
A Handbook of

Students' Rights and Responsibilities

North Colonie Central Schools
Latham, New York

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Students' Rights and Responsibilities

Freedom of Speech

Freedom of speech is a right that carries with it certain responsibilities and its exercise is subject to certain limitations as to time, manner, and place. All students are free to express their own points of view and are protected from those who would inhibit that expression.

Freedom of the Press

The preparation and publication of student publications is an exercise in freedom of the press which is subject to the existing laws of libel and obscenity. The editors, in keeping with the responsibility they bear to maintain freedom of the press for the entire school, have primary responsibility for determining what material will be printed. Faculty advisors are responsible to advise students as to what may or may not be published.

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Latham, New York

INTRODUCTION

The North Colonie Central School District has a tradition of care and respect for the individual student and holds high expectations for all. Each student is encouraged to grow intellectually, emotionally, physically, and socially. This handbook is intended to inform all students of their individual rights and responsibilities to self and community. All members of the community are entitled to feel safe and to expect that their person, property, and opinions will be respected. Of equal importance is the expectation that everyone shares the responsibility for creating an atmosphere of trust. School must be a setting in which respect for rules and common decency are accepted by all as the necessary structure for learning and community.

Certain Board of Education policies and regulations, which are described in this handbook, have been established to promote the general health, education, and welfare of each person in the school. They are intended to help students develop a positive self-image and a self-disciplined approach to life and to provide behavioral guidelines for school. Individual school rules and procedures provide further direction and are reviewed with students at the beginning of each school year.

EQUAL OPPORTUNITY INFORMATION

The Board of Education, its officers and employees, offers equal employment and educational opportunities, without regard to age, race, religion, creed, color, national origin, gender, sexual orientation, marital status, disability, genetic disposition, HIV or hepatitis carrier status, or any other category protected by federal, state or local law.

The Board authorizes the Superintendent of Schools to establish such rules, regulations and procedures necessary to implement and maintain this policy.

Inquiries regarding this equal opportunities policy may be directed to:

Employees - Title IX Compliance Officer, Director of Human Resources, Central Office, 91 Fiddlers Lane, Latham, New York 12110, Telephone: (518) 785-8591, ext. 3134; **General Education Students** - Title IX Compliance Officer, Assistant Superintendent for Curriculum and Instruction, Shaker High School, 445 Watervliet-Shaker Road, Latham, New York, 12110, Telephone: (518) 785-5511 ext. 3377; **General Education Students** - Section 504 Compliance Officer, Director of Pupil Services, Shaker High School, 445 Watervliet-Shaker Road, Latham, New York, 12110, Telephone: (518) 785-5511 ext. 3333.

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STUDENTS' RIGHTS AND RESPONSIBILITIES

The school has an obligation to educate students in the rights and responsibilities of citizenship. As part of their education, students should be made aware of, and should exercise, those rights and responsibilities as they exist within the school environment.

Students should strive for academic excellence. In doing so, students should:

- be regular and punctual in attendance;
- be self-controlled, participatory, reasonably quiet and non-disruptive in classrooms, buildings, study areas, school buses, on school property, and at school activities;
- be neat and clean in appearance while dressing in a fashion that will not be distracting or disrupt classroom procedure;
- be reasonable, modest, self-controlled and considerate in their relationships with other students;
- strive for mutually respectful relationships with teachers and comply with directives of teachers and administrators;
- keep their language and gestures respectful and free of profanity or obscenities;
- respect private, public, and school property;
- be knowledgeable about and abide by rules and regulations of the district and school.

Shaker High School students are responsible for taking tests on given dates and given times. The scheduling of personal appointments, vacations or meeting obligations other than those of an emergency nature shall not constitute a valid reason for missing an examination and will result in a grade of zero.

When concerns or complaints arise, students should contact their counselor, department supervisor, hall or building principal.

Compulsory School Attendance

All resident children in the North Colonie Central School District between the ages of 6 and 16 years in proper physical and mental condition shall be required to be in attendance for a full time instructional program in a public, private or parochial school. Children who turn 16 during a school year continue to be subject to the compulsory education laws until the end of that school year. Students able to profit from instruction but who are physically or mentally unable to attend school shall be provided home instruction. (Reference: Board of Education Policy #5100)

PTA PRESIDENTS 2011-2012

Blue Creek	Kris Ferris	785-3128
Boght Hills	Lisa Hogan	783-9528
Forts Ferry	Angela Duax	783-5585
Latham Ridge	Lisa DeMarco	785-1891
Loudonville	Mary Fitzgibbon Nichole Gialanella	432-4542 275-0808
Southgate	John & Barbara Gallagher	434-4945
Shaker Junior High	Christine Seebold	495-3325
Shaker High	Heidi Bazicki Gwendolyn Thompson	424-7234 782-1650
Special Education PTA	David Cohen	250-4376
PTA Council	Carol Diotte	785-4955

BOARD OF EDUCATION MEMBERS

2011-2012

Mary Nardolillo, President
Linda Harrison, Vice-President
Siren Chudgar
Paula D'Orazio
Ann Foster
C. David Gaynor
Joan M. Hart
Sandy Pangburn
Mary-Ellen Raup

FOR ANSWERS TO YOUR QUESTIONS

Psychological Services	David Semo	785-5511
Publicity, School News, Mailing List, General Information	Superintendent's Office	785-8591
Registration of New Students	Registrar	785-8591 ext. 3130
Remedial Instruction	Math - Harriet Greenberg Reading - David Semo	785-5511 785-5511
Rental of School Facilities	School Principals	
School Lunch	Melodie Marco, Director of Food Services	786-8856
Speech Problems	David Semo	785-5511
Student Progress	Teacher, Principal	
Student Records	Elementary - Principal Secondary - Guidance Counselor	
Summer School	High School - David Arnone	785-5511
	Pre-School - Grade 4 - Call Beth Geragosian	785-5511, ext. 4220
	Grade 5-8 - Shawn Durant	785-1341
Transportation	John Myers, Director of Transportation	785-9486
Voter and Registration Information	Thomas Rybaltowski, Clerk Board of Education	785-8591
Working Papers	Shaker High School Guidance Office	785-5511

Absences for Religious Observances

The North Colonie School District recognizes the importance of diverse religious backgrounds and values.

1. No student shall be disqualified from recognition for perfect attendance because of religious observances.
2. Students shall make it known to the teacher that an anticipated absence is for religious observance so that students may be able to receive classwork or homework in advance, as appropriate.
3. Students absent for religious observances shall be given a reasonable amount of time to make up or complete tests, assignments, or other education activities that they missed during their absence.
4. Class activities that will occur only once, or that will be difficult to make up at another time, should not be administered on days designated as high holy days on the district calendar.

(Reference: Board of Education Policy #4870)

Equal Rights to an Education

All persons between the ages of 6 and 21 residing in the State of New York are entitled to a free education without discrimination on the basis of age, race, creed, color, national origin, sex, sexual orientation, religion, disability, marital status, economic status, genetic status, or HIV or hepatitis carrier status.

Students have a right to participate in any and all student organizations which have been recognized by the school district in accordance with established criteria. Such organizations may not restrict membership on the basis of age, race, creed, color, national origin, sex, sexual orientation, religion, disability, marital status, economic status, genetic status, HIV or hepatitis carrier status or other arbitrary criteria.

(Reference: Board of Education Policy #5300)

Participation in Graduation Ceremonies

Students who have met the academic requirements will be eligible to participate in graduation ceremonies unless there are other circumstances that cause the high school administration to deny such participation, i.e., failure to attend the one graduation rehearsal or disciplinary reasons.

A student who is unable to attend the graduation rehearsal due to a death in the family or medical doctor's excuse, may request permission from the High School Principal no later than noon on the date of the regularly scheduled rehearsal for special rehearsal instruction.

A student who has completed all academic requirements, but is unable to attend commencement exercises due to a death in the family, medical doctor's excuse or an order of military service, may be recognized by name during the program if he/she makes a request for permission for such recognition to the High School Principal no later than the day prior to the exercises. (Reference: Board of Education Policy #4772)

Freedom of Expression - Privileged Activities

The Board recognizes that students in North Colonie Central Schools shall, as a natural outgrowth of their education and training, have the right to express their opinions and ideas orally and in writing. They should be encouraged to take stands and support policies and programs both publicly and privately. These actions, on the part of our students, shall be known as privileged activities and shall not be denied solely because they may include unpopular viewpoints. Privileged activities shall be those forms of personal expression which do not include obscenity, disruptive activities which deny the rights of others, false statements about persons or groups and the advocating of the violation of the law or official school regulations.

(Reference: Board of Education Policy #5300)

Prayer in School

District policies do not prevent or deny participation in constitutionally protected prayer.

Freedom of Speech

Freedom of speech is a right that carries with it certain responsibilities and its exercise is subject to certain limitations as to time, manner, and place. All students are free to express their own points of view and are protected from those who would inhibit that expression. Such forms of personal expression do not include obscenity, disruptive activities which deny the rights of others, false statements about persons or groups and the violation or advocacy of violation of the law or district policies or regulations.

(Reference: Board of Education Policy #5215)

FOR ANSWERS TO YOUR QUESTIONS

Athletics	Edward Dopp	785-5511
Attendance Problems	Elementary - Principal Secondary - Hall Principal	
Buildings and Grounds	Timothy Bonk	785-5771
Bus Schedules, see Transportation		
Child Care	Your child's principal	
Children with Disabilities	David Semo	785-5511
Continuing Education	Edward Dopp	785-5989
Counseling Services	Elementary - Individual school Secondary - Shaker Junior High - Shaker High	785-1341 785-5511
Discipline	Building Principal	
Discrimination or Sexual Harassment Complaints	Assistant Superintendent	785-5511
Elementary Attendance Areas	Superintendent's Office	785-8591
Employment Applications		
- Classified	Central Office	785-8591
- Instructional	Assistant Superintendent's Office	785-5511
Fines for Lost/Damaged Materials	Elementary - Principal Secondary - Hall Principal	
Gifted Education	Harriet Greenberg	785-5511
Health Problems	School Nurse at Individual School	
HIV/AIDS -Related Regulations	Keith Bogert	785-5511
Home Instruction	David Semo	785-5511
Homework Problems	Teacher, Principal	

RESOURCE PEOPLE

Building Principals:

Blue Creek	Annette Trapini	784-7451
Boght Hills	Kim Greiner	785-0222
Forts Ferry	Dr. Candace Lobdell	785-9203
Latham Ridge	Jay Martin	785-3211
Loudonville	Kerry Flynn	434-1960
Southgate	Jerri Lynne Dedrick	785-6607
Shaker Junior High School	Dr. Russell Moore	785-1341
Shaker High School	Richard Murphy	785-5511
Career and Technical Education	David Arnone, Supervisor	785-5511
District Art	Anne Manzella, Supervisor	785-5511
District Music	Deborah Keough, Supervisor	785-5511
Health Education and Health Science	Mary Beth Steffen, Supervisor	785-5511
Library - Audio/Visual	Kathleen Skeals, Director	785-5511
Physical Education and Athletics	Edward Dopp, Director	785-5511
Pupil Services	David Semo, Director	785-5511
	Virginia McQuade, Assistant Director	785-1341
Title IX Compliance Officer:		
Students	Assistant Superintendent	785-5511
Employees	Jenna Bongermينو	785-8591
Assistant Superintendent of Schools	Kathleen Skeals	785-5511
Superintendent of Schools	D. Joseph Corr	785-8591

Freedom of the Press

The preparation and publication of student publications are an exercise in freedom of the press which is subject to the existing laws of libel and obscenity. The editors, in keeping with the responsibility they bear to maintain freedom of the press for the entire school, have primary responsibility for determining what material will be printed. Faculty advisors are responsible to advise students as to what may or may not be published.

Freedom of Assembly

Associations may be organized within school for political, social, athletic, or other proper and lawful purposes, subject to reasonable limitations as to time, manner, and place of assembly.

Freedom of Petition

Students are free to collect signatures on school property for petitions concerning school and non-school matters as long as this activity does not interfere with the school program or the orderly flow of traffic in the school or on school grounds.

Freedom of Religion

North Colonie Central Schools shall not interfere with or infringe on the religious freedom of its students. The study of religion from a literary or historical point of view is permitted and must be presented objectively.

Right to Privacy

Student Dress

While the Board of Education does not establish a specific dress code, students will be expected to maintain dress and appearance which is appropriate for school in this community.

The use of any attire bearing an expression (phrase, word or words) or insignia (picture, symbols, patch or pin) which can be interpreted to be in any of the following categories is forbidden:

- is obscene or libelous, contains objectionable message, graphic, or language, including insults, whether directed to themselves or others;

- advocates prejudice towards race, color, religion, national origin, disability or any group;
- is harassing or discriminatory;
- displays or advocates the use of alcohol, tobacco, or controlled substances, or
- displays known gang colors or identification.

Certain categories of clothing have been held to be impermissible by the Commissioner of Education on the basis of factors other than appropriateness of style, fashion or taste. These categories are those constituting:

1. Health and safety to the wearer and others, (e.g., long-haired sweaters worn near open flames and heating elements, or loose parts of clothing worn near machinery),
2. Possibility of damage to school property (e.g., metal cleats or shoes, long chains or straps, or clothing containing hardware which may scratch or gouge furniture),
3. Indecency,
4. Distraction so as to interfere with the learning and teaching process (e.g., noise producing adornment or appearance or clothing so bizarre or revealing as to be distracting to other students.)

Students will be asked to change their appearance to conform to these regulations. A student may be barred from regular classroom attendance until the matter has been resolved. Students may also be excluded from field trips and extra-curricular activities for inappropriate dress or appearance.

Classroom teachers have an educational obligation to encourage neat, clean, appropriate dress. Students may be:

- prohibited from wearing hats or sunglasses in the classroom,
- asked to wear appropriate protective gear in certain classes,
- excluded from field-trips and extracurricular activities and programs due to inappropriate dress or appearance as determined by school administrators.

(Reference: Board of Education Policy #5311.5)

All students running for leadership positions, and those appointed to such positions, will be asked to review these guidelines before accepting the position.

Athletic Training Rules

The athlete has a responsibility to uphold athletic training rules and conduct codes which apply during the school year, whether in season or out of season. Parents of athletes must review and sign the training rules and consequences for violations before their children can participate in interscholastic sports.

Statement of Ethics for Student Leaders

A student leader occupies a position of responsibility and high visibility in the community. All elected or appointed student leaders must conduct themselves in a manner that brings credit to their office and their school. It is their responsibility to act as role models, setting a good example for their peers while acting in the best interest of the student body, the faculty, and the administration, without fear of loss of popularity or peer approval. Any act that would bring discredit to the office, the organization, or the school shall carry with it the penalty of removal from office. In recognition of this, all student leaders are required to accept this Code of Ethics for Student Leaders, and subscribe to the following standards of exemplary behavior and conduct.

The Leader:

1. Avoids infractions of the rules of conduct of their school as stated in the student handbook.
2. Avoids infractions of local, state and federal laws.
3. Carries out responsibilities of his/her office in a conscientious manner. For example:
 - a) Is punctual and reliable in his/her obligations to attend meetings, conferences, etc.:
 - b) Fulfills the stated and/or implied duties of his/her position.
 - c) Is courteous, honest and respectful in his/her dealings with members of the school community and the community as a whole.
 - d) Does not ask for or accept special treatment, consideration, or favors because of his/her position.
4. Behaves with integrity and honesty in his/her academic performance. For example:
 - a) Student does not give or receive assistance on tests.
 - b) Student does not plagiarize.
5. Makes every effort to meet academic expectations successfully.
6. Behaves with courtesy, integrity and honesty in all extracurricular, athletic and school-related activities.

Student Surveys

Surveys that reveal information on the personal behavior or political beliefs by any student will be conducted only upon receipt of written approval from a parent/guardian. Parents/guardians must be provided information about activities that include gathering of personal information about students that could be used for marketing purposes. They must be offered the chance to exclude their child.

(Reference: Board of Education Policy #5330)

Search and Seizure

Students are guaranteed freedom from unreasonable search and seizure. School authorities will not search property assigned to a specific student unless they have reasonable suspicion that items contained within constitute a rule violation or a crime. Lockers are the property of the school district and may be searched without student permission. System administrators have access to all district computers, electronic mail and user access requests and will monitor messages as necessary to assure appropriate use. Personal searches or searches of personal belongings will be allowed only when school authorities have reasonable suspicion that items hidden on the student or in his/her private property are illegal or in violation of school rules.

(Reference: Board of Education Policy #5300)

HOMEWORK, FIELD TRIPS AND SOME OTHER IMPORTANT TOPICS

Homework

Homework provides excellent opportunities for developing good study habits, providing for individual differences and abilities, and encouraging initiative on the part of the student.

Parents and the school share the responsibility for student learning. Parents can assist their child(ren) with homework by:

- providing a well lighted study area free of distractions,
- asking questions about the content of student homework,
- giving requested assistance, but letting the student do his or her own work,
- helping create a “homework habit ” at the same time each night.

Homework is an important part of the educational program contributing to the educational development of each student in the classroom. It gives pupils an opportunity to apply the skills learned in class, develops the habit of effectively organizing the use of time, provides an opportunity to find practical applications of knowledge learned in school, and assists in preparation for further learning. It is therefore expected that appropriate homework will be assigned to North Colonie students.

1. Homework shall be defined as that activity which is intended to extend beyond the time of the instructional period, and which is to be completed in the study hall or out of school.
2. Teachers should assign homework with the following purposes in mind:
 - a. Practice and drill on work recently learned,
 - b. Review of work learned over longer periods,
 - c. Research and discovery,
 - d. Creativity,
 - e. Preparation for class activities,
 - f. Adherence to form,
 - g. Promptness,
 - h. Neatness and orderliness of work,
 - i. Planning of time,
 - j. Development of good study habits,
 - k. Development of responsibility.
3. Assigned homework shall involve material which ultimately will be reviewed by the teacher.
4. Attention should be paid to quality and usefulness of assignments.
5. Attention to individual differences among pupils is to be considered in making assignments.
6. The concept of homework will be introduced as early as kindergarten, with proper planning, communication, and involvement of parents.
7. Throughout the primary grades (K-3), assignments to be done out of school are to be increased gradually in frequency and length of time required.

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| <ol style="list-style-type: none"> 4. Recommended counseling sessions with student assistance counselor. | <ol style="list-style-type: none"> 4. Recommended weekly counseling sessions with student assistance counselor. |
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Third Violation (same school year) **OR Violation of Probation Conditions:** Disciplinary hearing before the Superintendent.

(Reference: Board of Education Policy #5312.3)

HIV/AIDS Information

It is the policy of the Board of Education that no student shall be denied the opportunity to attend school, continue his/her education, or take part in school-related activities solely on the basis of being diagnosed as having AIDS or HIV infection.

The Board of Education recognizes the public concern over the health issues surrounding Acquired Immune Deficiency Syndrome (AIDS) and Human Immunodeficiency Virus Infection (HIV). It is, and will continue to be, the policy of the Board of Education to protect the health and well being of both infected and non-infected students and employees. The Board recognizes, based upon the current state of medical knowledge, that the virus associated with AIDS is not easily transmitted, and there is no current evidence that AIDS or the HIV infection can be transmitted by casual social contact in the open school setting.

(Reference: Board of Education Policy #4190)

Confidentiality and Release of Information

The Board of Education recognizes that under current law and regulations the disclosure of confidential AIDS and/or HIV-related information must be strictly limited. School officials and employees shall keep HIV-related information confidential, however obtained. The information shall not be disclosed to any person, unless the protected individual (or a person with capacity to consent) has completed and signed the "Authorization for Release of Confidential HIV-Related Information to the Superintendent of Schools and the Board of Education" and the "Authorization for Release of Confidential HIV-Related Information," a court order granted under Public Health Law #2785 has been issued, or the person to whom the information is to be furnished is authorized to receive such information under Public Health Law #2782 without a release form. Persons authorized to receive HIV information without a release include physicians providing care, agencies monitoring such care, and insurance companies for payment purposes. Disclosure to school personnel staff requires a release or court order.

(Reference: Administrative Regulations #4190[a])

3. Any repeated offense for use, under the influence of, or possession of controlled substances, imitation controlled substances, alcoholic beverages, prescription drugs (except when taken as directed by a physician), marijuana or its derivatives or drug paraphernalia by a student on school premises or in school sponsored activities shall subject the offender to a disciplinary hearing before the Superintendent and a possible long-term suspension.
4. The possession of controlled substances, imitation controlled substances, alcoholic beverages, marijuana or its derivatives, prescription drugs or drug paraphernalia on school premises by a student with intent to sell or distribute shall subject the offender to immediate suspension from school pending a formal Superintendent's hearing which could result in a long-term suspension.
5. The police will be contacted in all drug related cases.
 - * Definition of controlled substances, or imitation controlled substances - (See Sec. 200.00 NYS Penal Law).
(Reference: Board of Education Policy #5312.1)

SMOKING AND TOBACCO PRODUCTS

Smoking, possession of tobacco products or any other use of tobacco products is prohibited on school premises or in school sponsored activities. School "premises" is defined as any building, structure and surrounding grounds contained within the District's legally defined property boundaries and vehicles used to transport children or school personnel.

Penalties for student violations of this policy include:

First Violation	Second Violation (same school year)
1. 3-day external suspension	1. 5-day external suspension
2. Reinstatement conference (parent(s), student assistance counselor, Building principal, in attendance)	2. Reinstatement conference (parent(s), student assistance counselor, Building principal, guidance counselor in attendance)
3. Recommended one hour instruction session with student assistance counselor to discuss harmful effects of using tobacco	3. Probation - conditions set by Building principal

8. In order to avoid overload situations when assigning homework, students should expect on average the following minimums and maximums:
 - Grades 4 through 6 — 30 to 60 minutes daily;
 - Grades 7 and 8 — 60 to 120 minutes daily (homework will be assigned in mathematics, English, science, social studies, and foreign language and may be assigned in other areas when coordinated through the building principal);
 - Grades 9 through 12 — homework will be assigned in English, social studies, mathematics, science, foreign language, and business, with a maximum of 45 minutes per class lesson. Other departments may assign homework, where appropriate, within this guideline.
9. It is desirable to make some homework assignments on a long-range basis to give students experience in scheduling their own time.
10. Homework assigned for a weekend will equal no more than that which would normally be considered for a night's work.
11. Homework assigned for a vacation period will equal no more than one normal night's work. Students may be expected to utilize time during vacation periods for review and long-range assignments.
12. The principal and/or department supervisor shall monitor the implementation of the policy and regulations governing homework to insure full compliance by all teachers.
(Reference: Board of Education Policy #4730)

Visitors to the Schools

Parents are encouraged to visit the schools as a means of gaining greater understanding and knowledge of the school program. Entrance doors in our elementary schools remain locked during the school day as a precaution to protect our students. All visitors must register upon entrance before being permitted to contact any person in school. A visitor's pass will be issued. Violators may be prosecuted as provided under State statutes.

(Reference: Board of Education Policy #1240)

Field Trips

Field trips are a part of regular school activities and all school rules are in effect. This includes extracurricular activities, overnight trips, and other team, club, or class activities. Violation of guidelines will be dealt with in accordance with established policy. Attendance on school-sponsored trips is not a student's right, but a privilege.

(Reference: Board of Education Policy #4531)

Lockers

The Board of Education provides lockers for students' convenience. To insure its usefulness, the locker combination should be kept secret and the locker should be closed securely when not in use. Each student will be responsible for keeping his/her assigned locker neat and orderly. It should be understood that the locker is the property of the school and the administration reserves the right to examine it and its contents at any time. It is unfortunate but in every school there may be some people who steal. Students should not bring valuable belongings to school, if possible. If it's necessary, however, each student is encouraged to make sure that his/her locker is kept securely locked at all times and that locker combinations are not shared with anyone.

Care of Books and Equipment

The Board of Education, through its designated school administrators, reserves the right to levy assessments for school materials and equipment loaned to students which are lost or damaged through misuse.

Textbooks and library books are provided to students by the Board of Education on a loan free basis. Students are responsible for returning these books by the designated due date, undamaged except for normal wear. Students will be held financially responsible for lost or damaged books.

Materials, equipment or books lost during the school year will not be replaced until the student has paid the assessment. Students who fail to pay assessments by August 31 will not be loaned materials, equipment, or books until such assessments are paid. Graduating seniors with assessments outstanding may participate in graduation exercises but will not receive a diploma. Such students will receive a copy of this Board of Education policy and a statement that the diploma will be forwarded upon payment of the outstanding assessments. (Reference: Board of Education Policy #5680)

School Transfer of Students Who Are Victims of a Violent Criminal Offense

The Superintendent of Schools will investigate all suspected instances of violent criminal offenses that may have been perpetrated on a student while the student is on school property.

A violent criminal offense is defined as a crime under New York State Penal Law, Section 10.00, that:

- Involves infliction of a serious physical injury upon another, as defined in the State Penal Law, or
- A sex offense that involves forcible compulsions, or
- Any offense defined in the Penal Law that involves the use or threatened use of a deadly weapon.

If the Superintendent determines that a violent criminal offense has occurred, the parent(s)/guardian(s) of the student victim shall be given the option of transferring the child to an alternative public school in North Colonie which will be determined as most appropriate by the Superintendent. Alternative schooling is available only at the elementary level.

(Reference: Board of Education Policy #5313.6)

DRUG AND ALCOHOL ABUSE

1. North Colonie Schools are Drug Free Zones. Possession, use, distribution or sale of alcoholic beverages, marijuana or its derivatives, controlled substances, imitation controlled substances,* prescription drugs or drug paraphernalia by students on school premises or in school sponsored activities is prohibited. Medication prescribed by the student's physician must be kept in the nurse's office except that students who are asthmatic or have allergic reactions may self-administer medication so long as Board policy conditions are satisfied. The sale of drugs on school property or within 1,000 feet of school property will result in increased criminal penalties.
2. Any student who is found to be under the influence of or in possession of controlled substances, imitation controlled substances, marijuana or its derivatives, alcohol or prescription drugs (except when taken as directed by a physician), will be suspended immediately and the police may be involved. A recommended meeting with the student assistance counselor will be offered prior to a reinstatement conference. A reinstatement conference with the student and parent(s)/guardian(s) will be held.

Possession of Weapons

Firearms

No student shall bring or possess a firearm on school property or in school-sponsored activities. A firearm is defined, consistent with Section 921 of Title 18 of the United States Code, as any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, the frame or receiver of such weapon, any firearm muffler or silencer, or any destructive device.

Any student found guilty of bringing, possessing or using a firearm on school property or in school-sponsored activities may be subject to a long-term suspension from school, the length of which shall be determined by the Superintendent.

The Superintendent shall refer any student under the age of 16, who has been determined to have brought or possessed a firearm on school property or in school-sponsored activities to the Colonie police and Family Court; students over the age of 16 will be referred to the Colonie police.

Other Weapons

Bringing or possessing any weapon other than a firearm on the person of a student or on the premises of a school or in school-sponsored activities but not on the person shall subject the offender to a minimum of an immediate suspension from school for a five day period for grades 7-12 and two to five days for grades K-6. The Superintendent of Schools will review the matter and determine whether to conduct a disciplinary hearing that could result in a long-term suspension. Reinstatement will occur only after a reinstatement conference with the student and parent(s)/guardian(s) is held. The Family Court or Colonie police will be notified, if appropriate, so that criminal proceedings may be instituted.

Use of Any Weapons

The use or threat of use of any weapon shall subject the offender to immediate suspension from school, pending a disciplinary hearing before the Superintendent, which could result in a long-term suspension. The Colonie police will be notified anytime a student brings a weapon to school so that criminal proceedings, if appropriate, may be instituted.

Students with disabilities can be suspended consistent with the provisions of the Individuals with Disabilities Education Act and Article 89 of the Education Law. (Reference: Board of Education Policy #5312.2)

STUDENT USE OF TECHNOLOGY

The Board of Education is committed to providing maximum opportunities for students to learn. Locating and sharing of research information and ideas is encouraged. The Board considers technology including computer networks valuable tools for education.

1. Internet and Intranet use is a privilege, not a right. The Superintendent and Board have established regulations and guidelines governing the use of technologies, including access, acceptable equipment and software, use of copyrighted material and sanctions for inappropriate use. Do not engage in unauthorized access to network usage including so called "hacking."
2. The District reserves the right to review the contents of disks and E-mail of any users if there is evidence of malicious or criminal intent.
3. The District takes no responsibility for losses sustained by students as a result of system or network failures.
4. Network etiquette, consistent with expected school behavior should be observed at all times, e.g. no abusive language, inappropriate behavior or illegal activities. Inappropriate network usage when using electronic mail, chat rooms, instant messaging and other forms of direct electronic communication is prohibited.
5. Students may not misrepresent themselves or North Colonie Central Schools. Students should never give out personal identifying information such as name, home address, age, telephone number or physical location.
6. Access to and use of district technology resources is limited to district employees and students. The use of district technology resources is intended for district-related use only, to support instruction, learning, and the use of data to drive decision making. The District will determine what software may be installed on district-owned computers. The District takes no responsibility for the accuracy or quality of information obtained through Internet services.
7. All materials over the Internet should be assumed to be copyrighted for citation purposes.

8. Students should report any Internet security problems to a supervising adult.

No photographs of students will be displayed on the Internet without the permission of a parent or guardian. Student names should not be provided.

Prohibited Activities

Prohibited use of the computers and computer services includes:

- Theft, vandalism or other malicious acts involving school district hardware or software.
- Hosting of UseNet groups and listservs without authorization from the District Director of Technology including the lending, selling or copying of licensed software.
- Attempts to access accounts of other users or restricted software applications.
- Any malicious attempt to destroy material of another user including uploading or creating computer viruses.
- Harassment of others by email or other software applications.
- Uncivil and unprofessional language on any part of The North Colonie Information Network.
- Use of North Colonie Information network email account to espouse a partisan political viewpoint or position.
- Using the Internet/email to engage in illegal activity.
- Using the Internet/email to access obscene or pornographic materials.
- Using the Internet/email to transmit obscene or objectionable materials.
- Using the Internet/email to send hate mail or to harass other users.
- Using the Internet/email for commercial or for profit purposes including product advertisement.
- Using the Internet/email to violate copyright or other intellectual property rights.
- Disrupting Internet/online/email services or its supporting hardware and software, interrupting information, vandalizing data, introducing or using computer viruses, and attempting to gain access to restricting information or networks.

DUE PROCESS

Due process requires that the student be given oral or written notice of the charges against him/her and, if he/she denies them, an explanation of the evidence the authorities have and an opportunity given to present his/her side of the story. There need not be a delay between the time notice is given and the time of the hearing. The school administrator may informally discuss the alleged misconduct with the student within minutes after it has occurred. In being given an opportunity to explain his/her version of the facts at this discussion, the student must first be told what he/she is accused of doing and the basis of the accusation. (Goss vs. Lopez, 419 U.S. 565, 1975)

The court in Goss also stated that those students whose presence poses a danger to person or property may be immediately removed from the school.

In case of suspension of five days or less, parents must be notified by telephone as soon as possible, and in writing within 24 hours, with reasons for suspension and procedural rights related to the suspension, including the right to an informal hearing. No student may be suspended for a period in excess of five school days unless he/she and the person in parental relation to the student are provided an opportunity for a hearing upon reasonable notice. The notice of the hearing should advise the student of the activities or incidents which have given rise to the proceeding and form the basis for the hearing. The student may bring a parent/guardian to the hearing and has the right to be represented by an attorney, testify in his/her own behalf, and cross-examine witnesses against him/her. (Education Law, 3214[3])

Students with disabling conditions are protected under the same rights as all children. In cases where a suspension affects the educational placement of a student, a disabled student is also protected by the due process procedures as indicated in the Commissioner's Regulations, Part 200.

Note: The section on due process is quoted from **School Law 1990: A Handbook for School Board Members**, published by the New York State School Boards' Association.

DANGEROUS WEAPONS IN SCHOOL

No student shall bring, possess or use any weapons including small pocket knives, on school property or in school-sponsored activities. This shall include any rifle, shotgun, pistol, revolver, other firearm, knife, dangerous or defensive chemical sprays, explosive or any object which is not necessary for school activities and which could be used as a weapon. A weapon is defined as any instrument capable of inflicting bodily harm or which might be used or threatened to be used to cause physical injury in offensive or defensive conduct against another person.

Should the offending individual be a student, appropriate disciplinary measures will be applied, up to and including suspension, subject to the provisions of Section 3214 of the Education Law. Students with disabilities are not exempt from discipline if they have engaged in sexual harassment. If the sanctions would potentially involve a suspension of more than 5 days, the Superintendent will hold a student disciplinary hearing to determine the findings of guilt and the recommended punishment.

Should the offending individual be a school employee, appropriate disciplinary measures will be applied.

(Reference: Board of Education Policy #5020.1)

Procedure for Filing Complaints Related to Sexual Harassment

Students may bring any concerns about sexual harassment to school psychologists and counselors who are prepared to advise the student about the procedures to follow and to provide counseling and support.

Sexual harassment complaints can be handled informally as an option. However, any student may use the formal hearing process at any time.

A student who believes that he or she has been subjected to sexual harassment or has observed an incident of sexual harassment should report the incident to the Principal. A counselor or other resource person can accompany the student making the complaint during the process. If the student is uncomfortable making the informal complaint to the Principal, she or he may make a formal complaint to the Title IX Officer. All complaints are taken very seriously and all statements and conversations rendered during the complaint procedures will be handled confidentially to the fullest extent permitted by law with only those persons who have a need to know being informed of the conversation. Student complainants will be told that their parents or guardians will be notified.

An informal meeting will be held between the student complainant and the Principal or a school district administrator of the same sex if the student prefers. The purpose will be to discuss the allegations and what redress the student complainant would want. Parents or guardians of the student complainant and of the alleged harasser will be notified of their right to attend the meeting(s) with their child.

The complaint will then be discussed with the alleged harasser in an attempt to resolve the problem. Should the alleged harasser acknowledge the inappropriate behavior, written assurances that such conduct will stop should be obtained. Other appropriate corrective/disciplinary action may also be taken. Should the student or his or her parents or guardians be dissatisfied with attempts to resolve the complaint, a formal written complaint may be filed with the District Title IX Compliance Officer on Form 5020.1-E.

Consequences of Inappropriate Use of District Hardware and/or Software

Failure to comply with any of the district regulations about use of technology will result in disciplinary action including but not limited to loss of school privileges including technology use, detention, suspension from school and where warranted other civil or criminal proceedings.

(Reference: Board of Education Policy #4550)

INTERNET SAFETY

It is the policy of the North Colonie Central School District to:

- (a) prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications;
- (b) prevent unauthorized access and other unlawful online activity;
- (c) prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; and
- (d) comply with the Children's Internet Protection Act (Pub. L. No. 106-554 and 47 USC 254(h)).

Steps shall be taken to promote the safety and security of users of the North Colonie Central Schools online computer network and to prevent inappropriate network usage when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications. Prevention of inappropriate network usage includes:

- (a) unauthorized access, including so-called "hacking" and other unlawful activities; and
- (b) unauthorized disclosures, use, and dissemination of personal identification information regarding minors.

Cyberbullying

Cyberbullying includes:

1. harassing,
2. teasing,
3. intimidating,
4. threatening, or terrorizing another student or staff member by:
 - a. sending or posting inappropriate or derogatory email messages,
 - b. instant messages,
 - c. text messages,
 - d. digital pictures or images,
 - e. website postings (including blogs) which have the effect of:

- (1) Physically, emotionally or mentally harming a student;
- (2) Placing a student in reasonable fear of physical, emotional or mental harm;
- (3) Placing a student in reasonable fear of damage to or loss of personal property; or
- (4) Creating a hostile environment that interferes with a student's educational opportunities.

Each student shall be responsible to respect the rights of his/her fellow students and to ensure an atmosphere free from all forms of cyber-bullying.

Network users may not use vulgar, derogatory, or obscene language.

Network users may not post anonymous messages or forge email or other messages.

Students shall be encouraged to report cyberbullying complaints to any District staff member. (Reference: Board of Education Policy #4560)

EDUCATIONAL PROGRAMS FOR CHILDREN WITH SPECIAL NEEDS

Educational programs will be made available to all students with disabilities up to the age of twenty-one who have not received a high school diploma and who are entitled to attend public schools pursuant to Section 3202 of the Education Law. It is recognized that educational programs provided within those schools normally attended by non-disabled students are preferable to those which require a student to attend programs outside of the school district.

Thus to the maximum extent appropriate, children with disabilities will be enrolled in district programs with their non-disabled peers. Such programs shall include a range of services but not be limited to:

1. All courses required for a high school diploma
2. Required state achievement and competency tests
3. Regents and accelerated courses
4. Remedial instruction
5. Second language instruction
6. Computer instruction and usage
7. Occupational education
8. Guidance and career education.

PROHIBITION OF SEXUAL HARASSMENT

Sexual harassment is any unwanted or unwelcome verbal, non-verbal or physical sexual advance, sexually explicit derogatory statements or sexually discriminatory remarks made to or about a person by another person in the school district which a reasonable person would find to meet any of the following conditions:

- is offensive or objectionable to the person who is the object of the advance, statement or remark,
- causes that person discomfort or humiliation or interferes with his/her academic or professional performance, or
- creates a hostile educational or employment environment.

Sexual harassment can be initiated by persons of either sex, by peers as well as by supervisors, and can be directed towards a person of either the opposite or the same sex.

The confidentiality of the reporting party will be observed provided it does not interfere with the institution's ability to investigate or take corrective action or the due process rights of the accused.

Any student who believes that he/she has been subjected to sexual harassment or who believes that sexual harassment has occurred shall be encouraged to report all incidents of such conduct to the building principal. In the event that the building principal is the offender, the student shall report his/her complaint to the next level of supervisory authority.

Upon receipt of a formal "Complaint of Prohibited Discrimination or Harassment," the District will conduct a thorough investigation of the charges. If the District has knowledge of or has reason to know of any incidents or allegations of sexual harassment, however, the District is obligated, even in the absence of a complaint, to investigate such conduct promptly and thoroughly.

The Board prohibits any retaliatory behavior directed against complainant, accused and/or witnesses.

If through investigation, a charge of sexual harassment is determined to be false or fabricated, it will be treated as a serious offense. Charges may be brought against the person who has made the false or fabricated accusation.

If the District's investigation concludes that harassment has occurred, immediate corrective action will be taken. Although the first goals shall be to stop the offending behavior and educate the harasser, depending upon the severity of the charges, the administrator will impose appropriate sanctions in a manner consistent with the North Colonie discipline code.

A student is not permitted in any school building, other than the one that he/she regularly attends, without permission from the administrator in charge of the building. A student is not permitted in his/her own school building outside of regular school hours except for school approved activities or unless he/she has permission from the administrator in charge of the building. Should a student be found in a building without permission, the necessary authorities may be called and trespassing charges may be lodged against the student. (Reference: Board of Education Policy #5300)

Fighting

We teach students that there are other ways, such as discussion and mediation, to resolve disagreements. Students and faculty members are available as mediators if students cannot resolve their own disputes. If someone is harassing a student, the student should find an adult who will see that the aggressor is disciplined. If students in the secondary schools do participate in a fight, all participants **will be** suspended.

A full description of the Board of Education Policies regarding these disciplinary matters is available in each school.

DISCRIMINATION AND HARASSMENT

The district prohibits discrimination and harassment by employees and students based upon age, race, creed, color, national origin, gender, sexual orientation, religion, disability, marital status, genetic disposition, or HIV or hepatitis carrier status.

Discrimination is the showing of partiality or prejudice in the treatment of a student based on the student's membership or perceived membership in one of the mentioned classes. Harassment is a course of conduct that is unwelcome and has the effect of causing torment or worry, thereby creating a hostile learning environment. Discrimination and harassment are prohibited on school district premises, while students are being transported to and from school or during district sponsored events and activities.

Any student who believes that he/she has been the subject of harassment or discrimination or who believes that discrimination has occurred is encouraged to report the incidents to the building principal, unless the Principal is the offender, in which case the report should be made to the immediate supervisor of the Principal.

If an investigation concludes that a student is guilty of harassment or discrimination, appropriate disciplinary measures will be taken, up to and including suspension and possible Superintendent's Hearing.

Where appropriate programs are not available within district schools or cannot be developed by the district, the Board of Education will contract for services with the Board of Cooperative Educational Services (BOCES). Should such programs not be available within BOCES, the Board of Education will contract with other public or private schools providing such programs under Sections 4401, 4402 and 4407 of the Education Law. Parents/guardians and teachers are invited and actively encouraged to participate in the process of developing programs to provide services for children with disabling conditions. (For information about Section 504, see Board of Education Policy #4323.)

Extracurricular Activities

Pupils with disabilities residing in the district have the opportunity to participate in school district programs, including extracurricular programs and activities, which are available to all other students enrolled in the public schools of the district. (Reference: Board of Education Policy #4321)

Issuance of Diploma

All students with disabilities will be provided appropriate opportunities to earn a Regents diploma in accordance with the provisions of Commissioner's Regulations.

A disabled student may be awarded an IEP diploma, pursuant to the Commissioner's Regulations. This is to be determined by the District Committee on Special Education.

CONFIDENTIALITY OF RECORDS

Student records will be maintained by the school district for use by appropriate district personnel in developing the best possible educational program for each student. Parents or legal guardians are entitled to inspect the student's cumulative record. The parent is afforded the opportunity through a hearing to challenge the accuracy or content of the child's records. A student over the age of 18 is given the same right as his/her parents. (Reference: Board of Education Policy #5300)

Release of Directory Information

Officials of the school district may release to the media for public relations purposes the following information relating to students: name, academic interest, participation in officially recognized activities and sports, dates of school attendance and graduation, awards received and the student's future educational plans. Annual public notice describing directory information is given to each parent/guardian or eligible student.

Parents or eligible students have a right to request that such information not be released by the school. It is the responsibility of the parent or student to make these wishes known, in writing, to the building principal.

Reference: Board of Education Policy #5500)

STUDENT CONDUCT AND DISCIPLINE

Productive, satisfying, and wholesome learning environments depend upon relationships which permit students to learn and teachers to teach.

Each student is responsible for his/her own behavior. The district's rules of conduct, focusing on personal safety and respect for the rights and property of others, apply throughout the school, on field trips and at any function sponsored by North Colonie Schools. Students who violate school rules will be subject to appropriate disciplinary action.

Disciplinary action, will be firm, fair, and consistent in order to be most effective in changing behavior and will be appropriate to the seriousness of the offense.

A single flagrant violation or continued violation may result, depending on the seriousness of the offense, in immediate suspension, referral to police, Family Court, or Superintendent. A Superintendent's Hearing may result in a long-term suspension or expulsion.

The administration reserves the right to assess disciplinary actions based upon particular situations. Disciplinary action, which may include the teacher removing the student from class or the student's suspension from school by the principal, will occur when a student behaves in a manner which constitutes:

1. conduct dangerous to the health, safety, morals or welfare of others, including but not limited to:
 - a) fighting or behaving violently,
 - b) threatening another with bodily harm,
 - c) intimidating or harassing students or school personnel,
 - d) discrimination or discriminatory actions,
 - e) making unreasonable noise,
 - f) using inappropriate language or gestures,
 - g) inappropriately displaying affection in public,
 - h) dressing inappropriately,
 - i) engaging in misconduct on bus or at school activities,
 - j) creating a hazardous or physically offensive condition,
 - k) using walkmans, ipods, portable radios, beepers, pagers, cellular phones in school; except for Shaker High School where the following Regulations apply: Cell phones are strictly prohibited from

- being used during a student's assigned instruction time. Any cell phone is strictly prohibited in the Media Center, locker rooms and bathroom at any time. Students are not permitted to use cell phones in the hallways except for mid-morning,
 - l) using slurs based on race, creed, color, age, national origin, gender, sexual orientation, religion, disability, marital status, genetic disposition, or HIV or hepatitis carrier status, or
 - m) cyberbullying, which is prohibited in any of its forms, can subject the offending student to appropriate disciplinary action, consistent with the student discipline code.
2. insubordination, that is, failing to comply with the lawful directions of teachers, school administrators or other school employees in a supervisor capacity, leaving school without permission, or being in a school area that is unsupervised.
 3. academic misconduct, including but not limited to:
 - a) academic fraud or cheating,
 - b) tardiness to school or class,
 - c) failure to attend class,
 - d) plagiarism,
 - e) inappropriate use of technology,
 - f) disruption of teaching and/or learning.
 4. conduct which violates Board of Education rules and regulations for the maintenance of public order on school property, including but not limited to:
 - a) vandalism or any destruction of real and/or personal property (including graffiti or arson),
 - b) theft,
 - c) truancy (the district will file a Person in Need of Supervision (PINS) petition for students who are chronically truant),
 - d) possession/use/sale or under the influence of drugs or alcohol,
 - e) possession, use or threatened use of weapons or fire works,
 - f) possession or use of tobacco or tobacco products,
 - g) hazing, harassment, fighting, or
 - h) possessing or using walkmans, ipods, portable radios, beepers, pagers, cellular phones in school or on school buses, except for Shaker High School where the following Regulations apply: Cell phones are strictly prohibited from being used during a student's assigned instruction time. Any cell phone is strictly prohibited in the Media Center, locker rooms and bathroom at any time. Students are not permitted to use cell phones in the hallways except for mid-morning.