in placement, including a change in placement to an IAES for misconduct involving weapons, illegal drugs or controlled substances. If subsequently, a student with a disability who has a behavioral intervention plan and who has been suspended or removed from his or her current educational placement for more than 10 school days in a school year is subjected to a suspension or removal that does not constitute a disciplinary change in placement, the members of the CSE shall review the behavioral intervention plan and its implementation to determine if modifications are necessary. If one or more members of the CSE believe that modifications are needed, the school district shall convene a meeting of the CSE to modify such plan and its implementation, to the extent the committee determines necessary.
 - b) Conduct a manifestation determination review of the relationship between the student's disability and the behavior subject to disciplinary action whenever a decision is made to place a student in an IAES either for misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in his current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension that constitutes a disciplinary change in placement.
2. The parents of a student who is facing disciplinary action, but who has not been determined to be eligible for services under IDEA and Article 89 at the time of misconduct, shall have the right to invoke applicable procedural safeguards set forth in federal and state law and regulations if, in accordance with federal and state statutory and regulatory criteria, the school district is deemed to have had knowledge that their child was a student with a disability before the behavior precipitating disciplinary action occurred. If the district is deemed to have had such knowledge, the student will be considered a student presumed to have a disability for discipline purposes.
 - a) The superintendent, building principal or other school official imposing a suspension or removal shall be responsible for determining whether the student is a student presumed to have a disability.
 - b) A student will not be considered a student presumed to have a disability for discipline purposes if, upon receipt of information supporting a claim that the district had knowledge the student was a student with a disability, the district either:
 - 1) conducted an individual evaluation and determined that the student is not a student with a disability, or
 - 2) determined that an evaluation was not necessary and provided notice to the parents of such determination, in the manner required by applicable law and regulations. If there is no basis for knowledge that the student is a student with a disability prior to

taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as any other non-disabled student who engaged in comparable behaviors. However, if a request for an individual evaluation is made while such non-disabled student is subjected to a disciplinary removal, an expedited evaluation shall be conducted and completed in the manner prescribed by applicable federal and state law and regulations. Until the expedited evaluation is completed, the non-disabled student who is not a student presumed to have a disability for discipline purposes shall remain in the educational placement determined by the district, which can include suspension.

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

D. Expedited Due Process Hearings

1. An expedited due process hearing shall be conducted in the manner specified by the Commissioner's regulations incorporated into this code, if:
2. 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.
3. The parent requests such a hearing from a determination that the student's behavior was not a manifestation of the student's disability, or relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES.
4. 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.
5. 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.

6. An expedited due process hearing shall be completed within 15 business days of receipt of the request for a hearing. Although the impartial hearing officer may grant specific extensions of such time period, he or she must mail a written decision to the district and the parents within five business days after the last hearing date, and in no event later than 45 calendar days after receipt of the request for a hearing, without exceptions or extensions.

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. 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.

Child Protective Services Investigations

Consistent with the district's commitment to keep students safe from harm and the obligation of school officials to report to child protective services when they have reasonable cause to suspect that a student has been abused or maltreated, the district will cooperate with local child protective services workers who wish to conduct interviews of students on school property relating to allegations of suspected child abuse, and/or neglect, or custody investigations. All requests by child protective services to interview a student on school property shall be made directly to building principal or his or her designee. The principal or his or her designee shall set the time and place of the interview. The principal or designee shall decide if it is necessary and appropriate for a school official to be present during the interview, depending on the age of the student being interviewed and the nature of the allegations. If the nature of the allegations is such that it may be necessary for the student to remove any of his or her clothing in order for the child protective services worker to verify the allegations, the school nurse or other district medical personnel must be present during that portion of the interview. No student may be required to remove his or her clothing in front of a child protective services worker or school district official of the opposite sex. A child protective services worker may not remove a student from school property without a court order, unless the worker reasonably believes that the student would be subject to danger of abuse if not he or she were not removed from school before a court order can reasonably be obtained. If the worker believes the student would be subject to danger of abuse, the worker may remove the student without a court order and without the parent's consent.

Visitors to the School

Close communication and supportive relationships between parents/guardians and schools are essential to increasing student achievement and enhancing school climate. The West Valley Central School District supports these efforts through effective and appropriate visitations to school and to classrooms by parents/guardians, community members, and other appropriate individuals, subject to the following guidelines:

1. Parents/guardians may request a visit to their child's classroom(s) through the Building Principal, at which time the purpose of the visit will be established. The date and time of the visit will be mutually agreed upon directly between the parent/guardian and the teacher. The Building Principal will be notified, in advance, of the arrangements which have been agreed upon for the visit.
2. Teachers may request that a parent/guardian visit the classroom by directly contacting the parent/guardian and establishing a mutually agreed upon time and date. The Building Principal will be notified of the visit, in advance.

3. Visitations by individuals other than parents/guardians shall be arranged directly between the Building Principal and the individual making the request. The purpose of the visit will be made clear at the time in order to facilitate appropriate arrangements.
4. Visitation will occur in a way that avoids or minimizes disruption to the normal learning process and the ordinary classroom routine. The Building Principal may be present when appropriate. Visitors agree to maintain confidentiality regarding information which they acquire during the course of the visit as explained to the visitor by the Building Principal.
5. Individuals visiting the schools are to go directly to the Main Office of the buildings which they are planning to visit, and follow the specific visitor procedures prescribed by that building.
6. If a staff member notices that a visitor does not report to the Main Office upon entering the building, he/she should report that occurrence to the Building Principal/designee.
7. Before a child may be taken from the building, by a non-school person, the visitor must be recognized by the Building Principal or his/her designee as one having the legal right to take the child. The visitor will wait in the Main Office for the child to come from the classroom and/or follow other duly approved procedures for that building.
8. Signs will be posted throughout the school building directing visitors to report to the Main Office.

BOARD OF EDUCATION POLICY (3210, 3210R)

Public Conduct on School Property

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

“Be it resolved, that the West Valley Central School Board of Education hereby prohibits the practice of loitering on school grounds, at any time, by persons who are not attending classes at WVCS and have no other apparent cause to be on school property. This provision extends to persons of all ages.” (April 2004)

A. Prohibited Conduct

No person, either alone or with others, shall:

1. Intentionally injure any person or threaten to do so.
2. Intentionally damage or destroy school district property or the personal property of a teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
3. Disrupt the orderly conduct of classes, school programs or other school activities.
4. Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.
5. Intimidate, harass or discriminate against any person on the basis of race, color, creed, national origin, religion, age, gender, sexual orientation or disability.
6. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
7. Obstruct the free movement of any person in any place to which this code applies.
8. Violate the traffic laws, parking regulations or other restrictions on vehicles;

9. Possess, consume, sell, distribute or exchange alcoholic beverages, controlled substances, or be under the influence of either on school property or at a school function.
10. Possess or use weapons in or on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by the school district.
11. Loiter on or about school property.
12. Refuse to comply with any reasonable order of identifiable school district officials performing their duties.
13. Willfully incite others to commit any of the acts prohibited by this code.
14. Violate any federal or state statute, local ordinance or board policy while on school property or while at a school function.

B. Penalties

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

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

C. Enforcement

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

Athletic Code of Conduct

1. STATEMENT OF CODE AND DEFINITIONS

A. Participation in athletics requires keen minds and healthy bodies and high levels of training and conditioning. Individual performance and team success are dependent upon the following universally recognized training rules both in school practice, and in those times between practices when student-athletes are away from school. In addition to encouraging pupils to develop their athletic skills, the district encourages and promotes excellent sportsmanship, competence, character, civility and citizenship. Student-athletes wearing the letter of the school are uniquely

identified with the school district and their actions and behaviors reflect on them as individuals, their team and on the school district.

B. Student-athlete refers to any student participating on a school sponsored athletic team. The student-athlete is held to the conditions of the athletic code of conduct from the first day of the season until the last.

C. This athletic code of conduct has been adopted to promote excellent sportsmanship and sound moral judgment from all student-athletes. The consequences that this code of conduct imposes for poor judgment by the student-athlete will be enforced in order to educate the individual about setting clearer goals and more consistent boundaries for his/her behavior. Ultimately, this code will assist student-athletes in making proper decisions about his/her future within athletics and as a mature young adult.

2. CONDITIONS FOR PARTICIPATION IN ATHLETICS

A. The student-athlete must have an approved annual physical examination before participating in team practices.

B. The student-athlete will be provided with an athletic code of conduct to be read in full, signed by the student-athlete and his/her parent/guardian and returned to the coach prior to the first day of practice. Along with this code of conduct, student-athletes are required to complete and return in full a medical emergency card and an updated medical history report prior to the first day of practice.

3. TRAINING RULES: CONSUMPTION/POSSESSION OF ALCOHOL, TOBACCO AND/OR CONTROLLED SUBSTANCE

A. Consumption and use of alcohol, tobacco and/or controlled substances have been determined to be adverse to good health and possibly a violation of law. These substances are prohibited, in order to protect the health of student-athletes and to encourage proper conditioning practices for a successful athletic experience.

B. Student-athletes who are found to be in possession of alcohol, tobacco and/or a controlled substance will also be found in violation of the athletic code of conduct.

C. Student-athletes who are seen consuming and/or in possession of alcohol, tobacco and/or a controlled substance within any type of photographs, cyber imaging, etc (My Space, Face Book, etc) within the season, regardless of when the images were taken, will also be in violation of the athletic code of conduct.

D. If student-athletes are attending a party/gathering, in which alcohol or drugs are being illegally dispensed, the student-athlete must leave the party/gathering immediately and report their attendance to a coach or administrator before the end of the next school day. Be sure to leave IMMEDIATELY upon arriving and encourage as many of your teammates to leave as well.

4. OTHER RULES AND REGULATIONS

A. Each athlete will participate under the eligibility requirements, rules and regulations of the NYS Commissioner of Education and the NYS Public High School Athletic Association, as well as the West Valley Central School Board of Education.

B. Student-athletes must be in school by the end of fourth period in order to practice or play in a game that day unless there are extenuating circumstances satisfactory to the coach/administration.

C. Student-athletes on school suspension may not practice or play during the period of suspension. Students may practice or play after detention.

D. Student-athletes on Academic Ineligibility (AI) will not be allowed to practice or play games. Students are placed on the AI list when failing one or more subjects and have failed to meet the requirements of the Student Success Plan.

E. Student-athletes permanently suspended, who have quit for the season, will not receive certificates or other letter awards. Also, student-athletes who are suspended from a sports team may not join or participate in any way on another team during the remainder of that sports season.

F. Student-athletes must ride the bus to and from games. At the discretion of the coach, parents may request athletes to ride home with other parents or themselves. Athletes and parents must report to the coach and sign-out prior to leaving an away sporting event.

G. Hazing – An activity that is expected of a student-athlete in order to join a team or to stay a part of a team that humiliates, degrades or risks emotional or physical harm, regardless of the athlete's willingness to participate is not allowed. Any student-athlete who is involved with initiating and/or enforcing any type of hazing activity will be in violation of the athletic code of conduct.

H. Mandatory Reporting Requirement – Any student-athlete who is arrested during the course of a season is required to report this incident to the Superintendent, who will in turn contact the Athletic Director. The incident could be deemed a violation of the athletic code of conduct, and may be subject to disciplinary action. The form to be completed is attached as Appendix A, and will be kept securely in the Superintendent's office.

I. The “**DO GOOD RULE**” can be applied to a wider range of misconduct performed by a student-athlete. The athletic code of conduct cannot list all of the things that might require some form of discipline therefore a student-athlete must anticipate that any action of his/hers that reflects poorly on the team, school or community's perception of our program will result in disciplinary action. Athletes are measured by a higher standard than most students because of their visibility and prestige. Any actions that reflect negatively upon that image will be subject to discipline. The discipline may range from a reprimand to dismissal from the team.

5. COACHES' AUTHORITY

Coaches may establish other rules as they deem necessary and prudent for the participation of student-athletes in sports. They may use their judgment in handling problems that may develop during the season which are not specifically covered in this code of conduct.

6. REPORTING OF VIOLATIONS OF ATHLETIC POLICY

Coaches, responsible adults and employees of West Valley Central School District may report, in writing, actions of the student-athletes which are contrary to the athletic code of conduct to the Superintendent and/or Athletic Director. The alleged violation will be reviewed with the superintendent, the Director of Physical Education and Athletics, Athletic Director and coach. Persons providing information must be willing to give evidence at a hearing scheduled in accord with this code.

7. APPEAL PROCEDURES

A student-athlete or his/her parents/guardians may appeal the disciplinary action taken by the coach and/or the athletic department. Such appeal shall be made to the athletic council by notification given to the Superintendent. A hearing by the athletic council shall be scheduled no later than five school days from the receipt of the notice of the appeal. The student-athlete and his/her parents/guardians shall have the right to appear before the athletic council. The appeal will be decided by a majority vote of coaches and the Athletic Director. To render the decision, the council must have five members present with the majority voting to uphold or deny the appeal. A written notice of the decision will be sent to the pupil and the Superintendent.

An appeal of the above decision may be made to the Superintendent and the Director of Physical Education and Athletics within two school days.

8. HEARSAY AND RUMORS

Hearsay and rumors may be investigated by the coach and/or Athletic Director. Disciplinary action can be taken against a pupil if adequate proof of a violation is found or an admission of a violation by the student-athlete is made.

9. DISCIPLINARY ACTION

The following disciplinary actions shall be followed if a student is found in violation of the athletic code of conduct.

1st offense: The first offense to the athletic code of conduct will result in a two week suspension from practice and game play. There will also be a mandatory

meeting with the coach, Athletic Director, student-athlete, school counselor and the parent/guardian about the violation prior to returning to competition. It will be determined at this time whether further counseling will be required.

2nd offense: The second offense will result in dismissal from the team for the remainder of the season. Prior to participating in any future West Valley Central School sponsored athletic team, the student-athlete and the parent/guardian must be present at a mandatory meeting with the coach, Athletic Director, school counselor, the Director of Physical Education and Athletics and/or an administrator. It is at this time that the coach, Athletic Director and the administrator involved will determine if any further counseling is necessary for the student.

3rd offense: The third offense in the same school year will result with the student-athlete's suspension from participation on any West Valley Central School sponsored athletic team for one calendar year. Prior to participating in any future West Valley Central School sponsored athletic team, the student-athlete and the parent/guardian must be present at a mandatory meeting with the coach, Athletic Director, school counselor, the Director of Physical Education and Athletics and/or an administrator. It is at this time that the coach, Athletic Director and the administrator involved will determine if any further counseling is necessary for the student.

10. OTHER DISCIPLINARY MEASURES

The athletic code of conduct shall not be deemed exclusive or supersede any other policies or discipline codes of the school. For example, the discipline code of the school may require suspension from the school at the same time that this athletic code of conduct requires suspension from team activities. Student-athletes are subject to this athletic code of conduct and any other discipline codes or rules and regulations of West Valley Central School.

11. RECORDING OF VIOLATIONS

A written record of violations and action taken shall be kept on file in the Director of Physical Education and Athletics and the Superintendent's office.

12. ACCIDENT PROTOCOL

Each student-athlete will be required to turn in "Medical Emergency Card" in the case of an accident. In the event of an accident, in which no parent is present, the emergency contact number(s) will be called. If a parent/guardian is unable to be reached, trained personnel on site and/or coaching staff will make an educated decision on whether the student-athlete needs immediate medical assistance. Our first responsibility will be placed with the safety of the student-athlete.

13. STUDENT-ATHLETE INSURANCE

Due to the physical nature of athletics in general, student-athletes are subject to certain types of risks. Physical injury can occur in any type of sports activity. By volunteering to participate in school sponsored athletic activity, a student and his/her parents/guardian acknowledge the potential risk for physical injury to occur. The district will provide supplemental accident insurance coverage for students in all school sponsored athletic activities. The policy is provided to cover more serious claims for student-athletes that do not have family insurance plans. All injuries must be reported to the school nurse as soon as possible.

*Mandatory reporting requirement for a student-athlete who is arrested.

<p>1. Name of Athlete: _____</p> <p>2. Charges: _____ _____</p> <p>3. Date of Arrest: _____</p> <p>4. Court: _____</p> <p>5. Name of Attorney and Contact Information: _____ _____ _____</p>
--

THIS FORM IS COMPLETED AND RETURNED TO YOUR COACH

Parent/Guardians must understand and agree to the conditions for involvement for their son or daughter in order for them to participate in athletics.

The parent (s) or guardian (s) shall read all of the enclosed material and acknowledge understanding of the athletic eligibility rules and code of conduct. The parent (s) or guardian (s) shall sign and return the Responsibility Acknowledgement Agreement to the Athletic Department prior to participating in any practice or contests.

I have read the West Valley Central School District Code of Interscholastic Athletics including the rules, regulations and codes of conduct. I fully understand its meaning and consequences and support its enforcement by persons responsible.

Please sign and return to your coach. This needs to be done only once during a sport season at West Valley Central High School. This form will be kept on file in the coach's office. Thank you for your cooperation and support. You may not participate in interscholastic athletics until this form is signed and returned to your coach.

_____ SIGNATURE OF ATHLETE

_____ SIGNATURE OF PARENT OR GUARDIAN

_____ SIGNATURE OF COACH

_____ SIGNATURE OF ATHLETIC ADMINISTRATOR

Received by the Athletic Department _____

Acceptable Use of Technology Students

Section 1. Purpose of Technology Use

The West Valley Central School District provides technology resources to its students solely for educational purposes. Through technology, the District provides access for students and staff to resources from around the world. Expanding technologies take students and staff beyond the confines of the classroom, and provide tremendous opportunities for enhancing, extending, and rethinking the learning process. The goal in providing these resources is to promote educational excellence in the District by facilitating resource sharing, innovation, and communication with the support and supervision of parents, teachers, and support staff.

Section 2. The Opportunities and Risks of Technology Use

With access to computers and people all over the world comes the potential availability of material that may not be considered to be of educational value in the context of the school setting, or that may be harmful or disruptive. Because information on networks is transitory and diverse, the District cannot completely predict or control what users may or may not locate. The Board of Education believes that the educational value of limited access to the information, interaction, and research capabilities that technology offers outweighs the possibility that users may obtain or encounter material that is not consistent with the educational goals of the District.

In accordance with the Children's Internet Protection Act, the District installs and operates filtering software to limit users' Internet access to materials that are obscene, pornographic, harmful to children, or otherwise inappropriate, or disruptive to the educational process, notwithstanding that such software may in certain cases block access to other materials as well. At the same time, the District cannot guarantee that filtering software will in all instances successfully block access to materials deemed harmful, indecent, offensive, pornographic, or otherwise inappropriate. The use of filtering software, as explained in the Internet Safety Policy 1250, does not negate or otherwise affect the obligations of users to abide by the terms of this policy and to refrain from accessing such inappropriate materials.

No technology is guaranteed to be error-free or totally dependable, nor is it safe when used irresponsibly. Among other matters, the District is not liable or responsible for:

- Any information that may be lost, damaged, or unavailable due to technical, or other, difficulties;
- The accuracy or suitability of any information that is retrieved through technology;
 - Breaches of confidentiality;
 - Defamatory material; or

- The consequences that may come from failure to follow District 200 policy and procedures governing the use of technology.
-

Section 3. Privileges and Responsibilities

The District's electronic network is part of the curriculum and is not a public forum for general use. Student users may access technology for only educational purposes. The actions of student users accessing networks through the District reflect on the District; therefore, student users must conduct themselves accordingly by exercising good judgment and complying with this policy and any accompanying administrative regulations and guidelines. Students are responsible for their behavior and communications using the District's computers and networks.

Student users of technology shall

- Use or access District technology only for educational purposes
- Comply with copyright laws and software licensing agreements
- Understand that email and network files are not private. Network administrators may review files and communications to maintain system integrity and monitor responsible student use.
 - Respect the privacy rights of others.
- Be responsible at all times for the proper use of technology, including proper use of access privileges, complying with all required system security identification codes, and not sharing any codes or passwords.
- Maintain the integrity of technological resources from potentially damaging messages, physical abuse, or viruses.
 - Abide by the policies and procedures of networks and systems linked by technology.

Students may not use District technology including property issued under the 1:1 program for improper uses. These uses include, but are not limited to:

- Any and all illegal purposes;
- Any and all obscene or pornographic purposes, including, but not limited to, retrieving or viewing sexually explicit material;
- Any and all discriminatory purposes, including harassment and bullying of individuals based on race, gender, religion, sexual orientation, or disability, among others;
 - Any and all purposes that would violate state, federal or international law, including
 - The Illinois School Student Records Act, which governs students' rights to privacy and the confidential maintenance of certain information including, but not limited to, a student's grades and test scores;
 - Copyright laws;
 - Cyberbullying laws; and
 - Sexting laws.
 - Any use of profanity, obscenity, or language that is offensive or threatening;
- Reposting or forwarding personal communications without the author's prior consent;

- Reposting or forwarding of junk mail, chain letters, or inappropriate or offensive jokes;
- Destruction, alteration, disfigurement or unauthorized access of hardware, software, or firmware;
 - Obtaining financial gain or Transacting any business or commercial activities;
 - Plagiarizing (claiming another person's writings as your own);
 - Political advocacy;
 - Disrupting the use of others to any process, program or tool, including downloading or otherwise spreading computer viruses;
 - Engaging in hacking of any kind, including, but not limited to, the illegal or unauthorized access;
 - Allowing others to use Property issued under the program without authorization, including students whose access privileges have been suspended or revoked;
 - Soliciting or distributing information with the intent to incite violence, cause personal harm, damage a person's character, or to harass another individual.
- Any and all other purposes that would violate the OPRF Student Code of Conduct. *Any Property issued under the 1:1 program creates a sufficient "nexus" to the school environment to justify disciplining a student for any use that violates the Code of Conduct.*

INTERNET SAFETY:

Students must take steps to ensure their safety on the internet, including, but not limited to, the following rules:

- Students should never give out identifying information such as home address, school name, or telephone number to others on the Internet or by email, including in a public message such as chat room or newsgroups. If a person asks for such personal information, students must have approval of their parent or guardian before providing the information.
- Students should not post photographs of themselves in newsgroups or on websites that are available to the public.
- Students should not arrange a face-to-face meeting with someone they "meet" on the Internet or by email without parental/guardian permission. If a meeting is arranged, the meeting must be in a public place and the student's parent/guardian must attend.
- Student Users should not respond to messages that are suggestive, obscene, belligerent, threatening, or make a student user feel uncomfortable. If a student receives such a message, he or she should provide a copy of the message to his or her parent or guardian immediately. If the message requires school action (e.g., bullying) the student's parent should provide a copy to the OPRFHS principal.

The District recommends that parents/guardians read and follow the U.S Department of Justice Guidelines for Parents/Guardians on Internet Safety located at:

<https://www.justice.gov/criminal-ceos/children-internet-safety>

Section 4. Disciplinary Actions

Violations of this policy, or any administrative regulations and guidelines governing the use of technology, may result in disciplinary action which could include loss of network access, loss of technology use, suspension or expulsion, or other appropriate disciplinary action. Violations of local, state or federal law may subject students to prosecution by appropriate law enforcement authorities.

Section 5. No Expectation of Privacy

The District's electronic network is part of the curriculum and is not a public forum for general use. Users should not expect that email or files stored on District servers will be private. The District reserves the right to log technology use, to monitor fileserver space utilization by users, and to examine users' files and materials as needed, and at its discretion. Users must recognize that there is no assurance of confidentiality with respect to access to transmissions and files by persons outside, or from persons inside the District.

Section 6. 1:1 Program Agreement

The District is pleased to offer our students access to the District's computers, network, internet, and other technology, including related hardware and software devices issued through a 1:1 program, (the "District's Technology") for educational purposes. The District Technology is issued to students for their own personal, school-related uses at school and at home. All District Technology issued under the 1:1 program, including computers, are educational tools and may only be used in that capacity. Any use of the District Technology for other purposes (such as personal purposes) must be minimal (*de minimus*) only, and failure to comply may lead to termination of rights under the 1:1 program.

TITLE/OWNERSHIP:

District maintains the legal title of any District Technology issued to students. Students are authorized to possess and use the District Technology so long as they comply with the AUP, but they do not have any ownership rights in the District Technology.

NO WARRANTIES:

The District makes no warranties regarding the District Technology. The District shall not be liable for any damage or loss of or other claims of any and all kinds resulting directly or indirectly from use or inability to use District Technology.

COSTS:

Manufacturer defects will be covered by the manufacturer's warranty and/or by District. District will provide insurance for District Technology issued to each student under the Agreement at no cost to the student. Each student is required to pay a deductible for damage, theft, or loss. The claim/deductible table is in Appendix A. See Appendix B for further information on insurance coverage. Damage or loss that is the result of a student's failure to exercise reasonable care or willful and wanton conduct in violation of any District policy or procedure governing the use of the computer will not be covered by insurance. If District Technology is damaged, stolen, or lost while signed out to a student and the damage or loss is not covered by insurance or the manufacturer's warranty, the student will have the sole responsibility of paying replacement and repair costs.

If the computer is stolen, the police must be notified within twenty-four (24) hours of the discovery of the theft. A police report must be filed and failure to do so will result in the parent/guardian's complete responsibility for the computer's replacement. If the computer is stolen or lost, the parent/guardian of the student shall notify the Educational Technology department of District that the computer is stolen or lost within twenty-four (24) hours of the discovery of loss or theft.

DISTRICT TECHNOLOGY RETURN:

When a student withdraws from enrollment at District, or has his or her rights terminated, the student must return any District Technology issued by the educational technology department immediately. In no event shall the student retain the District Technology for more than two school days after the date of such expiration, withdrawal or termination. If a student fails to return the District Technology in a timely fashion, the student and his or her parent or guardian will be subject to paying replacement costs.

APPEAL PROCESS:

If a student receives consequences for a violation of the 1:1 program or if the parent is required to pay replacement or repair costs, the student's parent or guardian may appeal by requesting an appeal in writing within ten school days of notification of the decision to issue consequences or of notification of payment due. All requests for appeal must be addressed to the Superintendent, and should include a full description of the parent or guardian's reasons for disagreeing with the decision. The Superintendent or designee will then review the decision and will respond to the parent within ten school days after receipt of the request for appeal. A meeting may be held by the Superintendent or designee to obtain additional information from the student, the parents and/or guardian and/or District staff, in the Superintendent's discretion. The Superintendent or designee's decision on appeal shall be final.

All Property must be returned to the OPRF Educational Technology department pending the resolution of any appeal. Fees will be assessed pursuant to this policy if not timely returned.

DISTRICT TECHNOLOGY TRANSPORT AND USE:

Once District Technology is issued to the student, the student and his or her parent or guardian are responsible for the District Technology at all times that the District Technology is signed out to the student. Students and their parents or guardians must take reasonable care to protect and properly use District Technology issued under the program at all times. Among other things, this means:

- The District is not responsible for District Technology, including computers, assigned to a student at any time, including when they are left unsupervised in a classroom, hallway, locker or elsewhere on school District Technology.
- The student is the only authorized user of his/her assigned computer or other District Technology. Students may not share or trade their computers or other District Technology with other individuals, including other students, other than their parents, guardians or school officials.
- Students must bring their computers and other District Technology fully charged and with the power cord to school daily. Repeated failure to bring the computer to class daily may result in discipline or other consequences under District's technology policies
- Computers and other District Technology must be used on flat, stable surfaces only.
- Computers and other District Technology must not be cleaned with cleaners such as Windex.
- Computers and other District Technology must not be marked with markers, stickers or other similar materials.
- District applied labels, asset tags and other identifiers may not be removed from computers or other District Technology.
- Food and drink should not be used near computers or other District Technology.
- Computers and other District Technology should not be left in automobiles, as they cannot tolerate extreme heat or cold and may become damaged.

Payment per claim per student (over 4 years)*		
Claim	Damage/Repair Payment	Stolen/Lost Payment
1	\$0	\$50
2	\$50	\$100
3 or more	\$100	\$200

*In the case of negligence or willful and wanton conduct in violation of any District policy or procedure governing the use of the computer, damage will not be covered by insurance. Instead the District will assess the full replacement cost of the device to the student's family.

Appendix B - Insurance coverage

Dates/Expiration:

- Coverage begins on the first day the student received the device
- Coverage is in force while the student is enrolled in school and ends upon the date of withdrawal or graduation

Coverage	Exclusions
<ul style="list-style-type: none">• Accidental Damage: Covers accidental damage caused by liquid spills, drops, or any other accidental event.• Theft: Covers loss due to theft provided that a police report has been filed.• Fire: Covers loss or damage to the device as a result of fire; the claim must be accompanied by an official fire report from the investigating authority• Electrical Surge: Covers damage to the device as a result of an electrical surge• Natural disasters: Covers loss or damage caused by natural disasters.	<ul style="list-style-type: none">• Dishonest, Fraudulent, Negligent, or Criminal Acts: Damage or loss is not covered when it occurs in conjunction with any dishonest, fraudulent, intentional, negligent, or criminal act by the student. In this case, the student/parent/guardian will be responsible for the full cost or repair or replacement.<ul style="list-style-type: none">• Consumables: AC adaptor (\$15), case (\$10)• Cosmetic damage that does not affect the functionality of the device. This includes but is not limited to scratches, dents, and broken ports or port covers.• “Jail breaking” or otherwise voiding the manufacturer’s warranty by altering the software or hardware.

SIGNED AGREEMENT

I, _____, have read and understood the West Valley Central School District's AUP Policy and am responsible for my conduct and use of district technology.

Student Signature: _____

Date:

We have read and discussed the expectations of the West Valley Central School District Acceptable Use Policy.

Parent Signature: _____

Date:

Dissemination and Review

Dissemination of Code of Conduct

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

1. Providing copies of a summary of the code to all students at a general assembly held at the beginning of each school year.
2. Making copies of the code available to all parents at the beginning of the school year.
3. Mailing a summary of the code of conduct written in plain language to all parents of district students before the beginning of the school year and making this summary available later upon request.
4. Providing all current teachers and other staff members with a copy of the code and a copy of any amendments to the code as soon as practicable after adoption.
5. Providing all new employees with a copy of the current code of conduct when they are first hired.
6. Making copies of the code available for review by students, parents and other community members.

The board will sponsor an in-service education program for all district staff members to ensure the effective implementation of the code of conduct. The superintendent may solicit the recommendations of the district staff, particularly teachers and administrators, regarding in service programs pertaining to the management and discipline of students. The board of education will review this code of conduct every year and update it as necessary. In conducting the review, the board will consider how effective the code's provisions have been and whether the code has been applied fairly and consistently. The board may appoint an advisory committee to assist in reviewing the code and the district's response to code of conduct violations. The committee will be made up of representatives of student, teacher, administrator, and parent organizations, school safety personnel and other school personnel. Before adopting any revisions to the code, the board will hold at least one public hearing at which school personnel, parents, students and any other interested party may participate. The code of conduct and any amendments to it will be filed with the Commissioner no later than 30 days after adoption.