

OWEGO FREE ACADEMY
STUDENT HANDBOOK 2011-2012

Owego Free Academy
1 Sheldon Guile Boulevard
Owego, NY 13827

Principal's Office
607-687-6230

Assistant Principal's Office
607-687-6231

Guidance Office
607-687-6233

Attendance Office
607-687-6281

Athletic Office
607-687-6232

Nurses Office
607-687-6240

Name _____

Address _____

City/Town _____ Zip Code _____

Phone _____

Student ID # _____

Visit our schools website @www.oacsd.org

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*** Cell phones are prohibited during school hours (7:30 a.m. – 2:30 p.m.) ***

STUDENT DISCIPLINE CODE

A complete list of the rules, policies, and procedures that apply to all students in the Owego-Apalachin Central School District are inserted into your student agenda. It is important that you understand these rules. Please review each and be familiar with their meaning. Please sign your name (parent/guardian as well) on the appropriate line.

NAME _____

DATE _____ HOMEROOM _____

PARENTS SIGNATURE _____

SAFETY

The Owego-Apalachin Central School District strives to make each building a safe learning environment. Because of this, we ask that students report any acts that may compromise the school's safety to a school employee as soon as possible. If and when an emergency situation arises, it is each student's responsibility to follow the directives of the school personnel in charge of the setting that they are in. You may leave voice mail in respect to safety issues at 687-6230 and 687-6231.

OUR MISSION

The Mission of the Owego-Apalachin Central School District is to challenge students within a caring environment to become confident, competent, contributing citizens with a lifetime thirst for learning.

A STUDENT... is the lifeblood of this and every educational institution.
A STUDENT... is not an interruption of our work – but the purpose of it.
A STUDENT... is a part of this institution – not an outsider.
A STUDENT... is deserving of respect and attentive treatment.

A major ingredient in your general conduct and development of a positive attitude is COMMON SENSE. We expect you to comply with reasonable requests and to conduct yourself with the high level of maturity, which you possess as a young adult. As young adults, you will find that you will be held RESPONSIBLE for your actions as well as the CONSEQUENCES of your actions.

CODE OF CONDUCT

1. INTRODUCTION

The Owego-Apalachin School Board ("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.

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

The Owego-Apalachin School Board recognizes the need to clearly define these expectations for acceptable conduct on school property, to identify the possible consequences of unacceptable conduct, and to ensure that discipline when necessary is administered promptly and fairly. 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.

2. DEFINITIONS

For purposes of this code, the following definitions apply.

"Disruptive student" means an elementary or secondary student under the age of 22 who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.

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

"School property" means in or within any building, structure, athletic playing field, playground, parking lot or land contained within 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.

"School function" means any school-sponsored extra-curricular event or activity.

"Visitor" means anyone not a regular staff member or student of the school.

"Violent student" means a student under the age of 22 who

1. Commits an act of violence upon a school employee, or attempts to do so.
2. Commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at a school function, or attempts to do so.
3. Possesses, while on school property or at a school function, a weapon.
4. Displays, while on school property or at a school function, to use a weapon.
5. Threatens, while on school property or at a school function, to use a weapon.
6. Knowingly and intentionally damages or destroys the personal property of any school employee or any person lawfully on school property or at a school function.
7. Knowingly and intentionally damages or destroys district property.
8. "Weapon" means a firearm as defined in Federal Law 18 USC #921 for purposes of the Gun Free Schools Act. It also means any other gun, BB gun, paint ball gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity 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.

The term "firearm" is defined in Federal Law 18 USCA #921(3) and shall include any weapon, including a starter gun, which will or is designed to or may readily be converted expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; or any destructive device. Such term does not include an antique firearm. The term "destructive device" means any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or any device similar to any of those devices already described in this paragraph. Except that "destructive device" shall not mean any device not designed or redesigned for use as a weapon.

3. 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 imposition of the penalty.
3. Access to school rules and, if necessary, access to 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, unless they are legally excused, and be in class on time and prepared to learn.
4. Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.
5. React to direction given by teachers, administrators, and other school personnel in a respectful, positive manner.
6. Work to develop mechanisms to control their anger.
7. Ask questions when they do not understand.
8. Seek help in solving problems that might lead to discipline.
9. Dress appropriately for school and school functions.
10. Accept responsibility for their actions.
11. Conduct themselves as representatives of the district when participating in or attending school-sponsored extracurricular events and to hold themselves to the highest standards of conduct, demeanor, and sportsmanship.
12. Inform the proper authorities when others are at risk.

4. STUDENT DRESS CODE

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

A student's dress, grooming and appearance, including hair style/color, jewelry, other accessories, make-up and nails shall:

1. Be safe, appropriate and not disrupt or interfere with educational process.
2. Recognize that extremely brief garments such as tube tops, one-shoulder shirts, net tops, and halter-tops, spaghetti straps, plunging necklines (front and/or back) and see-through garments are not appropriate.
3. Ensure that underwear is completely covered with outer clothing.
4. Pants, shorts and skirts should fit at the waist.
5. **WEAR** footwear at all times. Footwear that is a safety hazard will not be allowed.
6. Not include the wearing of hats, bandanas, or kerchiefs in the school except for a medical

- or religious purpose. **NO TRENCHCOATS.**
- 7. Not include items that are vulgar, obscene, and libelous or denigrate others on account of race, color, religion, creed, national origin, gender, sexual orientation or disability.
- 8. Not promote and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities.
- 9. Not include the wearing of jewelry and accessories, which are a safety hazard to the wearer of others (wallet chains, spiked rings, spiked bracelets, etc.).

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

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

5. TEACHER REMOVAL OF A DISRUPTIVE STUDENT UNDER S.A.V.E.

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 expect students to meet standards of proper classroom behavior. Teachers will maintain or restore control over the classroom by using effective classroom management techniques.

For the purposes of this Code of Conduct, a disruptive student is one who substantially interferes with the educational process or the teacher's authority by demonstrating a persistent, unwillingness to comply with the teacher's instructions or repeatedly violating the teacher's classroom behavior rules.

Disruptive behavior could include, but is not limited to:

- 1. Consistently distracting the teacher or fellow students from their learning.
- 2. Refusing to work on assigned activities or tasks.
- 3. Sleeping in class.

PROCEDURE AND PROCESS

If the teacher makes a judgment that a student's behavior is substantially disruptive according to the District's Code of Conduct, he or she will send the disruptive student to the designated detention area. The teacher must verbally give the reason for the removal to the student, state the duration of the removal, and explain that there will be an informal opportunity for the student to be heard within a day.

The teacher must also complete, and submit to the Administration, a S.A.V.E. School Removal Form* the day the removal occurs. The report should provide substantial evidence to document the need for removal and include the number of days the student is to be removed from the class.

The principal, or designee, shall inform the student's parents (or guardian) of the removal from class under S.A.V.E. and the reasons stated for removal within twenty-four hours. This notice must inform the parents (or guardian) of their ability to request an informal conference with the principal, or designee, and the teacher to discuss the reasons for the removal. This informal conference will be held during normal school hours within two school days of the removal from class. The disruptive student and parent (or guardian) will be given an opportunity to present the student's version of the relevant events. Following the Parental Conference, or by the close of business on the third school day following the student's removal, the principal or designee must make a final determination concerning the student's continued removal from the classroom.

The principal cannot set aside the removal imposed by the teacher unless:

- 1. The charges against the student are not supported by substantial evidence.

2. The student's removal is otherwise in violation of the law, including the District Code of Conduct.

3. The conduct warrants suspension from school pursuant to Education Law 3214.

No student removed from the classroom under S.A.V.E. legislation shall be permitted to return to the classroom until the principal, or his designee makes a final determination, or the period of removal expires, whichever is less or the teacher agrees to an alternative disciplinary arrangement.

❖ *For form see end of document.

6. PROHIBITED STUDENT CONDUCT

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

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

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

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 is profane, lewd, vulgar, or abusive.
 - 4. Public displays of affection- kissing and inappropriate touching.
 - 5. Obstructing vehicular or pedestrian traffic.
 - 6. Engaging in any willful act which disrupts the normal operation of the school community.
 - 7. Trespassing. Students are not permitted in any school building, other than the one they regularly attend, without permission from the administrator in charge of the building.
 - 8. Computer/electronic communications misuse, including any unauthorized use of computer, software, or internet/intranet account; accessing inappropriate websites; or any other violation of the district's acceptable use policy.

- 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 or otherwise demonstrating disrespect.
 - 2. Lateness for, missing or leaving school without permission.
 - 3. Skipping detention.

- C. Engage in conduct that is disruptive. An example of disruptive conduct includes but not limited to:
 - 1. Failing to comply with the reasonable directions of teachers, school administrators or cafeteria workers, secretaries, bus drivers, aides, hall monitors, security staff or other school personnel in charge of students.

- D. Engage in conduct that is violent. Examples of violent conduct include but not limited to:
 - 1. Committing an act of violence (such as hitting, kicking, punching, and scratching) upon a teacher, administrator or other school employee or attempting to do so. (NYS Class D Felony).

2. Committing an act of violence (such as hitting, kicking, punching, and scratching) upon another student or any other person lawfully on school property or attempting to do so.
 3. Threatening to use a weapon, displaying what appears to be a weapon or possessing a weapon* on school property or any school function. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function.
 4. Intentionally damaging or destroying the personal property of a student, teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
 5. Intentionally damaging or destroying school district property.
- ❖ *"Weapon" means a firearm as defined in Federal Law 18 USC #921 for purposes of the Gun-Free Schools Act. It also means any other gun, BB gun, paint ball 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.
- E. Engage in any conduct that endangers the safety, morals, health or welfare of others. Examples of such conduct include but not limited to:
1. Lying to school personnel.
 2. Stealing the property of other students, school personnel or any other person lawfully on school property or attending a school function.
 3. Defamation, which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them.
 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 a persistent, pervasive pattern of actions or statements directed at an identifiable individual or group which are intended to be or which a reasonable person would perceive as ridiculing or demeaning.
 6. Bullying.
 7. Intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm.
 8. Hazing, which includes any intentional or reckless act directed against another for the purpose of initiation into, affiliating with or maintaining membership in any school sponsored activity, organization, club or team.
 9. Selling, using or possessing obscene material.
 10. Using vulgar or abusive language, cursing or swearing.
 11. Smoking a cigarette, cigar, pipe or using chewing tobacco or smokeless tobacco.
 12. Possessing, consuming, selling, distributing or exchanging alcoholic beverages or illegal substances, or being under the influence of either. "Illegal substances" include, but are not limited to, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, any substances commonly referred to as "designer drugs", and any drug paraphernalia.
 13. Inappropriately using or sharing prescription and over-the-counter drugs.
 14. Gambling.
 15. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner.
 16. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
 17. Use of electronic devices (pagers, cell phones, CD players, hand held games, etc.) is prohibited unless approved by the principal or his/her designee.
 18. Engaging in sexual acts on school grounds, school sponsored sporting events, or school transportation.

- 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 includes but not limited to:
 - 1. Plagiarism.
 - 2. Cheating.
 - 3. Copying.
 - 4. Altering records.
 - 5. Assisting another student in any of the above actions.

**7. DISCIPLINARY PENALTIES
Procedures and Referrals**

Discipline is most effective when it deals directly with the problem at the time and place it occurs, and in a way that students view as fair and impartial. School personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the student’s ability to grow in self-discipline.

Disciplinary action, when necessary, will be firm, fair and consistent so as to be the most effective in changing student behavior. In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will consider the following:

- 1. The student’s age.
- 2. The nature of the offense and the circumstances which led to the offense.
- 3. The student’s prior disciplinary record.
- 4. The effectiveness of other forms of discipline.
- 5. Information from parents, teachers, and/or others, as appropriate.
- 6. Other extenuating circumstances.

As a general rule, discipline will be progressive. This means that a student’s first violation will usually merit a lighter penalty than subsequent violations.

If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education and discipline, if warranted, shall be administered consistent with separate requirements of this code of conduct for disciplining students with a disability or presumed to have a disability. A student identified, as having a disability will not be disciplined for behavior related to his/her disability.

A. PENALTIES

The range of penalties that may be imposed for the conduct set forth in the above are as follows:

- 1. Verbal warning- any members of the district staff.
- 2. Written warning- bus drivers, hall and lunch monitors, aides, coaches, guidance counselors, teachers, principal, superintendent.
- 3. Written notification to parent- bus drivers, hall and lunch monitors, aides, coaches, guidance counselors, teachers, principal, superintendent.
- 4. Notification of parent by phone- bus drivers, hall and lunch monitors, aides, coaches, guidance counselors, teachers, principal, superintendent.
- 5. Counseling.
- 6. Reprimand.
- 7. Confiscation of items in violation of policy.

8. Suspension from athletic participation- coaches, principal, superintendent.
9. Suspension from social or extracurricular activities- activity director, principal, superintendent.
10. Suspension of other privileges-principal, superintendent.
11. Keeping after school.
12. Probation.
13. Detention- teacher, principal, superintendent.
14. Suspension from transportation- director of transportation, principal, superintendent.
15. Exclusion from a particular class.
16. In-School Suspension- teacher, principal, superintendent.
17. Involuntary transfer- principal, superintendent.
18. Out of School suspension- principal, superintendent.

B. 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 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 detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate. After school detention will be imposed as a penalty only after the student's parent has been notified to confirm that there is no parental objection to the penalty and the student has appropriate transportation home following detention.

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 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 (or guardian) 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 (or guardian) 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 teachers, 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.

5. 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.

Our 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 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 in 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") suspends 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 suspension. The suspending authority must also notify the student's parents that the student will be suspended from school. Where possible, notice should be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting the parents. 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 24-72 hours of the decision to suspend at the last known address for the parents.

The notice shall provide a description of the charges against the student and the incident for the suspension and shall inform the parents of the right to request an immediate informal conference with the principal. Both the notice and the informal conference shall be in the dominant language or mode of communication used by the parents. At the conference, the parents shall be permitted to ask questions of complaining witnesses under such procedures as the principal may establish.

The notice and opportunity for an informal conference shall take place before the student is suspended unless the student's presence in school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process. If the student's presence does pose such a danger or threat of disruption, the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable.

After the conference, the principal shall promptly advise the parents in writing of his or her decision. The principal shall notify 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 superintendent's 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 it is determined 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 (or guardian) of their right to a fair hearing. At the hearing the student shall have the right of representation 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 of 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.

C. 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 at least five days. If the proposed penalty is the minimum five-day suspension, the student and the student's parent (or guardian) 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 (or guardian) 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 interfere with the teacher's authority over the classroom.

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

D. REFERRALS

1. PINS Petition

The district may file a PINS (person in need of supervision) petition in Family Court on any student under the age of 18 who demonstrates that he or she requires supervision and treatment by:

- a. Being habitually truant and not attending school as required by Part One of Article 65 of the Education Law.
- b. Engaging in an ongoing or continual course of conduct, which makes the student ungovernable or habitually disobedient, and beyond the lawful control of the school.
- c. Knowingly and unlawfully possesses marijuana in violation of Penal Law #221.05 will be a sufficient basis for filing a PINS petition.

2. Juvenile Delinquents and Juvenile Offenders

The superintendent is required to refer the following students to the District Attorney for a juvenile delinquency proceeding before the Family Court:

- a. Any student under the age of 16 who is found to have brought a weapon to school; or
- b. Any student 14 or 15 years old who qualifies for juvenile offender status under the Criminal Procedure Law #1.20(42).

The superintendent is required to refer students 16 or older or any student 14 or 15 years old who qualifies for juvenile offender status to the appropriate law enforcement authorities.

8. ALTERNATIVE INSTRUCTION

When a student of any age is removed from class by a teacher or 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.

9. 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.

A. AUTHORIZED SUSPENSIONS OR REMOVALS OF STUDENTS WITH DISABILITIES.

1. For purposes of this section of the Code of Conduct, the following definitions apply.

A "suspension" means a suspension pursuant to Education Law #3214. A "removal" means a removal for disciplinary reasons from the student's current educational placement other than a suspension and change in placement to an interim alternative educational setting (IAES) ordered by an impartial hearing officer because the student poses a risk of harm to himself or herself or others. An "IAES" means a temporary educational placement for a period of up to 45 days, other than the student's current placement at the time the behavior precipitating the "IAES" placement occurred. This 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 a 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 Federal Law 18 USC #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.

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
 - c. 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 suspension or removals if the CSE has determined that the behavior was not 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 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 (or guardian) of a student who is facing disciplinary action, but who has 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:

- Conducted an individual evaluation and determined that the student is not a student with a disability; or
- 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 safeguard 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 or 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:
 - a. The district requests such a hearing to obtain an order of an impartial hearing officer placing a student with a disability in an IAES where school personnel maintain that it is dangerous for the student to be in his or her current educational placement, or during the pendency of due process hearings where school personnel maintain that it is dangerous for the student to be in his or her current educational placement during such proceedings.
 - b. The parent (or guardian) 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.
 - 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.
 - 2. If school personnel propose to change the student's placement after expiration of an IAES placement, during the pendency of any proceeding to challenge the proposed change in placement, the student shall remain in the placement prior to removal to the IAES, except where the student is again placed in an IAES.
2. 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.

E. REFERRAL TO LAW ENFORCEMENT AND JUDICIAL AUTHORITIES.

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

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

2. The superintendent shall ensure that copies of the special education and disciplinary records of a student with disabilities are transmitted for consideration to the appropriate authorities to whom a crime is reported.

10. CORPORAL PUNISHMENT

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

B. 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:

1. Protect oneself, another student, teacher or any person from physical injury.
2. Protect the property of the school or others.
3. Restrain or remove a student whose behavior interferes with the orderly exercise and performance of school district functions, power and duties, if that student has refused to refrain from further disruptive acts.

11. 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 (or guardian) before questioning the student. However, school officials will tell all students why they are being questioned.

In addition, the Board authorizes the superintendent, building principals, the school nurse and district security officials to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the district Code of Conduct.

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

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

A. STUDENT LOCKERS, DESKS, AND OTHER 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. 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 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.

C. 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 service worker may take a child into protective custody without the consent of the parent or guardian in accordance with the provisions of the social services law.

12. VISITORS TO THE SCHOOL

The Board encourages parents and other district citizens to visit the district's schools and classrooms to observe the work of students, teachers and other staff. Since schools are a place of work and learning, however, certain limits must be set for such visits. The building principal or his or her designee is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to visitors to the schools:

- A. Anyone who is not a regular staff member or student of the school will be considered a visitor
- B. All visitors to the school must report to the office of the principal or designated sign-in area upon arrival at the school. There they will be considered a visitor.
- C. Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings, are not required to register.
- D. Parents or citizens who wish to observe a classroom while school is in session are required to arrange such visits in advance with the classroom teacher(s), so that class disruption is kept to a minimum.
- E. Teachers are not expected to take class time to discuss individual matters with visitors.
- F. Any unauthorized person on school property will be reported to the principal or his or her designee. Unauthorized persons will be asked to leave. The police may be called if the situation warrants.
- G. All visitors are expected to abide by the rules for public conduct on school property contained in this Code of Conduct.

13. 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.

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, tobacco, 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. Gamble on school property or at school functions.
13. Refuse to comply with any reasonable order of identifiable school district officials performing their duties.
14. Willfully incite others to commit any of the acts prohibited by this code.
15. 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. This may include exclusion from future conferences, athletic events, or other school activities.
2. Students. They shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.
3. Tenured faculty member. 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 subdivision 3 and 4. They shall be subject to warning reprimand, suspension or dismissal as the facts may warrant in accordance with any legal rights they may have.

C. ENFORCEMENT

The building principal or his or her designee shall be responsible for enforcing the conduct required by this code.

When the building principal or his or her designee sees an individual engaged in prohibited conduct, which in his or her judgment does not pose any immediate threat of injury to persons or property, the principal or his or her designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The principal or his or her designee shall also warn the individual of the consequences for failing to stop. If the person refuses to stop engaging in the prohibited conduct, or if the person's conduct poses an immediate threat of injury to persons or property, the principal or his or her designee shall have the individual removed immediately from school property or the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the person.

The district shall initiate disciplinary action against any student or staff member, as appropriate, with the "Penalties" section above. In addition, the district reserves its rights to pursue a civil or criminal legal action against any person violating the code.

14. DISSEMINATION AND REVIEW

A. DISSEMINATION OF CODE OF CONDUCT

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

1. Providing copies of a summary of the code to all students at a general assembly held at the beginning of each school year.
2. 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.
3. Making copies of the code available to students, parents and other community members.
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.

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 students, teachers, administrators, 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.

ELEMENTS OF A CODE OF CONDUCT

The SAVE legislation requires the following elements to be included in school codes of conduct:

1. Provisions regarding conduct, dress and language deemed appropriate and acceptable on school property including school functions, and conduct, dress and language deemed unacceptable and inappropriate on school property including the range of penalties associated with violating these provisions.
2. Standards regarding acceptable, civil, and respectful treatment of teachers, school administrators, other school personnel, students, and visitors on school property including the range of penalties associated with violation of these provisions.
3. Provisions defining the roles of teachers, administrators, other school personnel, board of education and parents.
4. Standards and procedures to assure security and safety of students and school personnel.
5. Provisions for removals from the classroom and from school property, including school functions of student and other persons who violate codes.
6. Disciplinary measures to be taken in incidents involving the possession or use of illegal substances or weapons, physical force, vandalism, violation of civil rights, and threats of violence.
7. Provisions for detention, suspension, and removal of students, which are consistent with federal, state, and local laws, including provisions for school authorities to establish policies and procedures to ensure the provision of continued educational programming and activities for students removed from the classroom, placed in detention, or suspended from school.
8. Procedures, by which violations are to be reported, determined, and by which discipline measures are imposed and carried out.
9. Provisions ensuring codes, and the enforcement thereof, are in compliance with state and federal laws relating to students with disabilities.
10. Provisions setting forth the procedures by which local law enforcement agencies will be notified of code violations that constitute a crime.
11. Provisions setting forth the circumstances under, and procedures by which, parents will be notified if their child violates the code.
12. Provisions setting forth the circumstances under, and procedures by which, criminal court complaints, juvenile delinquency petitions, or persons in need of supervision petitions will be filed.
13. Circumstances under and, procedures by which, referrals to appropriate human service agencies shall be made.
14. Minimum suspension periods for students who *are repeatedly and substantially disruptive** of the educational process or who substantially interfere with a teacher's authority over the classroom, provided that the suspending authority may reduce such periods on a case-by-case basis to be consistent with federal and state law.
 - ❖ **The commissioner will define the term "repeatedly and substantially disruptive" through regulation.*
15. Minimum suspension periods for acts that qualify students to be defined as "violent pupil" as defined in this law, provided that the suspending authority may reduce this period on a case-by-case basis to be consistent with other federal and state laws.

GUIDANCE

The Guidance Department of OFA provides each student with academic, personal, educational, and vocational services. Counselors provide occupational and educational information so students can prepare for college and/or career choices. Your counselor is prepared to help you with virtually any problem you may encounter. The Guidance Office secretary will schedule an appointment for you to meet your counselor if you stop in and arrange for it.

Schedule changes can be made only through your Guidance Counselor. See your counselor to discuss a desired change as soon as you think a change is necessary.

REPORT CARDS

Report cards are issued at the end of each quarter. Numerical grades from 65 to 100 indicate passing work; below 65, failure. Students not satisfying the attendance requirements of a course will be given NE on their report cards. This NE means not eligible for a grade.

PROGRESS REPORTS

Warning notices are sent home to parents at mid-quarter when the quality of student's work is at the failing point, when the work is considerably below the level of expectation, or when considerable improvement has been shown.

GRADUATION REQUIREMENTS

All students must earn at least **22** units of credit to graduate. Core credit requirements are:

English	4 credits	Social Studies	4 credits
Mathematics (including	3 credits	Arts	1 credit
Science technology education)	3 credits	Health	.5 credit
Physical Education	2 credits	Second Language	1 credit

CLASS STATUS

A **FRESHMAN** must have completed a program of education through 8th grade and be enrolled at Owego Free Academy.

A **SOPHOMORE** is a student who has earned 4 ½ units of credit, including 1 unit of English and 1 unit of Social Studies, plus 1/2 unit of Physical Education.

A **JUNIOR** is a student who has earned 10 units of credit, including 2 units of English and 2 units of Social Studies, 3 units of Math & Science, plus 1 unit of Physical Education.

A **SENIOR** is a student who has earned 15 ½ units of credit, including 3 units of English and 3 units of Social Studies, plus 1 ½ units of Physical Education, or plans to graduate after three years of high school enrollment and has followed district guidelines for early graduation. Students who could complete high school graduation requirements by August may petition the principal to be granted senior status (deadline October 1st of that year).

HONOR ROLL

A student must achieve an overall average of 85 or above to be placed on the Honor Roll and an overall average of 92 or above to be placed on the High Honor Roll. In order to achieve this a student can not have any incomplete or failing grades on his report card.

LIBRARY

The library provides OFA students with a resource facility for reference and recreational reading material. You may go to the library from 7:30 a.m. to 7:45 a.m., lunch periods and at 2:30 p.m. to 3:30 p.m. without a pass. The remaining periods of the day are reserved for students who have specific library assignments. You will be admitted only with a pre-signed pass from one of your teachers designating the assignment to be done. All Students need to sign in when entering the library. The library staff will be available to assist you. Books may be borrowed for three weeks. Any book removed from the library without proper processing is assumed to be stolen and disciplinary action will be taken.

HEALTH SERVICES

The nurse's office services the OFA student in several ways. The school nurse maintains a medical file on each student, schedules school and athletic physical examinations with the school doctor and is the emergency health officer for the building. If you are ill and unable to attend classes, you **must** report to the nurse. If the nurse is not in, you should report to the school office.

PHYSICAL EDUCATION

All students are required to complete a physical fitness test each school year.

LOCKERS

Each student is assigned a locker for the storage of books and equipment. It is the student's responsibility to see that his/her locker is kept locked and in order at all times. Lockers are a permanent part of the building. Students are expected to keep them in good condition. Do not tamper with another locker or give your combination to another person. The lockers are the exclusive property of the school, and students should have no expectation of privacy with respect to their lockers.

CAFETERIA

The school cafeteria is maintained as a vital part of the health program of the school. To encourage good nutrition, a well-balanced lunch is offered at a reasonable price. The lunchroom management and your fellow student will appreciate your cooperation in:

1. Depositing all lunch litter in wastebaskets.
2. Returning all trays and utensils to the dishwashing area.
3. Leaving the table and floor around your place in a clean condition for others.

No food or drinks may be taken from the cafeteria during regular school hours. Breakfast is available daily before school.

MOTOR VEHICLE REGULATIONS

Driving is a senior privilege only

1. Vehicles must be registered, and a school parking tag must be visibly displayed.
(Failure to do this will result in disciplinary action)
Underclassmen may apply for driving privileges only after senior applications have been processed and underclassmen must have valid employment or be involved in school related sports.
2. Speeding, reckless operation or making excessive noise on school property or near any school building will not be tolerated. Speed limit on school property is 15 mph.
3. Sitting in cars before and during school hours is not permitted.
4. Students may not go to their vehicles during the regular school hours without permission from a school official. (a parking lot pass is available in the Assistant Principal's Office)
5. Students must park in the main parking lot. The front spaces (and pool parking lot) are reserved for faculty, visitors, and handicapped drivers.
6. Students attending BOCES are not permitted to drive their personal cars to BOCES. Special arrangements are occasionally made through the Assistant Principal's Office.

Violations on the regulations may result in the loss of driving privileges on school property.

STUDY HALLS

Regular Study Hall (grades 9-11)

- A. Students are expected to be in the room before the bell rings, and may not leave prior to the taking of attendance.
- B. Students may leave study hall by:
 - 1. Lavatory sign-outs of approximately five minutes for one boy and one girl at a time.
 - 2. A pre-signed pass from a teacher to another room, gym, guidance, or the library.
- C. Constructive schoolwork is expected of each student.
- D. Music, Walkman radios, and card playing are not allowed.
- E. Talking is permitted with the permission of the teacher.

Senior Study Hall's (grade 12)

- A, B, C, and D are same as above.
- E. Talking is permitted.
- F. Seniors may lose their study hall privileges as a result of any disciplinary action.
Seniors who are failing a course (or receive an IN- Incomplete) at the five week mark or fail at the end of a marking period will lose their senior privileges (Senior restricted list) until the next reporting period (five week or report card).

HALL PASSES

Any student found in the hallways during class and/or study hall is required to carry their student agenda with a valid signature stating their destination. Any student found in the halls without their student agenda will be sent to ISSU for the remainder of the period.

If a student should lose their agenda a new agenda can be purchased in the Assistant Principal's Office for \$5.00.

DETENTION

Detention period is a time when the student is assigned to stay during lunch, before or after school for any infractions on unacceptable student behavior. Students should fully understand that any teacher in the building has the authority to correct misconduct at any time and assign detention.

OUT-OF-SCHOOL SUSPENSION

- 1. See your teachers before leaving school on the day before your suspension to get any work you will be missing. It is YOUR RESPONSIBILITY to make up any work that you miss.
- 2. On the day(s) you are assigned out-of-school suspension you are NOT allowed to take part in any extracurricular activities, use school transportation, or be on school property without prior permission from a school administrator.

IN-SCHOOL SUSPENSION

- 1. Upon arriving to school, go directly to your locker and get materials and enough work to keep busy for an entire day. See your teachers before leaving school on the day before your suspension to get any work that you will be missing. It is YOUR RESPONSIBILITY to make up any work that you miss.
- 2. Go directly to the In-School room (109).
- 3. You will NOT be allowed to sleep, play cards, read magazines, etc. If you fail to bring enough work to do, then you will sit quietly all day.
- 4. You will NOT be allowed to leave the room to go to guidance, locker, phone, etc.

5. You will eat your lunch in the In-School room.
6. On the day(s) you are assigned In-School, you will not be allowed to take part in ANY extracurricular activities.
7. If you are legally absent from school on the day(s) you are assigned In-School, then your assigned days will begin on the day you return to school.
8. Any disruptive behavior in the In-School room may result in an out-of-school suspension.

❖ **Students assigned to the Endicott Learning Center must report to the assistant principals office first thing in the morning and are not permitted to go anywhere else in the building.**

TEXTBOOKS

The school furnishes books to all students. This is done with the hope that this major investment in your education will be properly safeguarded. You are responsible to pay for any unreasonable damage or loss of a textbook.

BUS REGULATIONS

Riding the bus is a privilege. Improper conduct on the buses may result in the privilege of riding being denied. Only regularly scheduled students are to ride the school buses.

Students who come to school on the bus should return home on the bus. A student wishing to ride another bus should bring written permission from their parent/guardian stating why they will need to ride a different bus. The note should be brought to the Assistant Principal's office and a special bus pass will be issued. The student will present the pass to the bus driver.

TELEPHONES

The office telephones are business phones and should be used by students for emergencies only. Use of the office phones is limited to three minutes.

*****CELL PHONES ARE PROHIBITED TO DURING SCHOOL HOURS (7:30 A.M. – 2:30 P.M.)**

GRIEVANCE PROCEDURES STATEMENT

The Owego-Apalachin Central School District does not discriminate in employment or in the education programs and activities which it operates on the basis of sex, race, or disability in violation of Title IX of the Education Amendments of 1972, Title VI of the Civil Rights Act of 1954, 504 of Rehabilitation Act of 1973, or Title II of the Americans with Disabilities Act.

If any person believes that the school district or any of the district's staff has inadequately applied the principles of or regulations of:

1. Title VI of the Civil Rights Act of 1964.
2. Title IX of the Education Amendment Act of 1972
3. Article 504 of the Rehabilitation Act of 1973.
4. Title II of the Americans with Disabilities Act,

That person may bring forward a complaint, which shall be referred to as a grievance, to the district's compliance officer.

The district's compliance officer for the Anti-Harassment Policy (GBCB), the Anti-Discrimination Policy (AC), the Americans with Disabilities Act Policy (ACA), the Title IX Nondiscrimination Policy (AC-R) is Bernard Dolan, Associate Superintendent, 36 Talcott Street, Owego, New York 13827.

The policies listed above are available for public inspection. The phone number of the compliance officer is (607) 687-6223 or 6215.

OFA CLUBS AND ACTIVITIES

Key Club	OES Student Tutor
OFA Newspaper	SADD Club
OFA Yearbook	Varsity Club
Scholarship Challenge	Language Club
Ski Club	Literary Club
Yorkers	

ATHLETICS

The Owego-Apalachin Central School district offers the following sports for grades 7-12:

Fall:

Football Cheerleading – Varsity
Cross Country – Varsity & Modified (Boys/Girls)
Field Hockey-Varsity, JV, & Modified (Girls) (Boys can participate)
Football – Varsity, JV, Modified (Boys) (Girls can participate)
Golf – Varsity (Boys & Girls)
Soccer – Varsity, JV, Modified (Boys & Girls)
Swimming – Varsity & Modified (Girls)
Tennis – Varsity & Modified (Girls)
Volleyball – Varsity, JV, & Modified (Girls)

Winter:

Basketball Cheerleading - Varsity
Basketball – Varsity, JV, Modified (Boys & Girls)
Bowling – Varsity & JV (Boys & Girls)
Basketball Cheerleading – Varsity & JV (Boys & Girls)
Swimming – Varsity & Modified (Boys)
Wrestling – Varsity, JV, & Modified (Boys) (Girls can participate)

Spring:

Baseball – Varsity, JV, & Modified (Boys)
Lacrosse – Varsity, JV, & Modified (Boys & Girls)
Softball – Varsity, JV, & Modified (Girls)
Tennis – Varsity & Modified (Boys)
Track – Varsity & Modified (Boys & Girls)

We also offer a weight training program for Boys & Girls throughout the year. Contact the Athletic office for further information at 687-6232.

ATTENDANCE POLICY

A. Objectives

The objectives of the Owego –Apalachin Central School District Attendance Policy are:

1. To accurately track the attendance, absence, tardiness and early departure of students to and from school;
2. To ensure sufficient pupil attendance of classes so that pupils may meet State mandated and local education standards;
3. To track student location for safety reasons and to be able to account to parents regarding the location of children during school hours.

B. DEFINITIONS

Whenever used within the Owego –Apalachin Central School District Attendance Policy, the following terms shall mean:

1. Scheduled instruction: Every period that a pupil is scheduled to attend instructional or supervised study activities during the course of a school day during the school year.

2. Absent: The pupil is not present for 75% of the pupil's scheduled instruction.

3. Tardy/Early Departure: The pupil misses some class time but less than 25% of the pupil's scheduled instruction.

4. Excused: Any absence, tardiness, or early departure for which the pupil has valid school approved excuse. Such excused non-appearance shall include: personal illness, illness or death in the family, religious observance, quarantine, required court appearances, attendance at health clinics or medical visits, music lessons, approved college visits, military obligations, absences approved in advance by the Principal, and other reasons as may be approved by the Commissioner of Education.

5. Unexcused: Any absence, tardiness, or early departure for which the pupil has no valid school approved excuse. Such unexcused non-appearance shall include shopping trips, family vacation, oversleeping, and any other absence that is not considered as *excused*.

6. Truancy: The willful violation by a student of compulsory attendance age resulting in a missed class or missed classes (skipping all or part of a class section).

7. Valid School Approved Excuse: Parents/Guardians are expected to assist the school in accounting for absences by sending a note within 5 school days of the student's return to include:

- a. Date of absence
- b. Reason for absence
- c. Student's name
- d. And parent's signature

The student will be marked unexcused automatically without a note. After 5 school days the absence is automatically considered unexcused.

C. CODING SYSTEM

The following coding system shall be used to indicate the nature and reason for a pupil's missing all or part of scheduled instruction:

<u>Code</u>	<u>Meaning</u>	<u>Reason for Absence</u>
A	Absent	F=Family
ALPS	Alternative learning Center	I=Illness
E	Excused	M=Medical
FT	Field Trip	O=Other
HS	Home Schooling	
IL	Unexcused (illegal)	
ISS	In-School suspension	
LG	Leaving Grounds	
ML	Music Lesson	
PRE	Present	
SC	Student Council Meeting	
SU	Suspended out of School	
T	Tardy	
TNC	Tardy- no credit	
TR	Truant	

The time that the pupil arrived or departed will be recorded next to the entry code describing the nature and reason for the student missing all or part of scheduled instruction.

For example, if a student left at 11:30 a.m. for a doctor's appointment, the code would read: E/LG/M: 11:30 a.m.

D. In order to encourage student attendance, the following strategies and incentives shall apply:

1. Minimum Attendance for Course Credit

A student must be noted as present at 75% of a course's scheduled classes in order to earn credit for the course. With an *excused* absence, arrangement must be made with the teacher within 5 (five) school days upon the student's return, to make up work. The absence will not be counted once the missing work is satisfactorily completed.

- a. For purposes of minimum attendance requirements, students shall not be counted as present for a class if the student misses more than 24% of the class, whether through tardiness or early departure.
- b. Students of compulsory attendance age suspended from school, or placed on home instruction, may not be marked as absent unless they fail to attend a scheduled alternative education program on that day.
- c. Students over the compulsory attendance age suspended from school instruction will be marked absent unless they have been assigned alternative education. If alternative education has been assigned, only failure to attend the scheduled alternative education shall count as an absence.
- d. For the purposes of recording minimum attendance requirements, 4(four) *unexcused* tardies/early departures will be equal to one *unexcused* absence.

2. In order to prevent loss of credit for failure to attend, the district will take the following steps:

- a. When a student has been marked as absent for approximately 15% of a course's classes, the district shall notify the student and his/her parent(s) or persons in parental relation that the student is approaching the limit of absences for losing the course credit for failure to attend class. The notice will include the school's attendance for credit policy, the actual number of classes the student may miss before forfeiting the right to earn credit, and the actual number of classes missed to date.
- b. A student and his parent(s) or persons in parental relation will be advised one month before the completion of the course if the student is in jeopardy of losing credit for failure to attend. The notice will include the school's attendance for credit policy, the actual number of classes the student may miss before forfeiting the right to earn credit, and the actual number of classes missed to date.
- c. Where a student is in jeopardy of losing credit for excessive absences, the Building Principal shall be responsible for reviewing attendance records and hearing student appeals.

3. Notice of Absences

The pupil's parent(s) or person in parental relation shall be notified of a pupil's unexcused absence, tardiness, or early departure when a pupil has not been marked as present for the first period of scheduled instruction and the school has not been previously notified of the absence. The district shall attempt to contact the pupil's parent(s) or person in parental relation to learn the nature of the pupil's absence and notify the parent that the pupil has not arrived at school.

4. Disciplinary Procedures

The pupil may be subject to disciplinary procedures for unexcused absence, tardiness, or early departure, including verbal and written warnings, detentions, in-school suspensions, and loss of privileges, to include but not limited to, driving, extra curricular activities and other sanctions as described in the student handbook.

5. Incentives

District teachers shall work with the Building Principal and his/her designees to create and implement incentive programs for excellent attendance, including but not limited to, extra credit and additional privileges.

6. Intervention Strategy Development

The Building Principal shall meet each marking period with school personnel to review student attendance records, address identified patterns of unexcused pupil absence, tardiness and early departure, and review current intervention methods. Where the Principal determines that existing intervention policies or practices are insufficient, the Principal shall notify the Superintendent prior to its annual review of the building's attendance records, of both insufficient practices and any proposed changes needing Board approval to implement.

7. Counseling

The District shall provide counseling to students with chronic attendance problems.

E. Attendance Supervision Officer

The Board shall designate an Attendance Supervision Officer. The Attendance Supervisor Officer is responsible for reviewing pupil attendance records and initiating appropriate action to address unexcused pupil absence, tardiness and early departure consistent with the Comprehensive Attendance Policy.

F. Our Support

Please know that our teachers, guidance counselors and administrators are involved in intervention as well as incentive strategies to support our students in their school attendance and are available to work with students and parents whenever the need exists.

ALMA MATER

THE RED & THE BLUE

Verse 1:

In the days of long ago,
In the town of Owego,
The brave and noble Indian made his home.
And with paints of Red and Blue
He would stain his face anew
Whenever through the valley he would roam.

Verse 2:

Here the Indian held his sway.
Now there stands the O.F.A.
Where we progressive lad and lassie too,
Study lessons by the score
And our minds with knowledge store,
Our banner is a flag of Red and Blue.

Verse 3:

When long years have passed away.
And our hair is turning gray.
We'll remember all the tasks we used to do,,
When the hard lessons of the past
Have all borne their fruit at last,
We'll be loyal to the flag of Red and Blue.

Chorus:

Long years may come and pass away,
But we shall still be true
To the banner of the O.F.A.
The flag of Red and Blue.

**OWEGO FREE ACADEMY
BELL SCHEDULES**

REGULAR SCHOOL DAY

Warning Bells: 7:40 and 7:43 a.m.
1st period: 7:45 a.m. – 8:27 a.m.
Homeroom: 8:27 a.m. – 8:30 a.m.
2nd period: 8:33 a.m. – 9:15 a.m.
3rd period: 9:18 a.m. – 10:00 a.m.
4th period: 10:03 a.m. – 10:45 a.m.
5th period: 10:48 a.m. – 11:30 a.m. (SR and BOCES Lunch)
6th period: 11:33 a.m. – 12:15 p.m. (lunch) **PEP RALLY ASSEMBLY**
7th period: 12:18 p.m. – 1:00 p.m. (lunch) 1st period: 7:45 a.m. – 8:17 a.m.
8th period: 1:03 p.m. – 1:45 p.m. Announcements: 8:17 a.m. – 8:20 a.m.
9th period: 1:48 p.m. – 2:30 p.m. 2nd period: 8:23 a.m. – 8:55 a.m.
Announcements: 2:30 p.m. 3rd period: 8:58 a.m. – 9:30 a.m.

½ DAY BELL SCHEDULE

1st period: 7:45 a.m. – 8:04 a.m.
Announcements: 8:04 a.m. – 8:07 a.m.
2nd period: 8:10 a.m. – 8:29 a.m.
3rd period: 8:32 a.m. – 8:51 a.m.
4th period: 8:54 a.m. – 9:13 a.m.
5th period: 9:16 a.m. – 9:34 a.m.
6th period: 9:37 a.m. – 9:55 a.m.
7th period: 9:58 a.m. – 10:16 a.m.
8th period: 10:19 a.m. – 10:38 a.m.
9th period: 10:41 a.m. – 11:00 a.m.
Announcements: 11:00 a.m.

ONE HOUR DELAY

Warning Bells: 8:40 a.m. & 8:43 a.m.
1st period: 8:45 a.m. – 9:21 a.m.
2nd period: 9:24 a.m. – 10:00 a.m.
3rd period: 10:03 a.m. – 10:39 a.m.
4th period: 10:42 a.m. – 11:18 a.m.
5th period: 11:21 a.m. – 11:57 a.m.
6th period: 12:00 p.m. – 12:35 p.m.
7th period: 12:38 p.m. – 1:13 p.m.
8th period: 1:16 p.m. – 1:52 p.m.
9th period: 1:55 p.m. – 2:30 p.m.
Announcements: 2:30 p.m.

JR/SR. BOCES P.M. TRAVEL

Lunch: 10:48 a.m. – 11:10 a.m.
Travel: 11:10 a.m. – 11:50 a.m.
BOCES: 12:00 p.m. – 1:50 p.m.
Travel: 1:50 p.m. – 2:20 p.m.

PEP RALLY ASSEMBLY

1st period: 7:45 a.m. – 8:17 a.m.
Announcements: 8:17 a.m. – 8:20 a.m.
2nd period: 8:23 a.m. – 8:55 a.m.
3rd period: 8:58 a.m. – 9:30 a.m.
4th period: 9:33 a.m. – 10:05 a.m.
5th period: 10:08 a.m. – 10:40 a.m.
6th period: 10:43 a.m. – 11:15 a.m.
7th period: 11:18 a.m. – 11:50 a.m.
8th period: 11:53 a.m. – 12:25 p.m.
9th period: 12:28 p.m. – 1:00 p.m.
Event: 1:03 p.m. – 2:30 p.m.

SPECIAL EVENTS SCHED.

6th period: 11:33 a.m. – 12:04 p.m.
7th period: 12:07 p.m. -12:38 p.m.
8th period: 12:41 p.m. – 1:12 p.m.
9th period: 1:15 p.m. – 1:46 p.m.
Event: 1:46 p.m. – 2:30 p.m.

TWO HOUR DELAY

Warning Bells: 9:40 a.m. & 9:43 a.m.
1st period: 9:45 a.m. – 10:14 a.m.
2nd period: 10:17 a.m. – 10:46 a.m.
3rd period: 10:49 a.m. – 11:18 a.m.
4th period: 11:21 a.m. – 11:50 a.m.
5th period: 11:53 a.m. – 12:22 p.m.
6th period: 12:25 p.m. – 12:54 p.m.
7th period: 12:57 p.m. – 1:26 p.m.
8th period: 1:29 p.m. – 1:58 p.m.
9th period: 2:01 p.m. – 2:30 p.m.
Announcements: 2:30 p.m.