



**CENTER FOR
WORKFORCE
DEVELOPMENT**

**Adult Learner
Handbook**

2020-
2021

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Equal Opportunity Notice

BOCES does not discriminate on the basis of age, sex, race, religion, color, national origin, disability, creed, marital status, veteran status, military status, sexual orientation, prior criminal offense, domestic violence victim status, gender identity, gender expression, or genetic status in its programs or activities and provides equal access to the Boy Scouts of America and other designated youth groups. The following person has been designated to handle complaints/inquiries regarding the BOCES' non-discrimination policies: Director of Human Resources, 3599 Big Ridge Road, Spencerport, New York 14559, 585-352-2420, and is also the Title VII and Title IX Officer. For further information on notice of non-discrimination, visit

<http://wdcrobcolp01.ed.gov/CFAPPS/OCR/contactus.cfm> for the address and phone number of the office that serves your area, or call 1-800-421-3481. Please note that those wishing to file a complaint may also do so through the Department of Education's Office for Civil Rights at <https://www2.ed.gov/about/offices/list/ocr/complaintprocess.html>. See also New York State Executive Law 296.

I. GUIDELINES FOR ALL ADULT LEARNERS

Welcome to the Center for Workforce Development at Monroe 2-Orleans BOCES! We are pleased to have you as an adult learner. This handbook will provide you with information regarding BOCES 2 policies, procedures and guidelines and how they apply to you as an adult learner in our program. We provide a variety of programming designed to support individuals in their current and future career goals.

CWD Mission

BOCES 2 Center for Workforce Development will strive to provide quality, cost-effective educational and workforce services in partnership with other higher educational agencies, the local workforce community, and the adult learners we serve in a manner that supports excellence and equity for all learners.

CWD Vision

BOCES 2, Center for Workforce Development provides safe learning environments where collaborative partnerships develop active, life-long learners who take pride in achieving academic excellence. The Monroe 2-Orleans BOCES accomplishes this vision, since it is known as the local Educational Partner of Choice.

CWD Philosophy Statement

The Center for Workforce Development at BOCES 2 is a multifaceted provider of adult education, training, assessment, employment, and support services to individuals and businesses. Our innovative and flexible approach is comprehensive, affordable, and responsive to evolving community needs.

CWD Belief Statement

- Education empowers people to embrace change and grow.
- High expectations inspire high achievement.
- Development of a motivated workforce requires positive leadership and ongoing support.
- Learning environments must be flexible and innovative.
- Growth and development are essential to success.
- Every individual deserves respect.

Council on Occupational Education

Monroe 2-Orleans BOCES Center for Workforce Development is accredited by the Council on Occupational Education (hereinafter referred to as the Council or COE). The COE came into existence initially in 1971 as the Commission on Occupational Education Institutions (COEI) of the Southern Association of Colleges and Schools (SACS), a regional accrediting association that serves institutions in an 11-state region. Operating as a unit of SACS, COEI provided accreditation services to postsecondary occupational education institutions.

Accreditation is a status granted to an educational institution or program that has been found to meet or exceed stated criteria of educational quality and student achievement. Accreditation

by COE is viewed as a nationally-honored seal of excellence for occupational education institutions and denotes honesty and integrity. Accreditation allows CWD to offer financial assistance to qualifying students through Title IV funding.

A certificate in technical education offers a number of benefits for adult learners because the path to earn a certificate is usually faster and more affordable. Parents appreciate the reduced tuition costs and high job placement rates of accredited institutions. With specialized training, students are able to quickly transition into the workforce.

Monroe 2 BOCES Center for Workforce Development Locations

MAIN CAMPUS



Westview Commons Business Park
3555 Buffalo Road
Rochester, New York 14624
Telephone: (585) 349-9100
Fax: (585) 349-9101



Center for Workforce Development
Main Campus

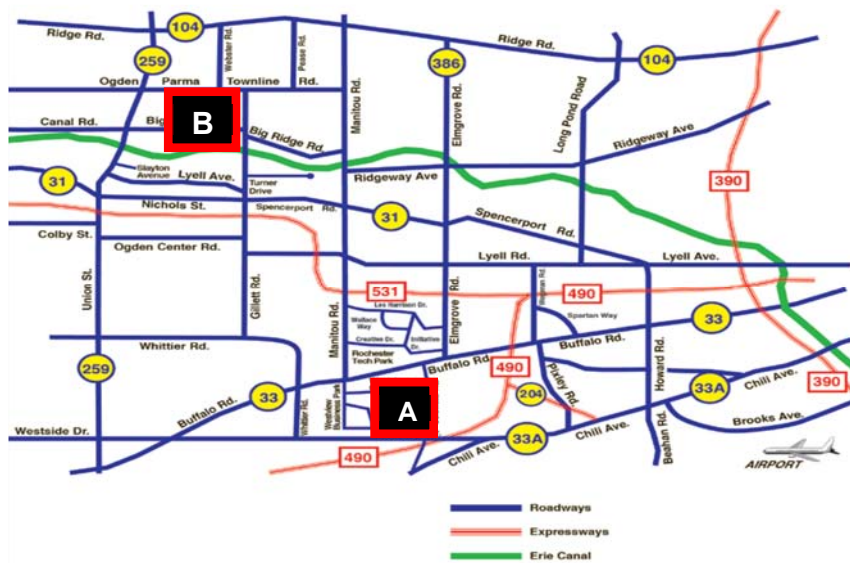
EXTENSION CAMPUS



WEMOCO Career and Technical Education
3589 Big Ridge Road
Spencerport, New York 14559
Telephone: (585) 349-9100
Fax: (585) 349-9101



Center for Workforce Development
Extension Campus



II. CWD PROCEDURES

MONROE 2-ORLEANS BOCES is committed to providing a supportive school environment where adult learners may receive quality educational services. CWD has a set of expectations for all adult learners. These expectations are based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty and integrity. Regardless of the CWD program you are enrolled in, it is expected you will comply with the specific program policies and procedures as well as the Monroe 2-Orleans BOCES Student Code of Conduct.

Please refer to our website at www.monroe2CWD.edu to learn more about the Center for Workforce Development. Please refer to the Monroe 2-Orleans BOCES organizational website at www.monroe2boces.org to learn more about all programming offered at our BOCES.

Adult Learner Injury/Accident

All accidents/injuries (occurring on school grounds or at work-based learning sites) should be reported immediately to your instructor, who will complete an accident report. Adult learners are covered by the Monroe 2-Orleans BOCES insurance for accident or personal injury in certain instances. However, this policy will be effective only after all personal insurance policies have been exhausted.

Books and Supplies

Books and supplies necessary to complete course requirements will be available for adult learner use. Instructors will designate which books and materials will become the adult learner's property. Please do not mark or write in or on any materials until the instructor has indicated which items will belong to the adult learner. There are sufficient quantities of tools and materials for the adult learners use while working on labs. Some classes require the adult learner to purchase additional equipment and supplies.

Breaks, Lunch and Dinner

For full-time courses five (5) hours or more in duration, adult learners are provided with two 10 minutes breaks and one 30-minute lunch and/or dinner break. Instructors can determine when to allow adult learners to have a break. Because our clock hour full-time courses are governed by Federal guidelines, instructors may not adjust the duration of each break. For evening classes, instructors may provide a 10-minute break at their discretion. Adult learners are asked to observe the time limit of all scheduled breaks. Adult learners may leave the grounds for breaks, lunch or dinner, but are required to inform the instructor when doing so and follow the appropriate attendance procedures. There is a microwave/vending machines available for adult learner use at both facilities (Westview Commons Business Park facility and WEMOCO/CTE Center) in the Student Lounge.

Cancellation

Every effort is made to conduct classes as listed on our webpage or in our catalog. Circumstances may make it necessary for classes to be cancelled or postponed, or for instructors and classrooms to be changed.

All program offerings must reach a minimum enrollment at least four business days prior to the start of the first scheduled class. If it is necessary to delay the start of a program you will be notified and have the option to enroll at another date, take a similar offering, or request a refund.

Children on School Property

Because of safety and liability issues, Monroe 2-Orleans BOCES does not allow the children of adult students in classrooms at any time. There are exceptions made for approved meetings or events. An adult must accompany children on school grounds at all times.

CWD Privacy Policy

We take privacy seriously and we value yours. We do not disclose any nonpublic personal information about our customers or former customers or anyone except as permitted by law. We may collect personally identifiable information when you visit our site through the use of cookies. We also receive and record information on our server logs from your browser including your IP address, cookie information and the pages you have visited.

CWD Security Policy

Access to your personal and account information is restricted to those employees who need to know that information as part of their job, to service your account or to provide products and services to you. We maintain physical, electronic and procedural safeguards that are reasonably designed to guard your nonpublic personal information.

Dress Code

All adult learners are expected to give proper attention to personal cleanliness and safety in attire. *The dress code should comply with what is considered appropriate for employment as indicative of the career expectations of your chosen profession and aligned to the Student Code of Conduct (see section VII for more details).*

Electronic Devices in Classrooms

Use of personal electronic devices is not permitted in classrooms unless directed by instructors for educational use. Such devices include, but are not limited to cell phones, i-pads, walkie-talkies, music devices, and pagers. In addition, recording and the playing of sound equipment audibly (radios, tape/compact disk players) by students on site or in a classroom is prohibited. Use of headphones or earbuds during class is prohibited.

Emergency Closing Procedures: Monroe 2-Orleans BOCES

In the case of inclement weather conditions or other emergencies, please refer to local radio and television broadcasts and the BOCES 2 website (<http://www.monroe2boces.org>) for the most current information regarding closings. For evening and Saturday classes, continue to monitor media announcements throughout the day as weather changes may affect the scheduling of evening and Saturday classes, and may be announced separately.

Emergency Response Procedures

School/sites are exposed to many threats, hazards, and vulnerabilities. All of these have the potential for disrupting the school/site community, exposing students/staff to injury, and causing damage to public or private property.

Building-Level Safety Teams have completed comprehensive Emergency Response Plans to address such threats. On the first day of class instructors will review the Emergency Procedure card located in each classroom for the building (WCBP or WEMOCO/CTE Center) specific procedures for:

- Fire alarm evacuation/fire drills
- Lock Down
- Lock Out
- Shelter in place
- Early Dismissal
- Evacuation/Shelter
- Medical Emergency Response (MERT)

Field Trips

Occasionally, the opportunity to participate in a field trip to a Job Fair or other type of off-site training experience may arise. All field trips must be approved by administration.

- Each adult learner participating in a field trip must sign and submit the waiver liability form entitled **CWD FIELD TRIP WAIVER OF LIABILITY FORM 7310F.2** (which is part of the Adult Learner Orientation Packet).
- Each adult learner participating in the field trip must provide their own means of transportation. Adult learners who are unable to attend the field trip will be provided with an alternative learning activity.
- Adult learners are expected to behave appropriately and according to the Student Code of Conduct. If an adult learner's involvement in the activity is deemed in violation of the Student Code of Conduct, the adult learner will be dismissed from the field trip immediately. The adult learner is required to return home at his/her own expense and upon return to class may be placed on probation or dismissed from program.

Official Transcripts/Educational Records

Adult learners may request (for a fee of \$5) a copy of their Certificate of Completion, an official transcript of grades, or other student records by sending a written request to the CWD Office including student name, date of birth, class attended/year and enclosing a money order, or cashier's check in the amount of \$5, payable to Monroe 2-Orleans BOCES CWD.

Parking and Transportation

Free parking is available for all adult learners at the Westview Commons Business Park and WEMOCO/CTE Center. Other sites (work-based activity/clinical, shadowing, field trips) may have a parking fee. The RTP campus has access to the RTS system, which may include future shuttles to the Westview Commons Business Park. Adult learners who attend the Big Ridge Road campus have access to the RTS system through Route 259 in the Village of Spencerport.

Returned Check

A \$35 service fee will be assessed for a returned check.

Safety Requirements

The safety of all adult learners in all courses is of paramount importance. Instructors will have specific instructions and requirements pertaining to their classroom. Please follow and abide by these rules as they are intended to ensure your safety. Eye protection must be worn at all times when working with potentially hazardous materials or when the circumstances deem it necessary. Safety glasses will be provided when necessary.

Special Accommodations

If an adult learner has an educational, physical, or mental need or limitation, the adult learner should speak with his/her instructor immediately, *at least 72 hours before the requested accommodation.*

The instructor may need to consult with the CWD director *and/or the ADA Compliance Officer* to determine the Americans with disabilities Act/Section 504 of the Rehabilitation Acts' applicability and *engage in the interactive process to determine the reasonableness of the accommodation*, if any requested accommodation is reasonable. *The ADA Compliance Officer is the Director of Human Resources, 3599 Big Ridge Road, Spencerport, NY 14559, 352-2420.*

Student Attendance

The Monroe 2-Orleans BOCES Center for Workforce Development Adult Education program faculty and staff are committed to helping you achieve your goals. Your success depends on your commitment to attend class. The more a student attends class the more likely the student is to be successful in obtaining their goals. Regular and consistent attendance is expected to ensure student success and adult learners should be encouraged to schedule necessary appointments outside of class time, or at times when the least amount of instruction will be missed. Excessive absence or absence without daily notification may be grounds for disciplinary action or dismissal from program.

Our Career Training, Literacy, and Continuing Education departments manage student attendance differently. Please refer to each department program section of the CWD Adult Learner Handbook for details about the specific department's attendance expectations.

Student Incidents

If an adult learner violates the Student Code of Conduct and/or policies and/or student expectations on or off site, the Instructor must document the incident using one of the following forms, as applicable.

Student Warning Form (Level One - Blue Form):

- A student warning form is a method for the instructor to document any adult learner infraction/violation of the above, including academic performance, attendance issues, and/or behavioral issues.
- A student warning form is completed by the instructor and signed by the instructor and the adult learner. A copy must be provided to the admissions office for placement in the official student folder.
- Instructors are responsible for tracking the amount of warning forms issued to an adult learner and whether the adult learner has met defined expectations. If an adult learner has not addressed the issues discussed in the warning form in a timely manner, instructors are responsible for seeking administrative intervention, (Level Two).

Student Referral Form (Level Two/Three - Pink Form):

- A student referral form is used by instructors when administrative intervention is needed to address student infractions. These issues may be: recurring patterns of the above referenced infractions, the adult learner did not meet the expectations of the warning form, or adult learner engaged in serious/grave infractions that require immediate administrative intervention (i.e. adult learner cursed and stormed out of class).
- Instructor must complete the referral form and submit to the CWD director's office.
- The CWD director/designee will review the referral form, consult with instructor and admissions advisor, and make a determination as to next steps. Administration may conduct an investigation, which could include asking the adult learner to remain out of class until an investigation is completed. Administrative intervention may result in student counseling, academic probation, and/or dismissal.
- Academic probation could occur after the investigation and in consultation with the admissions advisor. An adult learner on academic probation is provided with clear expectations regarding required improvement needed to remain in the program. Failure to meet any or all of these expectations will result in dismissal.

Student Appeal Process (to be followed by adult learner when adult learner disagrees with being placed on academic probation or dismissed from program):

- Adult learner is to submit written letter of appeal to Assistant Superintendent of Instruction within five school days of being placed on academic probation or dismissed.
- Assistant Superintendent will confirm receipt of appeal with adult learner and then review entire matter, which may include review of student file, review of off site location, interviewing students and/or staff and/or work-based mentors, and make a final determination within five school days of receipt of the written appeal.
- The final decision will be communicated to the adult learner.

Student Photo Identification

For security purposes, students are required to carry their student issued identification card whenever on site. In the event a student does not have a student ID, student must have a valid New York State photo ID on their person.

Student Records

Student educational records shall be maintained and disclosed according to the guidelines of the Family Educational Rights and Privacy Act of 1974 (See page 35 for more information regarding protections of FERPA). These guidelines protect the privacy of educational records; establish the right of students to inspect and review their non-privileged educational records; and for the correction of inaccurate or misleading data. The policy applies to students currently and formerly enrolled at Monroe 2-Orleans BOCES. Educational records include any records (in handwriting, print, tape, film, computer, or other medium) maintained by Monroe 2-Orleans BOCES that are directly related to a student.

Telephone Calls (Adult learner outgoing calls)

Personal telephone calls are **not** to be made during classroom time. Adult learners are allowed to use the telephone, **for local calls only for a short period of time**, during breaks, lunchtime/dinnertime or outside of the instructional time.

Adult learners attending classes at the Career & Technical Center, or other locations, must arrange with their instructor to use the telephone.

Visitors

All Visitors must report to the main desk in both the Westview Commons Business Park and the Career & Technical Center, upon entry into the facility.

Yearly Program Calendar

Refer to the website for program recess and holiday dates.

III. ACADEMIC GRIEVANCE PROCEDURE

We anticipate that each adult learner's educational experience will be a positive and successful one. However, the procedure below should be followed when the adult learner believes they have experienced a problem that he/she believes will interfere with their academic success.

Step One:

The adult learner (complainant) shall discuss the problem with his/her instructor within five (5) calendar days of its occurrence.

Step Two:

If the complainant is dissatisfied with the results of step one, the adult learner may request a meeting, **in writing**, with his or her admission advisor within five (5) calendar days of the discussion with the instructor. The admission advisor will conduct a meeting with the complainant and/or other parties-of-interest to attempt a resolution, within ten (10) calendar days. A written summary of that meeting and resolution will be provided within five (5) calendar days after that meeting.

Step Three:

Should the matter remain unresolved after the meeting/step two, the complainant may file an appeal to the Director of CWD within five (5) calendar days of the formal resolution presented in step two. The formal written grievance must include the following:

- a. Name of complainant
- b. Reason(s) for grievance with statement of nature and fact of grievance including date concern first arose and events or conditions which constitute the grievance
- c. Admissions advisor with whom the complainant met with, date and reason why the resolution was unsatisfactory
- d. Statement of redress sought by complainant

The CWD director will render a written determination within ten (10) working days after receipt of the appeal in Step Three.

Step Four:

In the event that the matter is not satisfactorily resolved, the complainant may file an appeal, in writing, to the Assistant Superintendent for Instruction providing a summary of the grievance and status to date within five (5) calendar days of the CWD director's decision. The Assistant Superintendent for Instruction will render a written determination within ten (10) working days after receipt of the appeal in Step Three.

NOTE: For Council on Occupational Education approved classes, in the event that the matter is not satisfactorily resolved through Step Four, the complainant may file an official grievance to: Council on Occupational Education, 7840 Roswell Road, Bldg. 300, Suite 325, Atlanta, Georgia 30350, Phone: 770-396-3898, Web Site: www.council.org

Student Grievance

For grievances other than academic, please refer to policy #6461 - COMPLAINTS AND GRIEVANCES BY STUDENTS in section VIII of this document.

Student Dismissal

Students who are dismissed from the CWD Career Education job training programs, for either academic or attendance problems, may submit a \$25.00 re-admission fee and request in writing re-admission to another CWD program. Re-admission is not guaranteed.

IV. GUIDELINES FOR CAREER TRAINING PROGRAMS

Admissions Process

Admission Requirements

- BOCES admits, as adult learners, applicants who have:
 - Successfully completed a program application, and
 - Successfully passed the entrance assessment, and
 - Submitted all required documentation, and
 - Attended an admission interview (if program applicable), and
 - Secured satisfactory payment arrangements
- Be beyond the compulsory age of attendance as set by New York State
- BOCES reserves the right to decline any high school diploma, transcript or equivalency documentation it deems as unacceptable

Admission Procedures

As part of the admissions process, adult learners must complete the following:

- Attend an Admissions Session to review curriculum, course objectives, class schedules, career options, placement rates, student expectation, and appropriateness of the adult learner to participate in the program, etc., and complete an Entrance Assessment to access skill level
- Submit a program application with a \$25 non-refundable registration fee by due date (usually four weeks prior to program start date)
- Submit a copy of high school diploma or equivalency
- Submit any program specific documentation– including record of Health Examination and proof of required immunization as required for most health occupation programs
- Attend a career training admission interview, if program applicable
- Receive *Notification of Provisional Program Acceptance* letter (which signifies successful completion of admissions requirements, not financial requirements)
- Secure satisfactory payment arrangements, including submitting all Financial Aid documentation
- Receive Enrollment Confirmation
- Review the Adult Learner Handbook (*For successful completion of a training program – students must adhere to policy and procedures as outlined in the adult learner handbook, and complete program-related work-based or clinical activities, as required by program curriculum.*)

*BOCES 2 CWD does not admit students that may be considered under the status of “Ability to Benefit.”
BOCES 2 CWD does not accept transfer credits from other institutions.*

Career Education/Job Training Programs Professionalism Grading Criteria

Instructors are expected to use the following professionalism rubric to grade and assess student workplace readiness skills. These expectations are based on Industry standards and will be reflected in the classroom environment.

Attendance and Dependability: *You must be on time and stay all day. If you have a prior permission to miss class through a Record of Absence (green sheet) you will receive all points for the day. If you call in for tardiness or a missed day you will receive all points for the day. All tardiness or missed classes without notification will receive a full deduction for that day.*

- Consistently demonstrates understanding of work/class expectations for attendance.
- Consistently notifies supervisor/instructor in advance of absence.
- Consistently demonstrates understanding of expectations for punctuality.
- Consistently arrives on time for school/work based experience.
- Consistently shows responsibility by taking and returning from breaks on time.
- Takes the initiative to always call a supervisor prior to being absent or tardy.

Attitude and Flexibility: *You must be professional at all times; display eagerness, a willingness to learn, be energetic, adaptable, and pleasant at all times. Encourage, support and mentor fellow adult learners.*

- Always performs task fully without direction from initiation to completion communicating with supervisor/instructor as needed.
- Consistently demonstrates proper procedures for task completion.
- Consistently initiates interactions with supervisor for the next task upon completion of previous one.
- Able to evaluate own work and utilizes feedback to produce the “highest quality of work” and provides optimal customer service.
- Adult learner consistently monitors progress toward goals as well as initiates new goals.
- Always demonstrates a skillful understanding of workplace policy and ethics.
- Consistently demonstrates flexibility for new situations.

Workplace Attire and Safety: *You must follow all guidelines for professional attire as outlined by your instructor for the industry you are training for. You must be neat and clean with good personal hygiene. You must be respectful of the tools of your trade.*

- Demonstrates compliance with dress code.
- Always wears appropriate work attire.
- Consistently complies with health and safety rules for specific workplace.
- Skillfully uses job-related tools, technologies, and material.
- Takes initiative to identify sources of conflict.

Cooperation and Communication: *You need to communicate with fellow classmates and instructors effectively. If you have concerns or conflicts you should address them professionally. Learning how to represent yourself in a professional manner is an essential career skill to achieve.*

- Always is a responsible member of a workplace team.
- Consistently accepts direction, feedback, and constructive criticism.
- Always pays full attention to what other people are saying (verbal and non-verbal).
- Initiates thoughtful & appropriate questions.
- Consistently demonstrates a high level of respect for others.

Certificates

Monroe 2-Orleans BOCES – Center for Workforce Development will issue a Certificate of Completion to adult learners who have maintained required attendance and have shown successful completion of the skills and aptitudes necessary for course completion as determined by a passing grade from the instructor. Completion certificate requirements may differ for licensing programs, clinical programs, or comprehensive accelerated programs.

Enrollment Confirmation

Enrollment into a career education job training program requires attendance at an Admissions Session, payment of a \$25 non-refundable application fee, successful completion of the entrance assessment, and sufficient satisfactory payment arrangements for full payment of tuition. An automated email confirming enrollment will be sent to the email that is on file. The entire admission process must be completed before enrollment is confirmed.

Federal Title IV Refunds

The financial aid (Pell Grant and student loans) earned by the adult learner is equal to the percentage of the period of enrollment completed. When an adult learner withdraws before completing more than 60% of the period of enrollment, the percentage of financial aid is prorated using the Federal Refund/Repayment Policy.

The returned funds must be refunded to the following sources in this specific order:

1. Unsubsidized Federal Direct Loans
2. Subsidized Federal Direct Loans
3. Federal PLUS Loans
4. Federal Pell Grant

Outstanding Balances

Upon termination of enrollment, any balance due to Monroe 2-Orleans BOCES CWD (based on the school's refund policy) is payable immediately. All charges on the student's account must be paid in full prior to the completion of the training program. Monroe 2-Orleans BOCES CWD reserves the right to withhold student transcripts and deny approval for state board examinations to any adult learner who has an outstanding balance with the Financial Aid Office.

Grade Standards at CWD

Our career and technical education middle skill job training programs provide adult learners with the academic, technical, and professional knowledge, skills, and training necessary to succeed in future careers and to become lifelong learners. As a career and technical education program our commitment is to provide instruction that applies principles, concepts, skills, and processes from academic and technical curricula to real-life tasks. As a result, our adult learners will be graded on three categories. Instructors have the flexibility to set the percentage of the grade for each category within the parameters provided. Your instructor will communicate the grading criteria on the first day of class in your course syllabus.

Adult learners must achieve a grade of "C" or better in all areas to successfully complete the course and receive a certificate of completion. Exceptions may apply to the grading guidelines in certain programs due to industry expectations.*

A	91-100	Superior performance
B	81 – 90	Above average performance
C	75 – 80	Basic performance
F	Below 75	Below average performance (Unsuccessful in course)

*Refer to program syllabi for specific grade requirements for health-related programming (Nurse Assistant, Dental Assistant, and Phlebotomy).

Grading Category	Description	Samples	Percentage Range
Academic Assessments	Academic or traditional assessments are “tests” that are usually true/false, matching, or multiple choice. These assessments are easy to grade, but only test isolated application, facts, or memorized data at lower-level Bloom’s taxonomy.	Multiple choice True/False Fill in the blank Matching Chapter tests Quizzes Short answer questions	40 - 60% of overall grade
Technical Competencies	Technical assessments require the learner to apply the knowledge and skills needed to perform in realistic situations so that an instructor can assess how well the adult learner can apply what they know to complete a task.	Projects Papers Tasks with rubrics Work Orders (i.e. Test electrical circuits for continuity, complete a customer complaint form, complete a modified scrub brushing technique on a patient)	30-50% of overall grade
Professionalism	Professional assessments monitors a learners “career readiness “and “soft skills” that are essential in the workplace. These assessments monitor a learner’s attendance, punctuality, appearance, initiative, professional interaction with peers and supervisors, and personal responsibility.	Daily rubric is best to monitor professionalism (See rubric below)	10 – 20% of overall grade

Payment

Payment options include MasterCard, VISA, check, cash, cashier’s check, money order, or company purchase order. Have your check, money order, or company purchase order made payable to Monroe 2-Orleans BOCES. Students may be eligible to receive funding through agencies such as: ACCES-VR, Rochester Works, and Veterans Benefits. Various other funding sources are available such as State and Federal grants, and direct or private student loans. Payment must be received prior to the date of the first scheduled class.

Program/Course/Class Transfer

Adult learners have no later than three school days after the start date of a career education job training course to request a transfer into a different course. All student transfers are subject to a one time, \$50 processing fee which will be invoiced directly to the adult learner. Students will be billed a \$50 processing fee. If the transfer is not possible see the refund policy.

Refund/Withdrawal Policy

Full Refund: A written request to withdraw from the course must be received by the CWD office no later than five (5) business days prior to the first scheduled day of class. A \$50 processing fee will be deducted from the full refund amount.

Partial Refund: A written request to withdraw from the course must be received by the CWD office upon withdrawal. A percentage of the program tuition will be refunded depending on the percentage of the program hours completed, less a \$50 processing fee.

- Up to 7% of the program hours completed = 75% refund
- Up to 13% of the program hours completed = 50% refund
- Up to 20% of the program hours completed = 25% refund
- Over 20% of the program hours completed = no refund
- Refunds take approximately 4 – 6 weeks for processing

An adult learner wishing to withdraw should complete a Student Withdrawal Form, which can be obtained from either the Admissions Advisor, the CWD main office at WCBP, or the flash drive provided to you.

Student Attendance Procedures

Behavior Policy

Career Education programs are considered preparation for employment, and as such are designed with policies/expectations matching those that are found with our employer partners. Adult learners are required to maintain a record of attendance, punctuality and professional behavior that conforms to business and industry standards. ***Perfect attendance and professional behavior is expected.*** Failure to meet either expectation individually, or in combination, may result in disciplinary action, or dismissal from the program.

“Sick Time” Benefit

As an adult learner in a Career Education program, you are provided with a “sick time” benefit not to exceed 10% of the total direct contact time you have with your instructor(s) – **not including work-based activity/clinical** (see below). This time should strictly be used for the following reasons:

- Illness or injury to self
- Illness or injury of immediate family member(s) requiring your attention
- Death in immediate family
- Doctor appointment(s)
- Compensation hearings, legal appointments, court dates

If an absence is necessary, it is the adult learner’s responsibility to notify the instructor in advance whenever possible – 24-hour notice is the expected standard, but prior to start of class is required.

The following criteria outlines how attendance will be monitored and communicated to all adult learners (the hours referenced below are only an example and will differ based on the Direct Contact Time for each specific career education program.)

Direct Contact Time (Hours)	2%	4%	6%	>10%
400 hours	8 hours OR 2 Late instances*	16 hours OR 4 Late instances*	24 hours OR 6 Late instances*	40 hours OR 8 Late instances*

A *late instance* is arriving 1-15 minutes after the start of class time at the beginning of the day or after lunch break. More than 15 minutes will round the time missed up to the nearest whole hour. (i.e. 16 minutes late = 1 hour, 1 hour and 16 minutes late = 2 hours, etc.)

- 2% - Conference held between instructor and adult learner. Attendance expectations reinforced and plans developed to minimize future absences.
- 4% - Referral notice issued to adult learner. Meeting with Admissions Advisor to explore means to minimize future absences.
- 6% - Adult learner placed on Probation indicating they are approaching the maximum allowable absences as outlined in the policy.
- >10% - Pending review by the instructor and the CWD Director, adult learner dismissed from program.

Documenting Absences

Adult learners are expected to complete a green attendance form (see instructor) a minimum of 24 hours prior to a planned absence. Should an unexpected absence be required, notification to the instructor prior to the start of that day’s class will serve as sufficient notification.

It is important to note, that contacting your instructor in advance of absences helps maintain a high grade for professionalism, but does not exempt that absence from the total “sick-time” benefit you are provided – time off, is time off. It should be noted that any documentation reflecting the reason for an absence (doctor’s note, etc.) is strongly recommended.

No Call – No Show

Being absent, or arriving late without providing notification (No Call-No Show) is the single most common employment issue identified by our industry partners. As a result, we hold this behavior at an increased level of importance for our adult learners. The following outlines the consequences for a no call-no show:

During Instructional/Lab Time:

- 1st Offense: **Referral** notice sent to adult learner – Meeting with Admissions Advisor to discuss corrective actions.
- 2nd Offense: Adult learner placed on **probation** with 3rd offense warning.

3rd Offense: Pending review by the instructor and the CWD Director, adult learner **dismissed** from program.

Absences during Work-based Activity/Clinical (If applicable)

While perfect attendance during the instructional and/or lab portion of the course is expected, circumstances may prevent that from happening. Your work-base activity/clinical, however, should be viewed as a working interview, and as such, perfect attendance is expected. Should circumstances prevent that from occurring, you are still responsible for meeting the required work-based activity/clinical hours prior to the completion of the course to qualify for program graduation and certification.

It is critical to note that should any absence or tardiness be required, notification of **both** the employer **and** your instructor is **required**.

A No Call – No Show (either to employer or instructor, or both) during your work-based activity/clinical will result in immediate dismissal from the program.

Should an absence become unavoidable, adult learners are expected to call the CWD-WCBP Office **each day** that they will be absent at **(585) 349-9100 and inform the instructor immediately by phone or email.**

Record of Absence (Green Form)

Adult learners are expected to complete a green attendance form when their absence is not directly related to class expectations. For example, if an adult learner misses class due to illness, bereavement, or a medical appointment which could not be scheduled outside of the class time, the adult learner must complete the form. This form should be completed and the adult learners' attendance should reflect this missed class time.

Record of Absence (Purple Form)

Adult learners are expected to complete a purple attendance leave form when the absence is directly related to program objectives. For example, if the adult learner was provided permission from the instructor to miss class time to attend a work-based activity interview or job interview, admissions advisor meeting, the purple form must be completed and the student's attendance should reflect the missed class time was approved.

Student Appeal Process (to be followed by adult learner when adult learner disagrees with being placed on academic probation or dismissed from program):

- Adult learner is to submit written letter of appeal to Assistant Superintendent of Instruction within five school days of being placed on academic probation or dismissed.

- Assistant Superintendent will confirm receipt of appeal with adult learner and then review entire matter, which may include review of student file, review of off site location, interviewing students and/or staff and/or work-based mentors, and make a final determination within five school days of receipt of the written appeal.
- The final decision will be communicated to the adult learner.

Student Leave Of Absence

Monroe 2-Orleans BOCES Center for Workforce Development does not offer an official “Leave of Absence”. Any absence in excess of the standards set by the attendance policy shall be considered a withdrawal from the class, and the withdrawal from all classes shall be considered a withdrawal from the institution. However, adult learners with a legitimate need to discontinue their education for a short period of time may be allowed to re-enroll without penalty at the discretion of the Director of the Center for Workforce Development.

V. CONTINUING EDUCATION PROGRAMS GUIDELINES

Attendance

Adult learners must achieve 80% attendance and demonstrate proficiency of the course material to achieve a certificate of completion. Adult learners in continuing education classes are not required to complete Green attendance sheets for absences.

Cancellation

Every effort is made to conduct classes as listed on our webpage or in our catalog. Circumstances may make it necessary for classes to be cancelled or postponed, or for instructors and classrooms to be changed.

All program offerings must reach a minimum enrollment at least four business days prior to the start of the first scheduled class. If it is necessary to delay the start of a program you will be notified and have the option to enroll at another date, take a similar offering, or request a refund.

Certificates

Monroe 2-Orleans BOCES – Center for Workforce Development will issue a Certificate of Completion to adult learners who have maintained required attendance and have shown successful completion of the skills and aptitudes necessary for course completion as determined by a satisfactory passing grade from the instructor. Completion certificate requirements may differ for licensing programs, clinical programs, or comprehensive accelerated programs. After the last day of class, students will be emailed an exit survey to the email listed in their WebReg account. After they complete the survey, they will be able to view and print their Certificate of Completion directly from their WebReg account.

Grading

Evaluation of each adult learner’s progress will be made periodically. It is the adult learner’s responsibility to maintain a high quality of work performance. The grading system consists of a satisfactory or unsatisfactory grade unless otherwise specifically requested in advance. Upon such request, the career education job training grading methodology will be applied.

Official Transcripts/Educational Records

Adult learners may request (for a fee of \$5) a copy of their Certificate of Completion, an official transcript of grades, or other student records by sending a written request to the CWD Office including student name, date of birth, class attended/year and enclosing a money order, or cashier's check in the amount of \$5, payable to Monroe 2-Orleans BOCES CWD.

Payment

Payment options include MasterCard, VISA, check, cash, money order, or company purchase order. Have your check, cashier's check, money order, or company purchase order made payable to Monroe 2-Orleans BOCES. Payment must be received prior to the date of the first scheduled class.

PLEASE note ed2go classes only accept major credit cards.

Refund Procedure

Full Refund:

A written request to withdraw from the course must be received no later than five (5) business days prior to the first day of class.

Partial Refund:

A percentage of the program tuition will be refunded depending on the amount of notice received, less a \$25 processing fee.

Notice less than five school days prior to the start of the first scheduled class = 90% refund.

Notice after the first class and twenty four (24) hours prior to the scheduled date of the second class = 75% refund.

Notice after the second class = no refunds.

Refunds take approximately 4 – 6 weeks for processing.

Registration Confirmation

Registration for continuing education courses requires payment prior to the scheduled start date of the first class. An automated email confirming student registration will be sent to the email that is on file once payment has been received.

Returned Check Fee

A \$35 service fee will be assessed for a returned check.

Senior Citizen Discount

Senior citizens (62 years of age or older) are eligible for a 10% discount. Documentation is required (i.e. driver's license, leisure pass, copy of birth certificate). Note: This only applies to our continuing education courses.

VI. GUIDELINES FOR LITERACY EDUCATION PROGRAMS

It is important to comply with the following academic, attendance, and conduct requirements to ensure your success in achieving your literacy (English Language or High School Equivalency) goals in a reasonable and timely manner. Below are specific program expectations:

Assessments

- Complete standardized post-test assessments when scheduled to determine academic progress.
- Adult learners will be required to advance at least one functioning level within a 12 month period of entering the program.
- Adult learners not making academic progress will be required to participate in a progress assessment with an Instructor and adhere to the agreed upon improvement plan.

Assignments

- Complete assignments outlined in your Student Education Plan (SEP) in a timely manner.

Attendance Expectations

- The Monroe 2-Orleans BOCES Center for Workforce Development Adult Education program faculty and staff are committed to helping you achieve your goals. Your success depends on your commitment to attend class. The more a student attends class the more likely the student is to be successful in obtaining their goals. The chart below provides an example of the minimum attendance requirements for classes offered at CWD.
- **Record of Absence (Green Form)**
 - Adult learners are expected to complete a green attendance form when their absence is not directly related to class expectations. For example, if an adult learner misses class due to illness, bereavement, or a medical appointment which could not be scheduled outside of the class time, the adult learner must complete the form. This form should be completed and the students' attendance should reflect this missed class time.
- **Record of Absence (Purple Form)**
 - Adult learners are expected to complete a purple attendance leave form when the absence is directly related to program objectives. For example, if the adult learner was provided permission from the instructor to miss class time to attend a work-based activity interview or job interview, admissions advisor meeting, the purple form must be completed and the student's attendance should reflect the missed class time was approved.
- A student's attendance expectation is based on the total class hours per week. The chart below identifies the minimum number of hours an adult learner is to be in class per month, based on the class they are enrolled in.

Class Hours Per Week	Total Hours Per Month	Minimum Hours Per Month
6	24	Must attend at least 19 hours per month
9	36	Must attend at least 28 hours per month
12	48	Must attend at least 38 hours per month

Missed Class Time/Half Hour Rounding Policy

Adult learners are expected to sign in and out of class daily. If adult learners are late to class, leave early, or leave class for any reason, absence of more than 15 minutes will affect their overall attendance record. For any block of time that exceeds 15 minutes, adult learners will lose at minimum a half-hour, per NYSED regulations. Attendance Matrix:

Time Class Scheduled	Time Student arrives to class	Round Up or Down	Student attendance hourly accumulation
8:00 am – 11:00 am	8:31 am – 8:45 am	8:30 am	3 hours
	8:46 am – 9:00 am	9:00 am	2.5 hours
	9:01 am – 9:15 am	9:00 am	2.5 hours
	9:16 am – 9:30 am	9:30 am	2 hours
Time Class Scheduled	Time Student leaves class	Round Up or Down	Student attendance hourly accumulation
11:00 am – 2:00 pm	11:00 am – 11:15 am	11:00 am	3 hours
	11:16 am – 11:30 am	11:30 am	2.5 hours
	11:31 am – 11:45 am	11:30 am	2.5 hours
	11:46 am – 12:00 pm	12:00 pm	2 hours

NYSED Adult Education Regulations

- Agree to provide personal information regarding employment, training, or post-secondary education.
- Participate in follow-up surveys regarding current status.

Returning Students Policy

Any adult learner who has enrolled but not attended classes within the first two weeks of one's date of enrollment or has missed two or more days (without a valid excuse) will be automatically withdrawn from the program. Adult learners will also be dropped from programming if they do not meet the attendance requirement. If an adult learner is withdrawn/dropped from the program and they wish to return the adult learner will have to re-enroll and complete the registration and orientation process, including the registration fee.

Student Literacy Assessment Policy

As adult learners begin their journey toward earning their High School Equivalency, they need to adhere to SED guidelines regarding assessment. Upon entrance all adult learners need to be pre-tested using the TABE diagnostic test to determine the specific instruction needed to attain the minimum score to qualify for the New York State High School Equivalency Diploma. Adult learners will be assessed regularly as a means to guide instruction. Adult learners will not be assigned HSE instruction unless they have scored at the 9.0 level or higher on the TABE reading assessment. Adult learners will only be referred to take the HSE exam (TASC test) if they score appropriately on the TASC Readiness assessment.

Everyone is expected to adhere to the following section from the EPE State Aid Manual (2015-2016) regarding student assessments:

Transition and Career Planning

- Adhere to scheduled conferences with Instructors to modify your SEP based on academic performance and selected goals.
- Participate in career exploration activities to support career planning.

TASC Detailed Test Design

CTB TASC				
Language Arts Reading	Reading - Informational + Language [Vocabulary acquisition]	70%	70	50 MC items 7-8 passages
	Reading - Literacy + Language [Vocabulary acquisition]	30%		
Language Arts Writing	Language	100%	60	50 MC items
	Writing	100%	50	1 prompt based on 1-2 passages
Math	Number and Quantity	15%	90	40 MC items 12GR items
	Algebra	25%		
	Functions	25%		
	Geometry	25%		
	Statistics and Probability	10%		
Social Studies	US History	25%	70	47 MC items 8 stimuli
	World History	15%		
	Civics and Government	25%		
	Geography	15%		
	Economics	20%		
Science	Physical Science	33%	80	47 MC items 8 stimuli
	Life Science	34%		
	Earth and Space Science	33%		
	Engineering and Technology	100%		
	Application of Science [integrated]			
	Scientific and Engineering Practices [integrated]	100%		
	Cross-cutting Concepts [integrated]	100%		



TM

TEST ASSESSING
SECONDARY COMPLETION

VII. CODE OF CONDUCT

This information may also be found on the BOCES 2 Website at www.monroe2boces.org

I. Introduction

The Monroe 2-Orleans Board of Cooperative Educational Services (“BOCES”) is committed to providing a safe, respectful, healthy, civil, orderly and supportive school environment where students may receive and staff may deliver quality educational services without disruption or interference. Responsible behavior by students, staff, parents, board members, and visitors is essential to achieving this goal. The Board has a set of expectations for conduct on all BOCES property (whether owned or leased) and at all BOCES functions (wherever the function is located) and/or including at a work based learning site). These expectations are based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty and integrity.

The Board recognizes the need to clearly define these expectations for acceptable conduct to identify the possible consequences of unacceptable conduct, and to ensure that discipline when necessary is administered promptly, consistently, lawfully, and fairly. To this end, the Board adopts this Code of Conduct (“Code”).

Unless otherwise indicated, this Code applies to all students, staff, parents, and visitors when on BOCES (owned or leased) property or at a BOCES function wherever the function is located.

II. Definitions

For purposes of this Code, the following definitions apply:

- “Authorized BOCES official” is a building administrator, program supervisor, or employee designated to act in an official capacity.
- “Business Days” means days BOCES is open for staff.
- “Disruptive student” means an elementary or secondary student under 21 years of age who is substantially disruptive of the educational process or substantially interferes with the teacher’s authority over the classroom.
- A substantial disruption or substantial interference with a teacher’s authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher’s instructions or repeatedly violates the teacher’s classroom behavior rules.
- “CTE” means Career and Technical Education.
- “CWD” means Center for Workforce Development.
- “Instructional Staff” means BOCES 2 staff members who provide direct instruction or a related service to the student.
- “Parent” means natural parent, guardian or person in parental relation to a student.
- “BOCES property” means in, on, or within any building, structure, athletic field, playground, parking lot or land contained within the real property boundary lines of a public elementary or secondary school, or the BOCES or any leased facility or in or on a school bus/bus/vehicle (as defined in Vehicle and Traffic Law § 142) or any BOCES program or service regardless of the off-site location such as work-based learning programs. BOCES property also means objects or implements owned by the BOCES such as textbooks, computer equipment, lockers, telephones, tables, halls, equipment, etc.
- “BOCES function” means any BOCES-sponsored extra-curricular event or any activity wherever located, including a work-based learning site [(Education Law 2801(1))].

- “Possession” includes on the person or in the belongings of the person, whether the person owns the belongings or not, or a student presence in a vehicle or at a BOCES or non-BOCES location, on BOCES’ property or at a BOCES’ function where a drug, illegal substance, marijuana, drug paraphernalia, or alcohol is present. Possession also means where a student is present at a BOCES or non-BOCES location where BOCES staff or students are present, where there is contraband and the student does not immediately leave and report such contraband to the appropriate authorities.
- “School-based mental health staff” means school social workers, psychologists, and counselors. “Staff” means all instructional and non-instructional employees and consultants of the BOCES.
- “Student” means all preschool, elementary, secondary, and over age 18 learners, excluding Center for Workforce Development adult learners, enrolled in BOCES schools/programs.
- The law defines a “firearm” as: a gun, pistol, revolver, shotgun, rifle, weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, starter gun, machine gun, the frame or receiver of any weapon described above, rocket having a propellant charge of more than 4 oz., missile having an explosive or incendiary charge of more than ¼ oz., bomb, mine, grenade, firearm silencer or firearm muffler, or explosive or incendiary or poison gas or a look-a-like firearm.
- A “weapon” is defined as: a pocket knife or knife with a blade of or more than 2.5 inches; a weapon, device, instrument, material or an animate or inanimate substance used for or readily capable of causing death or serious bodily injury; firearm; pistol; revolver; shotgun; rifle; altered or modified shotgun or rifle; assault weapon; imitation pistol; dagger; dangerous knife; dirk; razor; stiletto; electronic dart gun; electronic stun gun; gravity knife; switchblade knife; pilum ballistic knife; metal knuckles knife; cane sword; billy; black jack; bludgeon; plastic knuckles; metal knuckles; chuka stick; sandbag; sandclub; wrist brace-type slingshot or slingshot; shirken; kung- fu star; or a look-a-like weapon; bow, crossbow and arrow, matches or lighters when used or attempted to injure staff, students or any person upon BOCES’ property or at a BOCES’ function.

III. Student Bill of Rights

A. *Student Rights*

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

1. Take part in all BOCES functions on an equal basis regardless of race, marital status, age, color, creed, national origin, religion, gender, genetic status, victim of domestic violence, military, or veteran status, sexual orientation, gender identity, gender expression, and/or disability.
2. Present their version of the relevant events to staff.
3. Access rules and, when necessary, receive an explanation of those rules from staff.

B. *Student Responsibilities*

All students have the responsibility to:

1. Contribute to maintaining a safe, respectful, healthy, civil, and orderly school environment that is conducive to learning and to show respect to staff, students, and other persons lawfully on BOCES property and to BOCES property.
2. Be familiar with and abide by all home school district, site locations and BOCES policies, rules and regulations dealing with student conduct.

3. Attend school every day unless an excused absence is provided, be on time for class, and be 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. Respond to direction given by staff in a respectful, positive manner.
6. Work to develop strategies to control their anger.
7. Ask questions when they do not understand.
8. Seek help in solving problems that might otherwise lead to discipline.
9. Dress and groom for school and BOCES functions in accordance with the dress code.
10. Accept responsibility for their behavior.
11. Conduct themselves as representatives of the BOCES when participating in or attending BOCES functions; to hold themselves to the highest standards of conduct, demeanor, and sportsmanship.
12. Report violation(s) of Code to a BOCES' staff member.

IV. Essential Partners

A. Parents

All parents are expected to:

1. Recognize that the education of their child(ren) is a shared responsibility between parents and the school community.
2. Send their children to school ready to participate and learn.
3. Ensure their children attend school regularly and on time.
4. Ensure absences are excused. Comply with procedures for calling in absences and providing a note.
5. Insist their children be dressed and groomed in a manner consistent with the student dress code.
6. Help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
7. Know home school district and BOCES policies, regulations, and rules and any off-site location policies and help their children understand them and abide by them.
8. Convey to their children a supportive attitude toward education and the BOCES.
9. Build good relationships with staff, other parents and their children's friends.
10. Help their children deal effectively with peer pressure.
11. Inform an authorized BOCES official of changes in the home situation that may affect student conduct or performance.
12. Provide a place for study and ensure homework assignments are completed.
13. Provide information to the DASA coordinator/school official on any incidences of harassment, discrimination, or bullying behavior impacting their child/student.

B. BOCES Instructors and Staff

All BOCES instructional staff and staff (as applicable) are expected to:

1. Model and maintain a climate of mutual respect and dignity, regardless of actual or perceived age, gender, sex, race, color, creed, religion, national origin, marital status, veteran status, disability, military status, sexual orientation, prior criminal offense, domestic violence victim status, intern status, genetic status, gender identity, or gender expression, which will strengthen students' self-concept and promote confidence to learn.
2. Be prepared to teach the curriculum and adjust to students' learning styles; demonstrate interest in teaching and concern for student achievement; and commitment to continuous learning and professionalism.

3. Know BOCES policies, regulations, and rules, and enforce them in a fair, consistent, prompt, and lawful manner.
4. Communicate to students and parents:
 - a. Course objectives and requirements
 - b. Marking/grading procedures
 - c. Assignment deadlines
 - d. Classroom Rules
 - e. Attendance requirements
5. Communicate regularly with students, parents, and staff, concerning growth and achievement or lack thereof, as well as problem areas and issues which need addressing.
6. Utilize staff in a manner intended to consistently improve student achievement.
7. Maintain current and accurate student records.
8. Use cell phones or electronic devices on BOCES property and/or at BOCES functions, only in an appropriate manner in compliance with BOCES policies/procedures.
9. Address and/or report to the DASA coordinator in a timely manner issues of harassment, discrimination, or bullying that threaten the emotional or physical health or safety of a student.
10. Maintain an environment where he/she does not discriminate, harass, or bully a student as defined in policy and regulation 6462 and as outlined in Section VI of this Code.

C. *BOCES School-based Mental Health Staff*

BOCES School-based Mental Health Staff are expected to:

1. Model and maintain a climate of mutual respect and dignity, regardless of actual or perceived age, gender, sex, race, color, creed, religion, national origin, marital status, veteran status, disability, military status, sexual orientation, gender identity, gender expression, prior criminal offense, domestic violence victim status, intern status, or genetic status which will strengthen students' self-concept and promote confidence to learn.
2. Assist students in coping with peer pressure and their personal, social and emotional problems.
3. Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary, as a way to resolve problems.
4. Regularly review with students their educational progress and career plans.
5. Provide information to assist students with career planning.
6. Encourage students to benefit from the curriculum and extracurricular programs.
7. Maintain current and accurate student records.
8. Use cell phones or electronic devices on BOCES property and/or at BOCES functions, only in an appropriate manner in compliance with BOCES policies/procedures.
9. Address and/or report issues to the DASA Coordinator in a timely manner of harassment, discrimination, or bullying that threaten the emotional or physical health or safety of a student.
10. Maintain an environment where he/she does not discriminate, harass, or bully a student as defined in policy and regulation 6462 and as outlined in Section VI of this Code.

D. *Authorized BOCES officials*

Authorized BOCES officials are expected to:

1. Model and maintain a climate of mutual respect and dignity, regardless of actual or perceived age, gender, sex, race, color, creed, religion, national origin, marital status, veteran status, disability, military status, sexual orientation, gender identity, gender expression, prior criminal offense, domestic violence victim status, intern status, or genetic status which will strengthen students' self-concept and promote confidence to learn.

2. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
3. Ensure that students and staff have the opportunity to communicate regularly with the authorized BOCES official for redress of grievances.
4. Evaluate on a regular basis all instructional programs.
5. Support the development of and student participation in appropriate extracurricular activities.
6. Be responsible for enforcing the Code of Conduct and ensuring that all cases are resolved promptly, fairly, consistently, and lawfully.
7. Set the high expectation for all students, visitors, and staff that inappropriate language does not belong in a school setting.
8. Maintain current and accurate student records.
9. Use cell phones or electronic devices on BOCES property and/or at BOCES functions, only in an appropriate manner in compliance with BOCES policies/procedures.
10. Address and/or report to the DASA coordinator in a timely manner issues of harassment, discrimination, or bullying that threaten the emotional or physical health or safety of a student.
11. Maintain an environment where he/she does not discriminate, harass, or bully a student as defined in policy and regulation 6462 and as outlined in Section VI of this Code.

E. District Superintendent

The District Superintendent is expected to:

1. Model and maintain a climate of mutual respect and dignity, regardless of actual or perceived age, gender, sex, race, gender identity, gender expression, color, creed, religion, national origin, marital status, veteran status, disability, military status, sexual orientation, prior criminal offense, domestic violence victim status, intern status, or genetic status which will strengthen students' self-concept and promote confidence to learn.
2. Promote a safe, orderly, respectful, civil, and healthy school environment, supporting active teaching and learning.
3. Review with authorized BOCES officials the policies of the BOCES and State and Federal laws relating to school operations and management.
4. Inform the board about educational trends relating to student discipline.
5. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
6. Work with an authorized BOCES officials in enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.
7. Use cell phones or electronic devices on BOCES property and/or at BOCES functions, or at school activities only in an appropriate manner in compliance with BOCES policies/procedures.
8. Address issues of harassment, discrimination, or bullying in a timely manner that threaten the emotional or physical health or safety of a student.
9. Maintain an environment where he/she does not discriminate, harass, or bully a student as defined in policy and regulation 6462 and as outlined in Section VI of this Code.

F. Board

The Board is expected to:

1. Adopt and review at least annually the BOCES Code of Conduct to evaluate the Code's effectiveness and the fairness and consistency of its implementation.
2. Lead by example by conducting board meetings in a professional, respectful and courteous manner.

G. Dignity for All Students Act Coordinator (DASA)

The BOCES-wide and School Level DASA Coordinators are expected to:

1. Coordinate, implement, review trends, report as required and enforce Policy 6462. The BOCES-wide DASA Coordinator and School Level DASA coordinator's roles will include reporting, investigating, remedying and tracking allegations of bullying.

V. Student Dress Code

All students are expected to give proper attention to personal cleanliness and grooming and to dress appropriately while at BOCES and BOCES functions. Students and their parents have the primary responsibility for acceptable student dress and grooming and helping students develop an understanding of appropriate appearance in the school setting and at BOCES functions. Staff should exemplify and reinforce acceptable student dress and grooming and help students develop an understanding of appropriate appearance in a school setting and at BOCES functions.

A student's dress, grooming and appearance, including hair style/color, jewelry, make-up and nails, shall adhere to the following:

1. Be safe, appropriate and not disrupt or interfere with the educational process.
2. Recognize that extremely brief garments such as tube tops, net tops, halter tops, spaghetti straps, plunging necklines (front and/or back) and see-through garments are not appropriate.
3. Ensure pants and shorts do not fall below waist/hip-line exposing underwear or any other clothing under jeans/pants/trousers/shorts.
4. Include footwear at all times. Footwear that is a safety hazard will not be allowed.
5. Not include items that are vulgar, obscene, libelous and/or denigrate others on account of race, color, religion, creed, national origin, gender, victim of domestic violence, genetic status, military or veteran status, sex, sexual orientation or disability.
6. Not promote, endorse, and/or display the use of e-cigarettes, vaporizers or similar instruments, alcohol, tobacco, nicotine, nicotine like products, illegal drugs, firearms or weapons, pornography or sexually explicit materials, and/or encourage other illegal or violent activities or gang affiliation.
7. Not to wear outerwear including overcoats in the building.
8. Hats and gear for the head only are appropriate if they do not interfere with the program/class and do not violate numbers 5 and 6, above.

Each authorized BOCES official shall be responsible for informing all students and their parents of the student dress code at the beginning of the school year and any revisions to the dress code made during the school year.

Students who violate the student dress code shall be required to modify their appearance by covering or removing the offensive 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 expulsion.

VI. Prohibited Student Conduct

The BOCES expects all students to conduct themselves in an appropriate, respectful and civil manner, with proper regard for the rights and welfare of other students, staff and other members of the BOCES community, and for BOCES property.

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. Staff who interact with students are expected to use disciplinary action only when necessary and to place emphasis on educating students to grow in self-discipline.

Students who will not accept responsibility for their own behavior and who violate this BOCES Code will be required to accept the consequences for their conduct.

Students may be subject to disciplinary action, up to and including suspension or expulsion from school or a program, when they:

(Note: In any of these categories, police may be called).

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

1. Running in the building, hallways or school rooms.
2. Making unreasonable noise.
3. Using language or gestures that are profane, lewd, vulgar or abusive in any form (i.e., verbal, written, emails, text messaging, chat rooms, social media, website, cell phone, sexting, upskirting, taking photographs without consent).
4. Obstructing vehicular or pedestrian traffic.
5. Driving recklessly.
6. Violating any driving road rules or laws or BOCES rules while operating a motor vehicle.
7. Engaging in any act which disrupts the normal operation of the school and/or school community.
8. Trespassing. Students are not permitted in any school building or on BOCES property, or at a BOCES function other than the one they regularly attend, without permission from the authorized BOCES official.
9. Computer/electronic communications misuse, including any unauthorized use of computers, software, or internet/intranet account; accessing inappropriate websites; or any other violation of the BOCES' acceptable use policy (Policy 6214, Student use of Computerized Information Resources).
10. Indoor use of skateboards, rollerblades, Ripstiks or the like.
11. Using vulgar or abusive language, cursing or swearing.

B. Engage in conduct that is insubordinate. Examples of insubordinate conduct include but are not limited to these incidents OR any violation of ANY other policy or regulation and/or any section of this Code of Conduct:

1. Failing to comply or refusing to comply with the reasonable directions of or otherwise demonstrating disrespect for program expectations or the Code of Conduct.
2. Lateness for, missing or leaving school without permission.
3. Any form of academic misconduct. Examples of academic misconduct include but are not limited to:
 - a) Plagiarism,
 - b) Cheating,
 - c) Copying,
 - d) Altering records, or
 - e) Assisting another in any of the above actions.

C. Engage in conduct that is disruptive. Examples of disruptive conduct include but are not limited to: Any action or actions that result in a delay or interruption of the educational process for themselves and/or other students.

D. Engage in conduct that is violent. A violent student is defined as an elementary or secondary student under the age of 21 who engages in violent conduct. [N.Y. Educ. Law §§ 2801(2)(m) and 3214(2-a)(a).

Examples of violent conduct include but are not limited to:

1. Committing or threatening an act of violence (such as hitting, spitting, kicking, punching, and scratching) upon BOCES staff or attempting to do so.
2. Committing or threatening an act of violence (such as hitting, kicking, punching, spitting, and scratching) upon another student or any other person lawfully on BOCES property or attempting to do so.
3. Possessing a firearm or weapon or other dangerous instrument capable of causing death or physical injury, or what appears to be a firearm or weapon. Authorized law enforcement officials called by BOCES or legally on BOCES property for an official purpose are the only persons permitted to have a firearm or weapon in their possession while on BOCES property or at a BOCES function.
4. Displaying what appears to be a firearm or weapon or other dangerous instrument capable of causing death or physical injury.
5. Threatening to use any firearm or weapon or other dangerous instrument capable of causing death or physical injury, or what appears to be a firearm or weapon.
6. Knowingly and intentionally damaging or destroying the personal property of a student, staff or any other person lawfully on BOCES property.
7. Knowingly and intentionally damaging or destroying any BOCES property by use of graffiti or arson or any other means.

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

1. Lying to BOCES staff.
2. Stealing the property of other students, BOCES staff or any other person on BOCES property or attending a BOCES 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 on BOCES property, off BOCES property provided the defamation creates a disruption to school, or through social media provided the defamation creates a disruption to school (including electronic media such as via cell phone, texting, emails, website, IM's, chat rooms and the like).
4. Discrimination, bullying, and/or harassment that creates a hostile environment for an employee or students by conduct or by threats, intimidation, or abuse including cyberbullying (through any form of electronic communication or social media) that either:
Has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional and/or physical well-being, including conduct, threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause emotional harm; or
Reasonably causes or would reasonably be expected to cause physical injury to a student or to cause a student to fear for his or her physical safety,
Such conduct shall include acts of harassment and/or bullying that occur:
 - (i) on BOCES property,
 - (ii) at a BOCES function, or
 - (iii) off school property where such acts create or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.

For purposes of this paragraph, the term “threats, intimidation or abuse” shall include verbal and non-verbal actions.

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

5. Discrimination, harassment, or bullying which includes the use of age, sex, race, gender identity, gender expression, color, creed, religion, national origin, marital status, veteran status, disability, military status, sexual orientation, prior criminal offense, domestic violence victim status, interns, genetic status as a basis for treating another in a negative manner.
6. Harassment/bullying/cyberbullying, which includes 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, extortion or put down through electronic devices including but not limited to email, iPods, iPads, computer use, website, chat rooms, IM’s, text messaging or cyber image(s) or verbally, including the action known as sexting, upskirting or taking photographs of another without consent.
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 induction or initiation into, affiliating with or maintaining membership in any BOCES sponsored activity, organization, club or team.
9. Selling, distributing sharing, exchanging, creating, using, or possessing obscene material.
10. Smoking, selling, sharing, distributing, using, exchanging, consuming, manufacturing and/or possessing a tobacco product and/or any product in any form that contains nicotine. Tobacco shall be defined as any lighted or unlighted cigarette, cigar, cigarillo, pipe, bidi, clove, cigarette, and any other smoking product matter or substance that contains tobacco, and spit tobaccos, (smokeless, dip chew and/or snuff), in any form.
11. Possessing, consuming, selling, distributing, using, sharing, exchanging, manufacturing, or under the influence or appear under the influence of: a) alcoholic beverages in any form such as a powdered alcohol; b) e-cigarettes, or vaporizers or a similar instrument; c) illegal substances, or a substance thought by the student to be illegal; or d) being under the influence of either. “Illegal substances” includes, but is not limited to, inhalants, marijuana, opioids, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any substances commonly referred to as “designer drugs.” The police will be called in these instances.
12. Using, selling, distributing, sharing, possessing, consuming, exchanging, manufacturing, being under the influence of, prescription and/or over-the-counter drugs or substances thought by the student to be over-the-counter or prescription drugs.
13. Using, selling, distributing, sharing, possessing, consuming, exchanging, manufacturing, or being under the influence of legal substances that mimic the effects of an illegal substance, or any prescription marijuana.
14. Possessing, using, selling, sharing, distributing, manufacturing, or exchanging drug paraphernalia or items that could be used as drug paraphernalia. Drug paraphernalia includes but is not limited to any kind of equipment, product, or material intended to be used for or used for the manufacturing, compounding, converting, concealing, producing, processing, preparing, injecting, ingesting, or inhaling such as lighters, matches, drops in e-cigarettes and vaporizers, “dab,” “dabs,” or “dab pens.”
15. Gambling.

16. Indecent exposure, that is, exposure to sight of the private parts of the body in person, sexting, or through Internet websites, IM's, text messaging, chat rooms, emails, cell phones, upskirting, and the like.
 17. Initiating a report warning of an intruder, a fire, a bomb threat, or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
 18. Engaging in off-campus misconduct that interferes with or can reasonably be expected to substantially disrupt the student(s) education and/or the educational process in BOCES or at a BOCES function.
- F. Engage in misconduct while on school transportation. It is crucial for students to behave appropriately while riding on a school vehicle to ensure their safety and that of other passengers and to avoid distracting the driver. Students are required to conduct themselves in a manner consistent with established standards for classroom behavior while on the bus or in a school vehicle. Excessive noise, pushing, shoving and fighting, etc., will not be tolerated in a school or BOCES vehicle.

VII. Reporting Violations

All students are expected to promptly report violations of the Code of Conduct to a BOCES staff member including observing a student possessing a weapon, firearm, alcohol, powdered alcohol, any illegal substance, prescription medications, vaporizer, or e-cigarettes or a similar instrument, on BOCES property or at a BOCES function.

All BOCES staff who are authorized to impose disciplinary sanctions are expected to do so promptly, fairly, consistently, and lawfully. BOCES staff who are not authorized to impose disciplinary sanctions are expected to promptly report violations of the Code of Conduct to their supervisor, who shall in turn impose an appropriate disciplinary sanction, if so authorized, or refer the matter to a BOCES staff member who is authorized to impose an appropriate sanction.

The authorized BOCES official or his or her designee may notify the appropriate local law enforcement agency of any of those Code violations but mostly for those that constitute a crime or substantially affect the order or security of school or a BOCES program as soon as practical.

For discrimination, harassment or bullying violations, the procedures in Regulation 6462 outline how to report, respond and investigate.

VIII. 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. BOCES staff who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to develop in skills of 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, BOCES staff 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, and
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.

Under no circumstance however will a child in the pre-school aged program be disciplined or expelled.

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

In incidents of harassment, discrimination and/or bullying, discipline will be progressive. To determine appropriate discipline, BOCES officials will consider the age of the student, previous disciplinary record, and physical and psychological effect of the student who was harassed/bullied/discriminated against. Efforts should be made to end the harassment, bullying, discrimination (present and/or recurring), and the hostile environment, and provide an education or intervention.

A. Penalties

Students who are found to have violated the BOCES' Code of Conduct may be subject to the following penalties, either alone or in combination. The BOCES staff identified after each penalty are authorized to impose that penalty, consistent with the student's right to due process.

1. Oral warning – any member of the BOCES staff.
2. Written warning – District Superintendent/designee, director, program supervisor, executive principal, principal, assistant principal, counselor, teachers, and security personnel.
3. Suspension from social or extracurricular activities – District Superintendent/designee, executive principal, principal, program supervisor, assistant principal and director.
4. Suspension of other privileges – District Superintendent/designee, director, executive principal, principal, program supervisor, assistant principal.
5. Removal from classroom, property, or function – District Superintendent/designee, executive principal, principal, director, assistant principal, program supervisor, instructional staff, security personnel.
6. In-school suspension – District Superintendent/designee, program supervisor, director, executive principal, principal, assistant principal.
7. Short-term (five days or less) suspension from school – District Superintendent/designee, director, program supervisor, executive principal, principal.
8. Long-term (more than five days) suspension from school – superintendent of home district.
9. Dismissal from program – District Superintendent/designee.

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 BOCES staff authorized to impose the penalty must inform the student of the alleged misconduct and 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 BOCES staff imposing the disciplinary penalty in connection with the imposition of the penalty. Students who are to be given penalties other than an oral warning, or written warning are entitled to additional rights before the penalty is imposed. These additional rights are explained below.

1. Teacher removal of disruptive students:

A student's behavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In most instances the classroom teacher can control a student's behavior and maintain or restore control over the classroom by using good classroom management techniques. These techniques may involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain his or her composure and self-control in an alternative setting. Such techniques may include, but are not limited to: (1) short term "time out"¹ in a classroom or in an administrator's office; (2) sending a student into the hallway briefly; (3) sending a student to the office for the remainder of the class time only; or (4) sending a student to a counselor or other staff member for counseling. Time-honored classroom management techniques such as these do not constitute discipline removals for purposes of this Code.

On occasion, a student's behavior may become disruptive. For purpose of this Code of Conduct, a disruptive student is a student who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom. A substantial disruption of the educational process or substantial interference with a teacher's authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher's instructions or repeatedly violates the teacher's classroom behavior rules.

A classroom teacher may remove a disruptive student from class for one day. The removal from class applies to the class of the removing teacher only.

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

If the student poses a danger or ongoing threat of disruption, the teacher may request that the student be removed immediately. The teacher must, however, explain to the student why he or she was removed from the classroom and give the student a chance to present his or her version of the relevant events within 24 hours.

The teacher must complete a BOCES established disciplinary removal form and contact the authorized BOCES official or his or her designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the removal form.

Within 24 hours of the student's removal, the teacher must notify the student's parents, in writing, that the student has been removed from class and state the reasons for removal. The notice must also inform the parent that he or she has the right, upon request, to meet informally with the authorized BOCES official and the teacher to discuss the reasons for the removal.

The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the student's removal at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents.

The authorized BOCES official will require the teacher who ordered the removal to attend the informal conference.

If at the informal meeting the student denies the charges, the teacher must explain why the student was removed and give the student and the student's parents a chance to present the student's version of the relevant events. The informal meeting must be held within 48 hours of the student's removal.

The timing of the informal meeting may be extended by mutual agreement of the parent and authorized BOCES official.

¹ *These “time out” sessions are not the same as the time out rooms defined and controlled by Commissioner Regulations*

The authorized BOCES official may overturn the removal of the student from class if the authorized BOCES official finds any one of the following:

- a. The charges against the student are not supported by competent and substantial evidence;*
- b. The student’s removal is otherwise in violation of law, including the Code of Conduct;*
- c. The conduct warrants suspension from school pursuant the Education Law § 3214 and a suspension will be imposed.*

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

Any disruptive student removed from the classroom by the classroom teacher shall be offered continued educational programming until he or she is permitted to return to the classroom.

Each teacher must keep a complete log (on a BOCES provided form) for all cases of removal of students from his or her class. The authorized BOCES official must keep a log of all removals of students from class.

Removal of a student with a disability, under certain circumstances, may constitute a change in the student’s placement. Accordingly, no teacher may remove a student with a disability from his or her class until he or she has verified with the authorized BOCES official that the removal will not violate the student’s rights under state or federal law or regulation.

2. Suspension from extracurricular activities and other privileges:

A student subjected to a suspension from extracurricular activities or other privileges is not entitled to a full hearing pursuant to Education Law § 3214. However, the student and the student’s parents will be provided with a reasonable opportunity for an informal conference with the BOCES official imposing the suspension to discuss the conduct and the penalty involved.

3. In-School Suspension:

The BOCES 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 the executive principal, building principal, assistant principal, program supervisors, and the District Superintendent/designee to place students who would otherwise be suspended from school as the result of a Code of Conduct violation in “in-school suspension.” A student subjected to an in-school suspension is not entitled to a full hearing pursuant to Education Law § 3214. However, the students and the student’s parents will be provided with a reasonable opportunity for an informal conference with the authorized BOCES official imposing the in- school suspension to discuss the conduct and the penalty involved.

4. Suspension from School:

Suspension from school is a severe penalty, which may be imposed only upon students who are insubordinate, disorderly, engages in misconduct, violent or disruptive, or whose conduct otherwise endangers the safety, morals, health or welfare of others. The BOCES retains its authority to suspend

students, but places primary responsibility for the suspension of the students with the District Superintendent and the authorized BOCES official. All staff members must immediately report and refer a violation of the Code of Conduct. All recommendations and referrals shall be made in writing unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases a written report is to be prepared as soon as possible by the staff member recommending the suspension.

The authorized BOCES official upon receiving a recommendation or referral for suspension or when processing a case for suspension, shall gather the facts relevant to the matter and record them for subsequent presentation, if necessary.

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

When the authorized BOCES official or District Superintendent (referred to as the “suspending authority”) propose to suspend a student for five days or less pursuant to Education Law § 3214 (3), the suspending authority must immediately notify the student orally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student’s parents in writing that the student may be suspended from school. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension at the last known address for the parents. Where possible, notice should be provided by telephone also if the school has been provided with a telephone number(s) for the purpose of contacting the parents.

The notice shall provide a description of the charges against the student and the incident for which suspension is proposed and shall inform the parents of the right to request an immediate informal conference prior to suspension. The notice shall also be in the dominant language of the parents.

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 is an ongoing threat of disruption to the academic process. If the student’s presence does pose such a danger or threat of disruption, suspension is immediate and the notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt within 24 hours of the suspension at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting the parents. The notice shall provide an opportunity for an informal conference to take place as soon after the suspension as is reasonably practicable.

At the conference, the parents shall be permitted to ask questions of complaining witnesses under such procedures as the authorized BOCES official may establish.

After the conference, the authorized BOCES official shall promptly advise the parents in writing of his or her decision. The authorized BOCES official shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the District Superintendent within five business days, unless they can show extraordinary circumstances precluding them from doing so. The District 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 District Superintendent’s decision, they may file a written appeal to the Board with the District Clerk within 10 business days of the date of the District Superintendent’s decision, unless they can show extraordinary circumstances precluding them from doing so. A final decision by the Board may be appealed to the New York State Commissioner of Education.

b. Long-term (more than 5 days) suspension from school.

When the District Superintendent or authorized BOCES official determines that a suspension for more than five days may be warranted, he or she shall give reasonable notice to the student and student's parents of their right to a fair hearing.

The hearings and all correspondence related thereto will be conducted by the home school district.

C. Minimum Periods of Suspension

1. Students who bring a firearm or weapon to school.

Any student found guilty of bringing a firearm or weapon onto school or BOCES' property or at a BOCES' function would be subject to suspension from school for at least one calendar year from the date of the incident. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law § 3214 conducted through the home school district.

The home district superintendent has the authority to modify the one-year suspension on a case-by-case basis. In deciding whether to modify the penalty, the home district 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, and
- 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 or threaten violent acts other than bringing a firearm or weapon to school.

Any student who is found to have committed or threatened a violent act, other than bringing a firearm or weapon onto school or BOCES' property, or at a BOCES function, vandalizes or violates a student's civil rights, or harasses shall be subject to suspension from school for at least five days. A student with a disability may be suspended only in accordance with the requirements of state and federal law.

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 who repeatedly is substantially disruptive to 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 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. The student and the student's parent will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. A student with a disability may be suspended only in accordance with the requirements of state and federal law.

D. Referrals

1. Counseling:

The School Based Mental Health Staff shall handle all referrals of students to counseling. At the CTE program during the re-entry meeting or in other circumstances, the counseling office will be utilized to assist students or make referrals.

2. PINS Petition:

The BOCES and/or home district may file a PINS (Person In Need of Supervision) Petition in Court on any student under the age of 18 who demonstrates that he or she requires supervision and treatment by but not limited to:

- 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 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.

3. Juvenile Delinquents and Juvenile Offenders:

The home school district superintendent is required to refer the following students to the County 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 firearm or 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 District Superintendent is required to refer students age 16 or older or any student 14 or 15 years old who qualifies for juvenile offender status to the appropriate law enforcement authorities.

IX. Alternative Instruction

When a student of compulsory attendance age is suspended from school pursuant to Education Law § 3214, the home school district will take immediate steps to provide alternative means of instruction for the student. For students suspended in school, or removed from the classroom, BOCES will take the necessary steps to ensure continued educational programming and activities.

X. Discipline of Students with Disabilities

The BOCES recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior. The BOCES also recognizes that students with disabilities are afforded certain procedural protections whenever staff intend to impose discipline upon them. The BOCES is committed to ensuring that the procedures followed for suspending, removing or otherwise disciplining students with disabilities are consistent with the procedural safeguards required by applicable laws and regulations.

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

A. Authorized Suspensions or Removals of Students with Disabilities

1. For purposes of this section of the Code of Conduct, the following definitions apply.
A “suspension” means a 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 or the home school district's superintendent 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, that enables the student to continue to progress in the general curriculum, although in another setting, to continue to receive those services and modifications, including those described on the student's current individualized education program (IEP), that will enable the student to meet the goals set out in such IEP, and include services and modifications to address the behavior which precipitated the IAES placement that are designed to prevent the behavior from recurring.

2. Authorized BOCES official staff may order the suspension or removal of a student with a disability from his or her current educational placement as follows:
 - a. A 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 home school 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 it is determined that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.
 - c. The home school Superintendent may order the placement of a student with a disability in an IAES to be determined by the Committee on Special Education (CSE), for the same amount of time that a student without a disability would be subject to discipline, but not more than 45 school days, if the student possesses a weapon on BOCES property or at a BOCES function, or the student possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at or on BOCES' property or a BOCES' function, or inflicts serious bodily injury upon another at BOCES or on BOCES' property or at a BOCES function. Serious bodily injury is defined as one of the following: substantial risk of death or extreme physical pain or obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ or faculty.
 - 1) "Weapon" means the same as "dangerous weapon" under 18 USC § 930 (g)(3) which includes "a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except for a pocket knife with a blade less than 2 ½ inches in length" (See section II for a full definition of a weapon).
 - 2) "Controlled substance" means a drug or other substance identified in certain provisions of the Federal Controlled Substance 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 Substance 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 school days at a time, if maintaining the student in his or her current educational placement poses a risk of harm to the student or others.

B. Change of Placement Rules

1. A disciplinary change in placement means a suspension or removal from a student's current

educational placement that is either:

- a. For up to 10 school days in a school year that do not constitute a change in placement;
 - b. For subsequent suspensions for periods of ten (10) consecutive schooldays or less in the aggregate total more than ten (10) school days in a school year, but do not constitute a disciplinary change in placement;
 - c. For periods in excess of ten (10) school days in a school year which do not constitute a disciplinary change in placement.
2. BOCES staff 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 BOCES may impose a suspension or removal, which would otherwise result in a disciplinary change of placement, based on a pattern of suspensions or removals if the manifestation team has determined that the behavior was not a manifestation of the student's disability, or the student is placed in an IAES for behavior involving weapons, illegal drugs or controlled substances or inflicted serious bodily injury.

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

BOCES will consult with the home school district's Committee on Special Education concerning suspension or removal of students with disabilities.

D. Expedited Due Process Hearings

BOCES will defer to the home school district's Committee on Special Education concerning expediting due process hearings.

XI. Corporal Punishment

Corporal punishment is any act of physical force upon a student for the purpose of punishing that student. Corporal punishment of a student by BOCES staff is strictly forbidden. However, in situations where alternative procedures and methods that do not involve the use of physical force cannot reasonably be used, reasonable physical force may be used; meaning staff may implement emergency physical interventions.

The BOCES will file all paperwork/forms on use of corporal punishment with the Commissioner of Education in accordance with Commissioner's regulations.

XII. Student Searches and Interrogations

The BOCES is committed to ensuring an atmosphere on its property and at BOCES' functions that is safe and orderly. To achieve this kind of environment, any authorized BOCES official may impose a disciplinary penalty on a student, and 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 authorized BOCES officials, nor are authorized BOCES officials required to contact a student's parent before questioning the student. However, authorized BOCES officials will inform all students why they are being questioned.

An authorized BOCES official may search a student and/or student's belongings or the belongings on the student and/or in the student's possession. Prior to that search, the authorized BOCES official will first initiate a conversation with the student in an effort to have the student admit to their behavior that is violating the law or the Code of Conduct and/or turn over the contraband in lieu of having to perform a search.

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

An authorized BOCES official may search a student or the student's belongings (including but not limited to shoes/footwear, car, purse, cell phone, book bag, electronic device) based upon reasonable suspicion or information received from a reliable informant. Individuals will be considered reliable informants if they have previously supplied information that was accurate and verified, or they make an admission against their own interest, or they provide the same information that is received independently from other sources, or they appear to be credible and the information they are communicating relates to an immediate threat to safety. BOCES staff will be considered reliable informants unless they are known to have previously supplied information that they knew was not accurate.

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

A. Student Lockers, Desks and Other School Storage Places

The rules in this Code of Conduct regarding searches of students and their belongings do not apply to student lockers, desks, rooms, cabinets, computers, and other BOCES property such as compartments, equipment, supplies and/or storage places. Students have no reasonable expectation of privacy with respect to these places and authorized BOCES officials retain complete control over these items. This means that student lockers, desks, rooms, cabinets, computers, and other BOCES storage places may be subject to search at any time by authorized BOCES officials, without prior notice to students and without their consent.

B. Strip Search

A strip search is a search that requires a student to remove any or all of his or her clothing, other than an outer coat or jacket. It is permissible for the BOCES official to ask a student to pull up their pants leg up to their knees, turn over their waistband, or lift the shirt forward, and shake. If an authorized BOCES official believes it is necessary to conduct a strip search, the BOCES official may do so only if the search is authorized in advance by the District Superintendent or the BOCES attorney. The only exception to this rule requiring advanced authorization is when the BOCES official believes there is an emergency situation that could threaten the safety of the student or others.

Strip searches may only be conducted by an authorized staff member of the same gender as the student being searched and in the presence of another authorized BOCES official who is also of the same gender as the student.

Before conducting a strip search, the authorized BOCES official must consider the nature of the alleged violation, the student's age, the student's record and the need for such a search.

Authorized BOCES officials will attempt to notify the student's parents by telephone before conducting a strip search or in writing after the fact if the parent could not be reached by telephone prior to the search.

C. Documentation of Searches

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

1. Name, age and grade of student searched;
2. Reason(s) for the search;

3. Name of any informant(s), unless confidential;
4. Purpose of search (that is, what item(s) were being sought);
5. Type and scope of search;
6. Person conducting search and his or her title and position;
7. Witnesses to the search;
8. Time and location of search;
9. Results of search (that is, what item(s) were found);
10. Disposition of item(s) found;
11. Time, manner and results of parental notification.

The authorized BOCES official shall be responsible for the custody, control and disposition of any item taken from the student. The authorized BOCES official shall clearly label each item taken from the student and retain exclusive, restricted control of the item(s), until the items are turned over to the police or hearing officer. The authorized BOCES official shall be responsible for personally delivering dangerous or illegal items to police authorities.

D. Police Involvement in Searches and Interrogations of Students

Authorized BOCES officials are committed to cooperating with police officials and other law enforcement authorities to maintain a safe school environment. Police officials, however, have limited authority to interview or search students in BOCES or at BOCES functions, or to use BOCES facilities in connection with police work. Police officials may enter BOCES-owned or leased property or a BOCES function to question 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 or BOCES property or at a BOCES function; or
3. Been invited by BOCES.

Before police officials are permitted to question or search any student, the authorized BOCES official or police or home school district representative 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 parent can't be contacted, the police will still question the student. The authorized BOCES official will also be present during any police questioning or search of a student on BOCES property or at a BOCES function.

Students who are questioned by police officials on BOCES property or at a BOCES function will be afforded the same rights they have outside the BOCES. 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.

E. Child Protective Services Investigations

Consistent with the BOCES commitment to keep students safe from harm and the obligation of authorized BOCES officials to report to child protective services when they have reasonable cause to suspect that a student has been abused or maltreated, the BOCES will cooperate with and assist CPS representatives and their multi-disciplinary team in accordance with Social Services Law § 425 but have discretion to refuse a meeting with local child protective services workers who wish to conduct interviews of students on BOCES 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 BOCES property shall be made directly to the authorized BOCES official. The authorized BOCES official shall set the time and place of the interview if they determine the interview shall take place. The authorized BOCES official shall decide if it is necessary and appropriate for an authorized BOCES 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 BOCES nurse or other district medical personnel must be present during that portion of the interview. No student will be required to remove his or her clothing in front of a child protective worker or authorized BOCES official of the opposite gender.

A child protective services worker may not remove a student from school property without a court order, unless the worker reasonably believes that the student would be subject to danger or abuse, if he or she were not removed from school before a court order can reasonably be obtained. If the worker believes the student would be subject to danger of abuse, the worker may remove the student without a court order and without the parent's consent.

XIII. Visitors to the Schools

The BOCES encourages parents and other district citizens to visit the BOCES schools/programs and classrooms to observe the work of students, teachers and staff. Since schools are a place of work and learning, certain limits must be set for such visits. The authorized BOCES official is responsible for all persons on BOCES property and at a BOCES function. For these reasons, the following rules apply to visitors to the schools:

1. Anyone who is not a regular staff member or student of the school will be considered a visitor.
2. All visitors to the school must report to the office of the authorized BOCES official upon arrival at the school. There they will be required to sign the visitor's registry and will be issued a visitor's identification badge, which must be worn at all times while in the school or on school grounds. The visitor must return the identification badge to the office before leaving the building.
3. Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings, are not required to register.
4. 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.
5. Visitors should not be on the property for social purposes.
6. Any unauthorized person on school property will be reported to the authorized BOCES official. Unauthorized persons will be asked to leave. The authorized BOCES official may be called if the situation warrants.
7. All visitors are expected to abide by the rules for public conduct on BOCES property contained in this Code of Conduct.

XIV. Public Conduct on School Property

The BOCES is committed to providing an orderly, respectful, supportive and safe environment that is conducive to learning. To create and maintain this kind of an environment, it is necessary to regulate public conduct on BOCES property and at BOCES functions. For purposes of this section of the Code, "public" shall mean persons when on BOCES property or attending a BOCES function including students, teachers and district personnel.

The restriction on public conduct on BOCES property and at BOCES functions contained in this Code is not intended to limit freedom of speech or peaceful assembly. The BOCES recognizes that free inquiry and free

expression are indispensable to the objectives of the BOCES. The purpose of this Code is to maintain public order and prevent abuse of the rights of others.

All persons on BOCES property or attending a BOCES function shall conduct themselves in a respectful and orderly manner. In addition, all persons on BOCES property or attending a BOCES function are expected to be properly attired for the purpose they are on school property for.

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 BOCES property or the personal property of a BOCES staff or any person on BOCES property, including by graffiti or arson.
3. Disrupt the orderly conduct of classes, BOCES programs or other BOCES activities.
4. Distribute or wear materials on BOCES grounds or at BOCES functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the BOCES program.
5. Intimidate, harass, discriminate, or bully against any person on the basis of age, sex, race, color, creed, religion, national origin, marital status, veteran status, disability, military status, sexual orientation, gender identity, gender expression, prior criminal offense, domestic violence victim status, interns or genetic status.
6. Enter any portion of the 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, share, use, be under the influence, manufacture or exchange alcoholic beverages, powdered alcohol or as in a beverage, controlled substances, illegal substances, over-the-counter, look alike substances, legal substances that mimic the effects of an illegal substance, or be under the influence of either on BOCES property or at a BOCES function.
10. Smoking, selling, sharing, distributing, using, manufacturing, exchanging and/or possessing a tobacco product. Tobacco shall be defined as any lighted or unlighted cigarette, cigar, cigarillo, pipe, bidi, clove, cigarette, and any other smoking product matter or substance that contains tobacco, and spit tobaccos, (smokeless, dip chew and/or snuff), in any form. The use of e-cigarettes and any other products containing nicotine is also prohibited.
11. The use or possession of e-cigarettes, vaporizers or a similar instrument.
12. Possess, use, or threaten the use of firearm(s) or weapon(s) in or on BOCES property or at a BOCES function, except in the case of law enforcement officers or except as specifically authorized by the school district.
13. Loiter on or about BOCES property or at a BOCES' function.
14. Gamble on BOCES property or at BOCES functions.
15. Refuse to comply with any reasonable order of identifiable BOCES authorized officials performing their duties.
16. Incite others to commit any of the acts prohibited by this Code or law.
17. Violate any federal or state statute, local ordinance or BOCES policy while on BOCES property or while at a BOCES function.

B. Penalties

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

1. Visitors. Their authorization, if any, to remain on BOCES grounds or at the BOCES function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection by law enforcement authorities. They could also be permanently banned or barred from BOCES'

- property and/or functions wherever the function(s) takes place.
2. Students. They shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.
 3. Tenured staff members. They shall be subject to removal or disciplinary action as the facts may warrant in accordance with Educational Law § 3020-a, if applicable, and/or any legal rights that they may have and possibly the subject of a Part 83 report.
 4. Staff members in the classified service of civil service may be subject to removal or disciplinary action as the facts may warrant in accordance with Civil Service Law § 75 if applicable and/or any other legal rights that they may have.
 5. Staff members other than those described in subdivisions 3 and 4 shall be subject to ejection, banning, warning, reprimand, suspension or dismissal as the facts may warrant in accordance with any legal rights they may have.

C. Enforcement

The District Superintendent and the authorized BOCES official shall be responsible for enforcing the conduct required by this Code.

When the District Superintendent, or the authorized BOCES official 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, he or she shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The authorized BOCES official 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 authorized BOCES official shall have the individual removed immediately from BOCES property or the BOCES function. If necessary, local law enforcement authorities will be contacted to assist in removing the person.

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

XV. Dissemination, Review, Training, and Dignity Act Coordinators

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

B. Review

The Board will review this Code of Conduct every year and update it as necessary. In conducting the review, the BOCES 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 BOCES' 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 will be posted on BOCES website. The link to the BOCES posting will be requested annually by New York State Education Department via the Uniform Violent Incident Reporting System [VADIR]

and will serve as the submission to the Commissioner of Education.

C. **DASA Training**

Training needs in support of the DASA Policy 6462 and intervention program will be reflected in the BOCES annual

Dobbertin	BOCES-Wide/ESC	352-2415	tdobbert@monroe2boces.org
Heather Malone	Preschool	617-2320	hmalone@monroe2boces.org
Adam Porter	Westview	617-2570	aporter@monroe2boces.org
Nicole Littlewood	Exceptional Children Learning Center	617-2439	nlittlew@monroe2boces.org
Maria Tantillo	Spencerport Admin. Building	617-2540	mtantill@monroe2boces.org
Rebecca Spence	Terry Taylor Elementary	349-5637	rspence@monroe2boces.org
Sarah Sweeting	Rochester Tech Park	349-9177	ssweetin@monroe2boces.org
James Jewell	Special Education Transition Programs at Slayton Plaza, Roberts Wesleyan, Golisano Children's Hospital (SEARCH) and Paul Road	617-2523	jejewell@monroe2boces.org
Robert Nells	Ridgecrest Academy	617-2948	rnells@monroe2boces.org
Robert Hill	WEMOCO	352-2480	rhill@monroe2boces.org
Martha Willis	Westside Academy	617-2550	mwillis@monroe2boces.org

professional development plan, new teacher orientation and in curriculum. Staff shall receive training to support implementation of that policy, regulation and on related legal developments.

D. **Dignity Act Coordinators**

**PLAIN LANGUAGE SUMMARY OF THE
DIGNITY FOR ALL STUDENTS ACT (DASA)**

BOCES adopted and will review annually a policy on Dignity for All Students Act (DASA) or commonly referred to as the anti-bullying policy. The complete policy may be found on the BOCES website, policy #6462.

The policy explains that the Board is committed to providing an educational environment that promotes dignity, respect, and equality. The Board condemns and prohibits all forms of discrimination, harassment, hazing, bullying, and cyberbullying wherever they occur whether on a BOCES-owned or leased grounds or facilities, buses, BOCES-sponsored activities, programs, or work based learning locations.

Bullying that occurs outside of BOCES that materially and substantially interferes with the operation of the school or program, or impinges on the rights of a student is prohibited and discipline could result.

The policy defines the terms discrimination, hazing, harassment, bullying, and cyberbullying in accordance with law. Discrimination is an act of denying benefits, rights, or equitable treatment because of a group or class in which that person belongs. Hazing is an induction or initiation process involving harassment or public humiliation and could involve discomfort or injury or ridicule. Harassment is the creation of a hostile environment by conduct, verbal threats, intimidation, or abuse that has the effect of unreasonably and substantially interfering with educational performance, mental, emotional or physical well-being, or cause a fear of safety. Bullying is a hostile activity that harms or induces fear through the threat of further aggression. Cyberbullying is harassment or discrimination, or hazing, or bullying through any form of electronic communication. The harassing/bullying behavior may be based on or perception of:

- Race
- Color
- Weight
- National origin
- Ethnic group

- Religion
- Disability
- Sex
- Sexual orientation
- Gender (including gender identity and expression)

Prevention

Bullying prevention programs will be integrated into classroom instruction through BOCES-wide training on warning signs of bullying and the responsibility to become actively involved in prevention of bullying before it starts.

Coordinators

A BOCES-wide Dignity Act Coordinator and a number of school-level Dignity Act Coordinators will be appointed to coordinate, implement, and review trends, investigate, track, and remedy allegations of bullying. The following people are designated as Dignity Act Coordinators:

<u>Name</u>	<u>Building</u>	<u>Phone</u>	<u>E-mail</u>
Tim Dobbertin	BOCES-Wide/ESC	352-2415	tdobbert@monroe2boces.org
Heather Malone	Preschool	617-2320	hmalone@monroe2boces.org
Adam Porter	Westview	617-2570	aporter@monroe2boces.org
Nicole Littlewood	Exceptional Children Learning Center	617-2439	nlittlew@monroe2boces.org
Maria Tantillo	Spencerport Admin. Building	617-2540	mtantill@monroe2boces.org
Rebecca Spence	Terry Taylor Elementary	349-5637	rspence@monroe2boces.org
Sarah Sweeting	Rochester Tech Park	349-9177	ssweetin@monroe2boces.org
James Jewell	Special Education Transition Programs at Slayton Plaza, Roberts Wesleyan, Golisano Children's Hospital (SEARCH) and Paul Road	617-2523	jejewell@monroe2boces.org
Robert Nells	Ridgecrest Academy	617-2948	rnells@monroe2boces.org
Robert Hill	WEMOCO	352-2480	rhill@monroe2boces.org
Martha Willis	Westside Academy	617-2550	mwillis@monroe2boces.org

Intervention

Intervention is an important step in preventing escalation and resolving issues at the earliest stages. Successful intervention may involve remediation, which includes measures to correct the behavior and prevent another occurrence. Staff is expected to refer students or intervene where bullying is suspected.

Provisions for not feeling safe at school

Students who do not feel safe at school lose the capacity to learn. Staff, principals/building administrators, and parents should work together to define and implement needed accommodations to help ensure student safety. This effort will be collaborative and handled individually.

Training

Training to support prevention and intervention will be reflected in the Annual Professional Development Plan, new teacher orientation, and in the curriculum.

Reporting and Investigation

Students, staff, and parents should report bullying behavior they have observed or experienced. Complaints will be documented, treated and handled in accordance with the DASA regulations or BOCES Code of Conduct. Staff is expected to report an incident of bullying even if the student did not complain. The results of an investigation should be reported to the complainant and accused who can appeal based on the procedures outlined in the DASA regulation 6462.

Disciplinary Consequences/Remediation

Disciplinary action including involving law enforcement if criminal conduct is involved will be in accordance with the Code of Conduct. A clear message needs to be given that bullying actions are wrong and the behavior must discontinue. The consequences will be unique to the individual incident and vary depending on the severity of the behavior, child's age, and student's history of problem behaviors.

Non-Retaliation

All complainants and those who initiate, testify, assist, report, or participate in the investigation of a complaint in conformity with state law and BOCES policies, who have acted reasonably and in good faith, have the right to be free from retaliation of any kind.

Dissemination, monitoring, review, and reporting

This policy will be reviewed annually. The Board will review the VADIR report annually with attention to bullying and may consider further action based on the data. A complaint form will be posted on the BOCES website. This plain language summary will be sent to parents in the parent packet and will be included in the Code of Conduct and posted on the BOCES website.

Plain Language Summary of the Dignity for All Students (DASA): Created May 2012, Revised February 2013, Reviewed April 2014, Reviewed May 2016, Revised April 2017, Revised April 2018; Revised April 2019

Code of Conduct: Revised February 2013, Revised April 2014, Revised April 2015, Revised May 2016, Revised April 2017, Revised April 2018; Revised April 2019

VIII. MONROE 2-ORLEANS BOCES POLICIES

This information may also be found on the BOCES 2 Website at www.monroe2boces.org

Notification of Rights under FERPA for Elementary and Secondary Schools

The Family Educational Rights and Privacy Act (FERPA) affords parents of students under 18 years of age, emancipated students, dependent students, and students 18 years of age or older or attending a post-secondary institution ("eligible students") certain rights with respect to the student's education records. These rights are:

- (1) The right to inspect and review, or receive a copy under certain circumstances of the student's education records within 45 days after BOCES receives a request for access. Parents or eligible students should submit to the appropriate BOCES official a written request that identifies the record(s) they wish to inspect. The BOCES official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
- (2) The right to request an amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or a violation of the student's privacy rights. Parents or eligible students may ask the BOCES to amend a record that they believe is inaccurate, misleading or a violation of the student's privacy rights. They should write the appropriate BOCES official; clearly identify the part of the record they want changed, and specify why the information is inaccurate, misleading or an invasion of privacy. If BOCES decides not to amend the record as requested by the parent or eligible student, BOCES will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

(3) The right to provide written consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. There are a number of exceptions. One exception, which permits disclosure without consent, is disclosure to BOCES officials and sponsoring agencies/vendors with legitimate educational interests. A BOCES official is a person employed by the BOCES as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the BOCES board; a person, contractor, company, or volunteer with whom the BOCES has contracted to perform a special task (such as an attorney, auditor, medical consultant, therapist, or records retention service); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A BOCES official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. A second exception is upon request, the BOCES discloses, that is transfers, education records including disciplinary records without consent, to officials of another public or private school district or post-secondary school in which the student seeks or intends to enroll, is instructed to enroll or is already enrolled in. Parent and eligible students have a right to inspect and review a record if disclosure is for purposes of transfer or enrollment.

Other exceptions are as follows:

To authorize representatives of the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State Educational Agency in the parent or eligible student's State (SEA).

Disclosures under this provision may be made in connection with an audit or evaluation of Federal- or

State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of personally identifiable information to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf.

In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid.

To organizations conducting studies for, or on behalf of, the school, in order to:

- a. Develop, validate, or administer predictive tests;
- b. Administer student aid programs; or
- c. Improve instruction.

To accrediting organizations to carry out their accrediting functions.

To parents of an eligible student if the student is a dependent for IRS tax purposes.

To comply with a judicial order or lawfully issued subpoena provided notice is provided in advance of compliance except that an order or subpoena issued in a proceeding of child abuse and neglect or dependency and the parent is a party to the proceedings no advance notice is required.

To a caseworker for the NYS department or County welfare agency who is legally responsible for the care and protection of the student and has access to the child's case plan provided the records and or

personally identifiable information will not be disclosed by the agency except to an individual or entity engaged in addressing the student's education needs and authorized by the agency to receive such disclosure in accordance with New York State Law.

New York State requires student teachers to videotape themselves providing instruction in a classroom to meet their instruction component for their teaching certification. The video is and must remain confidential and is not subject to viewing or disclosure to an individual or entity other than the student teacher applicant and relevant personnel. This is an exception to parental consent for release of education records under FERPA per New York State Law.

To appropriate officials in connection with a health or safety emergency.

To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to § 99.38. (§ 99.31(a)(5)).

BOCES has designated limited directory information only to be released to federal, state, or local law enforcement for any reason where they seek a student's address, telephone listing, email address and/or photograph.

(4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by BOCES to comply with the requirements of FERPA. The name and address of the Office that administers

FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW Washington, DC 20202-5920

BOCES 2 Policy & Regulation 6470 and 6320 fully details the procedures and rights of parents.

Reviewed August 2017

Monroe 2-Orleans BOCES Policy

Series 6000 – Students

Policy #6220 – ALCOHOL, DRUGS AND OTHER SUBSTANCES (STUDENTS)

The Board encourages cooperation with other community agencies and groups in preventing drug and alcohol abuse. Provision shall be made for instructing employees and students in alcohol, drug and tobacco abuse and prevention. All laws pertaining to drug and alcohol use and possession shall be honored by students, adults, and adult students while on BOCES owned or leased premises or at BOCES-sponsored activities, regardless of the location of the activity.

The Board recognizes that the issue of drugs and/or alcohol is a serious problem with legal, physical, emotional and social implications for the entire community.

Possessing, consuming, selling, distributing, using, sharing, exchanging, manufacturing, or under the influence or appear under the influence of: a) alcoholic beverages in any form such as a powdered alcohol; b) e-cigarettes, or vaporizers or a similar instrument; c) illegal substances, or a substance thought by the student to be illegal; d) being under the influence of either; or e) vitamins and/or herbs. “Illegal substances” includes, but is not limited to, inhalants, marijuana, opioids, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any substances commonly referred to as “designer drugs.” The police will be called in these instances.

Using, selling, distributing, sharing, possessing, consuming, exchanging, manufacturing, being under the influence of, prescription and/or over-the-counter drugs or substances thought by the student to be over-the-counter or prescription drugs.

Using, selling, distributing, sharing, possessing, consuming, exchanging, manufacturing, or being under the influence of legal substances that mimic the effects of an illegal substance, or any prescription marijuana.

Possessing, using, selling, sharing, distributing, manufacturing, or exchanging drug paraphernalia or items that could be used as drug paraphernalia. Drug paraphernalia includes but is not limited to any kind of equipment, product, or material intended to be used for or used for the manufacturing, compounding, converting, concealing, producing, processing, preparing, injecting, ingesting, or inhaling such as lighters, matches, drops in e-cigarettes and vaporizers, “dab,” “dabs,” or dab pens bowls, scales, dime bags, or residue in any form that tests positive for THC.

Through the collaborative efforts of staff, students, parents/guardians and the community as a whole, a certifiable comprehensive program shall be developed addressing alcohol and other substances to include the following elements:

Primary Prevention

Preventing or delaying alcohol and other substance use/abuse by students shall be the major focus of a comprehensive program in which proactive measures of prevention and early intervention are emphasized. This program shall include:

a) A sequential curriculum that will be developed and incorporated into the total educational process. This curriculum shall be concerned with education and prevention in all areas of alcohol and other substances uses/abuses

- b) Training school personnel and parents/guardians to reinforce the components of the policy through in-service and community education programs with up-to-date factual information and materials.
- c) An effort to provide positive alternatives to alcohol and other substances use/abuse through the promotion of drug/alcohol-free special events, service projects and extracurricular activities that will develop a positive peer influence.

Drug and Alcohol-Free Education and Prevention Program

In support of the BOCES interest in the health and well-being of BOCES students and employees, and its commitment to a drug and alcohol-free learning and work environment, provision shall be made for a Drug and Alcohol-Free Education and Prevention Program for students enrolled in a BOCES program full-time and employees. (Refer also to Policy #7113 -- Prevention Instruction.)

Intervention

School-based intervention services shall be made available to all students and provided by prevention professionals who are appropriately trained in this area. The purpose of intervention is to eliminate any existing use/abuse of alcohol and other substances and to identify students considered to be at risk for use/abuse. Intervention programming shall include:

- a) Counseling of students in groups and as individuals on alcohol and other substance use/abuse. Counselors shall be appropriately trained and skilled school staff assigned for this purpose.
- b) Referring student to community or other outside agencies when their use/abuse of alcohol and other substances requires additional counseling or treatment. Referral is a key link in school and community efforts and the process is basic to the dissemination of information regarding available counseling and health services.
- c) Providing a supportive school environment designed to continue the recovery process for students returning from treatment. A re-entry program may include continuing student and/or family counseling and emphasizing positive alternatives to alcohol and other substance use/abuse.
- d) Providing a network of outside community agencies to serve as a support group.
- e) Ensuring confidentiality as required by state and federal law.

Disciplinary Measures

Possessing, consuming, selling, distributing, using, sharing, exchanging, manufacturing, or under the influence or appear under the influence of: a) alcoholic beverages in any form such as a powdered alcohol; b) e-cigarettes, or vaporizers or a similar instrument; c) illegal substances, or a substance thought by the student to be illegal; or d) being under the influence of either. "Illegal substances" includes, but is not limited to, inhalants, marijuana, opioids, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any substances commonly referred to as "designer drugs." The police will be called in these instances.

Using, selling, distributing, sharing, possessing, consuming, exchanging, manufacturing, being under the influence of, prescription and/or over-the-counter drugs or substances thought by the student to be over-the-counter or prescription drugs.

Using, selling, distributing, sharing, possessing, consuming, exchanging, manufacturing, or being under the influence of legal substances that mimic the effects of an illegal substance, or any prescription marijuana.

Possessing, using, selling, sharing, distributing, manufacturing, or exchanging drug paraphernalia or items that could be used as drug paraphernalia. Drug paraphernalia includes but is not limited to any kind of equipment, product, or material intended to be used for or used for the manufacturing, compounding, converting, concealing, producing, processing, preparing, injecting, ingesting, or inhaling such as lighters, matches, drops in e-cigarettes and vaporizers, “dab,” “dabs,” or dab pens.

Staff Development

There shall be ongoing training of BOCES staff about the components of an effective alcohol and other substances program. Training shall include, but not be limited to, BOCES policies and regulations and the staff’s role in implementing such policies, and regulations. Teachers shall be trained to implement the alcohol and other substance prevention curricula; intervention staff shall be suitably trained to carry out appropriate services.

Implementation, Dissemination and Monitoring

It shall be the responsibility of the District Superintendent to implement the alcohol and other substances BOCES policy by collaboration with appropriate individuals including school personnel, students and parents/guardians.

Additionally, copies of the Board policy will be made available to BOCES staff and parents/guardians. The District Superintendent/designee shall triennially review the drug and alcohol abuse prevention program to determine its effectiveness and support appropriate modifications, as needed.

Drug-Free Schools and Communities Act Amendment of 1989 (Public Law 101-226)

20 United States Code (U.S.C.) Section 3171 et seq.

Policy References:

Refer also to Policy #5160 -- Alcohol, Drugs and Other Substances (School Personnel).

Adopted: 7/13/1999

Revised: 10/21/2009

Revised: 05/12/2010

Reviewed: 6/15/11

Revised: 5/9/2012

Revised: 8/15/2012

Revised: 5/15/2013

Reviewed: 5/14/2014
Revised: 5/13/2015
Reviewed: 8/19/2015
Revised: 6/15/2016
Revised: 5/10/2017
Revised: 5/09/2018
Revised: 5/15/2019
Revised: 10/16/2019
Revised: 5/13/2020

Monroe 2-Orleans BOCES Policy
Series 6000 – Students
Policy #6461 – COMPLAINTS AND GRIEVANCES BY STUDENTS

While students have the responsibility to abide by the policies and regulations of the BOCES, they shall also be afforded opportunity to present complaints and grievances free from interference, coercion, restraint, discrimination or reprisal. Administration shall be responsible for:

- a) Establishing rules and regulations for the redress of complaints or grievances through proper administration channels;
- b) Developing an appeals process;
- c) Ensuring that students have full understanding and access to these regulations and procedure; and
- d) Providing prompt consideration and determination of student complaints and grievances.

Civil Rights Compliance Officer

In addition, students and parents/guardians will receive annual notification of the availability of the BOCES established grievance procedures for resolving complaints of discrimination based on sex or disability. This notice shall include the name, address and telephone number and email of the Title IX/Section 504/ADA Coordinator (i.e., the Civil Rights Compliance Officer).

The Civil Rights Compliance Officer shall also be responsible for handling complaints and grievances regarding discrimination based on race, color, creed, national origin, age or marital status, military and/or veteran status, sexual orientation, genetic status, prior criminal record, or victim of domestic violence.

References:

Title VII of the Civil Rights Act of 1964, 42 United States Code (U.S.C.) Section 2000-e, et seq. - Prohibits discrimination on the basis of race, color, religion, sex or national origin.

Title VI of the Civil Rights Act of 1964, 42 United States Code (U.S.C.) Section 2000-d, et seq. - Prohibits discrimination on the basis of race, color or national origin.

Section 504 of the Rehabilitation Act of 1973, 29 United States Code (U.S.C.) Section 794 et seq.

The Americans With Disabilities Act, 42 United States Code (U.S.C.) Section 12101 et seq. - Prohibits discrimination on the basis of disability.

Title IX of the Education Amendments of 1972, 20 United States Code (U.S.C.) Section 1681 et seq. Prohibits discrimination on the basis of sex.

New York State Executive Law Section 290 et seq. - Prohibits discrimination on the basis of age, race, creed, color, national origin, sex, disability or marital status.

Age Discrimination in Employment Act, 29 United States Code Section 621.

Policy References:

Refer also to Policy #1440 -- Non-Discrimination.

Adopted: 7/13/1999

Revised: 10/21/2009

Revised: 8/15/2012

Revised: 8/19/2015

Reviewed: 9/19/2018

Monroe 2-Orleans BOCES Policy
Series 6000 – Students
Policy #6440 – SEXUAL HARASSMENT (STUDENTS)

The Board affirms its commitment to non-discrimination and recognizes its responsibility to provide for all BOCES students an environment that is free of sexual harassment, intimidation, and sexual violence. Sexual harassment is a violation of law and stands in direct opposition to BOCES policy. Therefore, the Board prohibits all forms of sexual harassment by employees and students. Generally, sexual harassment includes sexual violence and is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

- a) Submission to sexually harassing behavior is a condition for the successful completion of any course of study or educational and extracurricular activity, including the acceptance into or rejection from such course or activity;
- b) Conditions exist within the school environment that allow or foster obscene pictures, lewd jokes, sexual advances, requests for sexual favors or other harassing activities of a sexual nature;
- c) Such conduct has the purpose or effect of unreasonably interfering with a student's academic performance or participation in an educational or extracurricular activity, or creating an intimidating, hostile or offensive learning environment.

The BOCES acknowledges that in determining whether sexual harassment has occurred, the perspective of the victim as well as the offender's conduct and/or intention should be evaluated.

Any student who believes that he/she has been subjected to sexual harassment shall report all incidents of such conduct to the BOCES designated complaint officer through informal and/or formal complaint procedures developed by the BOCES. In the event that the complaint officer is the offender, the complainant shall report his/her complaint to the next level of supervisory authority. A complaint officer of each gender will be available to the student.

Upon receipt of an informal/formal complaint, the BOCES will conduct a thorough investigation of the charges. Based upon the results of the BOCES' investigation, immediate corrective action will be taken. Should the offending individual be a BOCES employee, appropriate disciplinary measures will be applied, up to and including termination of the offender's employment in accordance with contractual and legal guidelines. Should the offending individual be a student, appropriate disciplinary measures will be applied, up to and including suspension/expulsion.

To the extent possible, within legal constraints, all complaints will be treated as confidentially and privately as possible. However, disclosure may be necessary to complete a thorough investigation of the charges, and any disclosure will be provided on a "need to know" basis.

As part of the investigation, the BOCES has the right to search all school property and equipment including BOCES computers. Rooms, desks, cabinets, lockers, computers, etc. are provided by the BOCES for the use of students and staff, but the users do not have exclusive use of these locations or equipment and should not expect that materials stored therein will be private. The BOCES prohibits any retaliatory behavior directed against complainants and/or witnesses.

Follow-up inquiries shall be made to ensure that harassment has not resumed and that the victims and/or witnesses have not suffered retaliation.

Regulations will be developed for resolving sexual harassment or sexual violence complaints by students. The Superintendent/designee(s) shall affirmatively discuss the topic of sexual harassment with all employees and students, express the BOCES' condemnation of such conduct and explain the sanctions for harassment. A copy of this policy and its accompanying regulations shall be available upon request to all employees and students, and may be posted at various BOCES locations and/or buildings.

BOCES recognizes that any allegation(s) under this policy may also be a violation of the Dignity for All

Students Act, see policy 6462.

Title IX of the Education Amendments 1972, 20 United States Code (U.S.C.) Section 1681 et seq.

See also Policy and Regulation 6462.

Adopted: 7/13/1999

Revised: 10/21/2009

Revised: 8/15/2012

Reviewed: 8/19/2015

Reviewed 9/19/2018

Monroe 2-Orleans BOCES Policy
Series 4000 – Non-Instructional/Business Operations
Policy #4550 – SMOKING/TOBACCO USE School Grounds

Tobacco use shall not be permitted on BOCES leased or owned grounds at any time or within 100 feet of the entrances, exits, or outdoor areas. However, this shall not apply to a residence or within the real property boundary line of such residential property. For purposes of this policy, "school grounds" means any building, structure, and surrounding outdoor grounds including entrances and exits owned or leased by the BOCES; as well as any vehicles used to transport children or BOCES personnel.

Tobacco shall be defined as any lighted or unlighted cigarette, cigar, cigarillo, pipe, bidi, clove cigarette, and any other smoking product matter or substance that contains tobacco, and spit tobaccos, (smokeless, dip chew and/or snuff), in any form. The use of e-cigarettes and any other products containing nicotine, except for current FDA approved smoking cessation products, is also prohibited.

Posting/Notification of Policy

In compliance with the New York State Clean Indoor Air Act, the BOCES will prominently post its Smoking/Tobacco Use policy and signs prohibiting all forms of tobacco in all buildings and other locations, and supply a copy of the policy upon request to any current or prospective employee. The BOCES will designate a school official as the agent responsible to inform individuals who smoke that they are in violation of Article 13-E of the state Public Health Law and the federal Pro-Children Act of

1994, and BOCES Policy. Both BOCES and the individual can face a monetary penalty for an individual's failure to comply. The agent must inform the individual to stop smoking.

Visitors

Visitors to the BOCES facilities or BOCES sponsored events are governed by this smoke and tobacco- free policy. BOCES shall communicate this policy to students, staff, visitors and parents, as is deemed appropriate to orient them to the policy.

Prohibition of Tobacco Promotional Items and Advertising

Tobacco advertising shall be prohibited in all school-sponsored publications and at all school-sponsored events. Tobacco promoted items such as brand names, logos, identifiers, shall be prohibited:

- a. On school grounds
- b. In school vehicles
- c. At school-sponsored events
- d. In school publications
- e. On clothing, shoes, accessories, gear and/or school supplies. In accordance with the student code of conduct.

20 U.S.C. § 7181-7184
20 U.S.C. § 7101 et seq.
Public Health Law Article 13-
E Education Law Sections
409 and 3020-a

Adopted: 7/13/1999
Revised: 9/17/2008
Reviewed: 3/18/2009
Reviewed: 9/21/2011
Revised: 10/17/2012
Revised: 8/20/2014
Reviewed: 8/16/2017

Monroe 2-Orleans BOCES Policy
Series 1000 – By-Laws
Policy #1440 – NON-DISCRIMINATION

The BOCES shall not discriminate on the basis of age, sex, race, color, creed, religion, national origin, marital status, veteran status, disability, military status, sexual orientation, gender identity, gender expression, prior criminal offense, domestic violence victim status, or genetic status, in the educational programs or activities which it operates, or against any employee or applicant seeking a position of employment. The BOCES will be in full compliance with all applicable rules and regulations pertaining to civil rights for students and employees (e.g., Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990).

Appropriate procedures shall be developed to insure the implementation of these rules and regulations concerning civil rights. The Board shall appoint a Civil Rights Compliance Officer to coordinate civil rights activities applicable to the BOCES (see subheading below).

Civil Rights Compliance Officer

The Civil Rights Compliance Officer shall be appointed by the Board and shall be responsible for providing information, including complaint procedures, and for handling complaints relative to civil rights (e.g., Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Americans With Disabilities Act of 1990) for any student, parent, employee or employment applicant.

Title VII of the Civil Rights Act of 1964, 42 United States Code (U.S.C.) Section 2000-e, et seq. Prohibits discrimination on the basis of race, color, religion, sex or national origin.

Title VI of the Civil Rights Act of 1964, 42 United States Code (U.S.C.) Section 2000-d, et seq. Prohibits discrimination on the basis of race, color or national origin.

Section 504 of the Rehabilitation Act of 1973, 29 United States Code (U.S.C.) Section 794 et seq.; The Americans With Disabilities Act, 42 United States Code (U.S.C.)

Section 12101 et seq. - Prohibits discrimination on the basis of disability.

Title IX of the Education Amendments of 1972, 20 United States Code (U.S.C.) Section 1681 et seq. - Prohibits discrimination on the basis of sex.

New York State Executive Law Section 290 et seq. - Prohibits discrimination on the basis of age, military, veteran, race, creed, color, national origin, sex, sexual orientation, prior conviction, disability, marital status, or domestic violence victim status.

Age Discrimination in Employment Act, 29 United States Code (U.S.C.) Section 621. Military Law Sections 242 and 243

Policy References:

Refer also to Policies #5120, #5121, #5170, #6440, #6460, #6461, #7120, and #7140.

Adopted: 7/13/1999

Revised: 3/17/2010

Reviewed: 9/15/2010

Revised: 8/21/2013

Reviewed: 8/17/2016

Revised: 9/18/2019

Monroe 2-Orleans BOCES Policy
Series 6000 – Students
Policy #6460 – EQUAL EDUCATIONAL OPPORTUNITY (Students)

It is the policy of this BOCES to provide, through a positive and effective program, equal educational opportunities for all students in admittance to and/or participation in educational courses, programs or activities; school services; and extracurricular events regardless of age, sex, race, religion, color, national origin, disability, creed, marital status, veteran status, military status, sexual orientation, prior criminal offense, domestic violence victim status, gender identity, gender expression, or genetic status.

The District Superintendent shall designate one or more BOCES employees as Civil Rights Compliance Officer(s) whose responsibility will be to ensure compliance with the various federal and state statutes and regulations prohibiting discrimination in educational programs, including Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Americans With Disabilities Act (ADA).

The BOCES shall establish and implement regulations and procedures in accordance with applicable law that provide for the prompt and equitable resolution of any and all complaints alleging discrimination on the basis of race, color, creed, religion, national origin, sex, age, marital status or disability, military and/or veteran status, sexual orientation, prior criminal record, genetic status, or victim of domestic violence.

The BOCES shall take appropriate annual steps to notify students and their parents or guardians of this policy of non-discrimination. This shall include provision for the publication and dissemination, internally and externally, of this policy to ensure its availability, to interested citizens and groups. Included in this notification shall be the name(s), address(es) and telephone number(s) of the Civil Rights Compliance Officer(s) responsible for handling complaints regarding discrimination; and a copy of the BOCES established grievance procedures shall be available upon request to the Human Resources Office.

References:

Title VII of the Civil Rights Act of 1964, 42 United States Code Section 2000-e et seq. - Prohibits discrimination on the basis of race, color, religion, sex or national origin.

Title VI of the Civil Rights Act of 1964, 42 United States Code Section 2000-d et seq. - Prohibits discrimination on the basis of race, color or national origin.

Section 504 of the Rehabilitation Act of 1973, 29 United States Code Section 794 et seq.

The Americans with Disabilities Act, 42 United States Code Section 12101 et seq. - Prohibits discrimination on the basis of disability.

Title IX of the Education Amendments of 1972, 20 United States Code Section 1681 et seq. - Prohibits discrimination on the basis of sex.

New York State Executive Law Section 290 et seq. - Prohibits discrimination on the basis of age, race, creed, color, national origin, sex, disability or marital status.

Age Discrimination in Employment Act, 29 United States Code Section 621

Policy References:

Refer also to Policy #1440 -- Non-Discrimination.

Adopted: 7/13/1999

Revised: 10/21/2009

Revised: 8/15/2012

Revised: 8/19/2015

Revised: 9/19/2018