

I. INTRODUCTION

This Code of Conduct governs the conduct of students, teachers, other school personnel and visitors pursuant to 8 NYCRR section 100.2(1) (2) (i).

OCSD supports, accepts and appreciates our diverse community of learners. With a student-centered mission, we believe that discipline can be a teaching and learning opportunity for both staff and students. Our objective is for each student to be in class and engaged in learning. When a negative behavior or conflict arises, a strategy of teaching positive behavior is the end goal. In this way, we will support students to learn from mistakes, consider all points of view, and help them discover and implement more appropriate ways to deal with conflicting situations. This ideal supports our District's vision to educate, inspire and empower all students. This will help ensure a positive school community and can help foster positive connections throughout the academic and social experience.

II. STUDENT BILL OF RIGHTS

The Oswego City School District believes in the right of each child between the ages of five (5) and twenty-one (21) years, or until the child receives a high school diploma, whichever comes first, to receive a free and appropriate education. All students in this state between the ages of six (6) and the school year through which he or she becomes 16, are required by law, to regularly attend school, either in the public schools, non-public schools that are approved for equivalency of instruction by the appropriate school authorities, or in the home in accordance with the Regulations of the Commissioner of Education.

The right to a free public school education extends to all students, including those with disabilities. However, this right is not unconditional. As long as due process of law requirements are met, a student may be removed from the classroom, suspended temporarily or suspended permanently from school. Only students within the compulsory education ages six (6) through the school year in which the student turns sixteen (16), are entitled to alternative, equivalent instruction following suspension.

A. Rights of Students

Education in a free society demands that students be aware of their rights and learn to exercise them responsibly. To this end, students have a right:

- To be provided with an education that is intellectually challenging and relevant to demands of the 21st century;
- To learn in an environment free from interruption, harassment, discrimination, intimidation and fear;
- To participate in district activities on an equal basis regardless of actual, or perceived race, color, creed, national origin, weight, religion, religious practice, ethnic group, gender, disability or sexual orientation;

- To be informed of all school rules;
- To be guided by a discipline policy that is fairly and consistently implemented.

B. Responsibilities of Students

Students attend school so that they may develop to their fullest potential. With this in mind, each student is expected:

- To accept responsibility for his/her actions;
- To respect the rights of others, including his/her right to secure an education in an environment that is orderly and disciplined, through their actions and language;
- To attend school every day possible and on a punctual basis;
- To complete class assignments and other school responsibilities by established deadlines;
- To show evidence of appropriate progress toward meeting course and/or diploma requirements;
- To respect school property, e.g. lockers, and help to keep it free from damage;
- To obey school regulations and rules made by school authorities and by the student governing body;
- To recognize that teachers assume the role of a surrogate parent in matters of behavior and discipline when at school, as well as during any school-sponsored activities;
- To contribute toward establishing and maintaining an atmosphere that generates mutual respect and dignity for all;
- To become familiar with this Code and seek interpretation of parts not understood;
- To actively discourage inappropriate behavior of other students and report the incidents to the administration;
- To use their own ideas, works, creations and knowledge in completing examinations, projects, and reports. Students who cheat and/or plagiarize (use the ideas or words of another without full acknowledgment or attribution) will receive an academic sanction, which may include a zero on the assignment.

III. DRESS AND GROOMING

Students are expected to dress and groom themselves in an appropriate manner. Students must be dressed in appropriate clothing and protective equipment as required for physical education classes, participation in athletics, science laboratories and home and careers skills classes.

The following are considered to be inappropriate dress, grooming and appearance and are prohibited in school or at school functions:

- Any dress or appearance which constitutes a threat or danger to the health and safety of students (e.g., heavy jewelry, chains, or jewelry with spikes that can injure the student or others);
- Bandanas, whether worn on the body, or visibly in a pocket;
- Any dress, or appearance, which is vulgar, lewd, obscene, indecent, profane, or which exposes to sight, the private parts of the body (e.g., t-shirts with a phallic symbol and messages consisting of sexual metaphors; see-through garments, extremely plunging necklines, or waistlines);
- Any dress, or appearance, that encourages, or advocates the use of illegal drugs, alcohol and/or tobacco;
- Any dress, or appearance, that advocates, or encourages other illegal or violent activities;
- Any dress, or appearance, that advocates discrimination, or denigrates others based upon actual, or perceived race, color, creed, ethnic group, weight, religion, religious practice, national origin, gender, sexual orientation or disability;
- The wearing of hats or hoods in the building (unless worn for religious or medical reasons);
- The wearing of do-rags, skullcaps, headbands, or other similar head adornments of any color other than plain black; and
- Any dress, or appearance that constitutes a disruption to the educational process.

IV. DIGNITY FOR ALL STUDENTS ACT (DASA)

The Board of Education recognizes that a safe and supportive learning environment can increase student attendance and improve academic achievement. A student's ability to learn and achieve high academic standards, and a school's ability to educate students, is compromised by incidents of discrimination or harassment, including but not limited to bullying, taunting, hazing and intimidation. The District will, therefore, strive to create an environment free of discrimination and harassment and will foster civility in the schools to prevent and prohibit conduct that is inconsistent with the District's educational mission.

The District condemns and prohibits all forms of discrimination and harassment of students based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex by school employees, or students on school property, or at school-sponsored events and activities that take place on, or off, of school property. In addition, any act of discrimination or harassment outside of school-sponsored events that can reasonably be expected to materially and substantially disrupt the educational process may be subject to discipline.

The DASA Coordinators will be responsible for assisting in coordinating and enforcing the requirements of the Dignity for All Students Act and its related policies and regulations at each school building, including but not limited to:

- Professional development for staff members;
- The complaint process;
- Support of the Dignity Act’s civility curriculum components.

A. Prohibited Conduct

No person, either singly or in concert with others, shall:

- Willfully cause physical injury to any other person, or threaten to do so, intimidate, harass or discriminate against any person on the basis of actual or perceived race, creed, color, weight, national origin, religion, religious practice, ethnic group, gender, age, marital status, sexual orientation or disability;
- Physically restrain or detain any other person, or remove such person from any place where s/he is authorized to remain;
- Willfully damage or destroy property of the District or under its jurisdiction or the personal property of a district employee or any person lawfully on school property (including graffiti or arson), or remove or use such property without authorization;
- Without permission, expressed or implied, enter into any private office of an administrative officer, member of the faculty or staff member;
- Enter upon and remain in any building or facility for any purpose other than its authorized uses or in such manner as to obstruct its authorized use by others;
- Without authorization, remain in any building or facility after it is normally closed;
- Refuse to leave any building or facility after being required to do so by an authorized administrative officer, member of the faculty or staff member, or member of the Board of Education;
- Privacy Rights [Search and Seizure] – Students in attendance in our public schools are protected against illegal, or unreasonable personal searches, or seizures of their property by both the federal and state constitutions. In light of these protections, no student’s person or property shall be searched for illegal substances, or materials, unless the school authorities conducting the search have reasonable suspicion to do so. Lockers and desks assigned to students may be subject to inspection at any time by school officials since such places are not the property of the student, but rather are owned by the District and shared with the student.

V. GUIDELINES FOR INTERVENTIONS AND DISCIPLINARY RESOURCES

Discipline is most effective when student(s) have an opportunity to de-escalate and reflect on their actions. School personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students’ ability to grow in self-discipline. Disciplinary action, when necessary, will be firm, fair and appropriate. The result will be the most effective in changing student behavior. In

determining the appropriate disciplinary action, authorized school personnel will consider the following:

- The student's age;
- The nature of the offense;
- The circumstances that led to the offense;
- The student's prior disciplinary record;
- The effectiveness of previous interventions;
- Information from parents, teachers and/or others, as appropriate;
- Other extenuating circumstances.

A. OVERVIEW

Students who are found to have violated the District's Code of Conduct may be subject to the following consequences, either alone, or in combination. School personnel are authorized to impose a consequence consistent with the student's right to due process. The parent and/or guardian will be notified of the violation and consequence.

Consequences may include any of the following:

- Oral warning;
- Written warning;
- Written referral;
- Detention;
- Suspension from transportation;
- Suspension from athletic participation;
- Suspension from social or extracurricular activities;
- Suspension of other privileges;
- Removal from classroom;
- In-school suspension (up to five (5) days);
- Restorative practices;
- Out of school suspension (short term/long term);
- Permanent suspension from school;
- A grade of zero;
- Behavioral Intervention Meeting;
- Other interventions.

VI. CONDUCT OF VISITORS

In an effort to maintain a safe, orderly and healthy educational environment that is conducive to learning, during the regular school day, all visitors to the District must sign-in at the Main Office of the building visited. Visitors are expected to comport themselves in a manner that does not disrupt the order of the schools, or the educational process and in accordance with the law and this Code of Conduct.

VII. PUBLIC CONDUCT ON SCHOOL PROPERTY

The Board of Education recognizes that the primary purpose of the School District is to provide a superior atmosphere for learning and education. Any action by an individual or group(s) aimed at disrupting, interfering with or delaying the education process or having such effect, is prohibited. The Board also recognizes its responsibility to protect school property and declares its intent to take any and all legal action to prevent its damage or destruction. The Board will also seek restitution from, and prosecution of, any person or persons who willfully damage school property.

These rules govern the conduct of students, parents, faculty and other staff, other visitors, licensees, invitees, and all other persons, whether or not their presence is authorized, upon district property, and also upon or with respect to any other premises or property (including school buses) under the control of the District.

VIII. ATTENDANCE

It is the district's belief that all students deserve a high-quality education and that regular attendance will impact student performance. Accordingly, OCS D is vested in partnering with parents and students in an effort to ensure that all students attend school consistently.

Therefore, OCS D has adopted a Comprehensive Student Attendance Policy that meets the following objectives:

- To ensure regular attendance, both OCS D and parents/guardians are accountable to the adherence of Every Student Succeeds Act;
- To identify attendance patterns in order to design attendance improvement efforts;
- To know the whereabouts of every student for safety and other reasons;
- To verify that individual students are complying with education laws relating to compulsory attendance;
- To determine the district's average daily attendance for State aid purposes;
- To raise student achievement and close gaps in student performance;
- To increase school graduation/completion for all students.

As part of this policy, the school district is committed to:

- Creating and maintaining a positive school-building culture by fostering a positive physical and psychological environment where the presence of strong adult role models encourages respectful and nurturing interactions between adults and students. This positive school culture is aimed at encouraging a high level of student bonding to the school, which in turn should lead to increased attendance;
- Developing comprehensive student attendance policy based upon the recommendations of a multifaceted District Policy Development Team that includes representation from the Board of Education, administrators, teachers, students, parents and the community. The district will hold at least one public

hearing prior to the adoption of this collaboratively developed comprehensive student attendance policy;

- Maintaining accurate record keeping of attendance, absence, tardiness or early departure of each student;
- Utilizing data analysis systems for tracking individual student attendance and individual and group trends in student attendance problems; and
- Developing early intervention strategies to improve school attendance for all students.

Excused and Unexcused Absences, Tardiness, and Early Departures

According to NYSED regulations; “It is up to each LEA to determine which pupil absences, tardiness, and early departure will be excused and which will not be excused. LEAs can establish local guidelines for excused and unexcused absences, tardiness, and early departures that reflect local education and community needs, philosophy and priorities.” (Attendance Regulation Commissioner’s Regulation §104.1)

Based upon the OCSD district’s educational needs, values and priorities, the district has determined that absences, tardiness and early departures will be considered excused or unexcused according to the following standards.

Tardy – A student is considered tardy when they arrive at school after the last morning bell.

- All absences, tardiness, and early dismissals must be accounted for. It is the parent’s/guardian’s responsibility to notify the school office within at least **24 hours** of the absences, tardiness, and early dismissals and to provide a written excuse upon the student’s return to school.

Excused Absences – A student’s absence from school shall be considered excused if written documentation of the reason for the absence has been submitted by the parent or legal guardian. Absences, tardiness, and early dismissals from class or school are defined below. This is not an exhaustive list:

- personal illness;
- death and/or illness in family;
- medical and dental appointments;
- religious observance;
- required court appearances;
- quarantine;
- in-school music lessons with administration approval;
- attendance at health clinics;
- approved college visits;
- military obligations;
- school-sponsored educational trip;

- planned evidence of an acceptable educational experience;
- approved cooperative work programs;
- administrative approval/emergency situations. The principal/designee will consider such cases individually;
- other such reasons as may be considered by the Board of Education.

Unexcused absence – An unexcused absence is when a child misses school for reasons that are not accepted by the school district.

Extended Illness and/or Long-Term Suspension – Students who have an extended illness and/or serving a long-term suspension will not be counted as absent during the extended illness or long-term suspension..

When a student has an extended illness, parents should submit a doctor's statement indicating the need for tutoring, and the dates and the length of the home tutoring. This information must be submitted by the parent/guardian before approval by the administration. After that, a request for home tutoring will be forwarded to the designated staff member who will make the arrangements for the home tutoring. Under the directions of the tutor, the student will complete all missed assignments and continue assigned course work.

It should be noted that students who are placed on long-term suspension and are being provided with substantially equivalent instruction (e.g. tutoring, suspension school) are required to attend this alternative form of instruction.

Truancy and Tardiness

Any student not in his/her assigned homeroom/first period class at the start of the scheduled school day is considered either absent or tardy. If a student arrives at school after the homeroom/first period has begun, he/she should report immediately to the designated sign-in area. A written excuse is required explaining why the student is late.

If the student does not have an excuse explaining his/her tardiness, he/she must submit a note from his/her parents or guardians the following day explaining the reason for his/her tardiness.

Student Dismissal Precautions

The following are a list of student dismissal precautions which will be regularly enacted by the district:

- The principal designee of each school in the district shall provide for the maintenance of *School Tool* of individuals who are authorized to obtain the release of students in attendance at the school. No student may be released in the custody of any individual who is not the parent or guardian of the student unless the individual's name appears on the list of contacts listed in *School Tool*.

- Parents or guardians may submit a list of individuals authorized pick up a student from school. A parent or guardian may amend, in writing, at any time, the list .
- Certified copies of any court order or divorce decree provided by the custodial parent/guardian, which restrict a parent's/guardian's ability to seek the release of his/her child, shall be maintained by the Superintendent or his/her designee.
- Individuals seeking the release from school of a student must report to the school office and present identification deemed satisfactory by the school principal/designee. The principal/designee must check the authorized list before a student may be released.
- The principal/designee may release a student to an individual not appearing on the approved list only if the principal/designee has determined that an emergency exists and the parent or guardian has been contacted by the principal/designee and has approved the release.
- A record shall be kept of each scheduled day of instruction during which the school is closed for all or part of the day because of extraordinary circumstances including adverse weather conditions, impairment of heating facilities, insufficiency of water supply, shortage of fuel, destruction of or damage to a school building, or such other cause as may be found satisfactory to the Commissioner of Education.
- Attendance records shall also indicate the date when a student withdraws from enrollment or is dropped from enrollment in accordance with Education Law Section 3202(1-a).
- At the conclusion of each class period or school day, all attendance information shall be compiled and provided to the designated school personnel who are responsible for attendance. The nature of the absence, tardiness or early departure shall be coded on a student's record in accordance with the established district/building procedures.

Student Attendance/Course Credit

A student's ability to earn credits needed for graduation can be negatively impacted by absences. Accordingly, the district encourages all students to attend school regularly.

It should be noted, credit is awarded to secondary students after having received at least 180 minutes of instruction per week throughout the school year (i.e., 108 hours of instruction for a full year course), or the equivalent, and can assist student with being able to achieve mastery of the learning outcomes in the course;

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

A designated staff member will notify by telephone, in writing or by electronic means, the parent/guardian of a student who is absent or departs early without proper excuse.

Notification of the district's Comprehensive Student Attendance Policy will be provided to students and parents/guardians in one or more of the following ways: beginning-of-year or new student emergency information packet, student agenda, parent/guardian handbook, or school newsletter. This information will also be available on the district website: www.oswego.org.

Elementary Buildings Attendance Submission

Elementary classroom teachers submit daily attendance by 9:15 AM on each school day. Parents of students in grades K-6, are requested to telephone or otherwise notify the school of students' absences. Notification should be provided to the elementary school within the first hour of the instructional day.

Secondary Buildings Attendance Submission

Just as in the elementary schools, parents of students in grades 7-12 are requested to telephone or otherwise notify the school of students' absences. Notification should be provided to the school within the first hour of the instructional day.

For grades 7-12, parents/guardians will be informed of student absences minimally with interim reports and student report cards. Notification to parents/guardians may also occur at any time, as deemed necessary by school administration. In the event of students departing school early without an excuse, school staff will attempt in a timely fashion to inform parents/guardians.

All Buildings

Parents/guardians will also be notified in writing of student absences after ten (10) absences and/or ten (10) times tardy.

It is the responsibility of the parent/guardian to provide a written or electronic excuse the day the student returns from an absence. The excuse should include the name of the child, the specific days absent, the reason for the absence, and the parent/guardian's signature.

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

Attendance Initiatives

The Oswego City School District recognizes that in order to best meet the needs of its students, a comprehensive approach to attendance must include partnering with families and a commitment to ensuring active engagement within the classroom. Each building within the Oswego City School District is dedicated to creating positive habits that help their students internalize the value of showing up every day. As such, attendance initiatives include:

- proactive family engagement;
- creating a welcoming and engaging climate for students and families;
- delivering engaging, relevant, inclusive curriculum ;

- addressing attendance challenges in a timely, conscientious manner; and
- partnering with school and community resources.

Intervention Strategy Process

Unexcused absences, tardiness and early departures will result in a tiered-level response, designed to address the individual needs of the student and family. Parents/guardians will be notified by designated district personnel at periodic intervals to discuss their child's absences, tardiness or early departures and the importance of class attendance and appropriate interventions. Individual buildings/grade levels will address procedures to implement the notification process to the parent/guardian. In order to effectively intervene when an identified pattern of unexcused absences, tardiness or early departures occurs, designated district personnel will pursue the following:

- Ascertaining specific element(s) of the pattern (e.g., grade level, building, time frame, type of unexcused absences, tardiness or early departures);
- Contacting the district staff most closely associated with the element. In specific cases where the pattern involves an individual student, the student and parent/guardian will be contacted;
- Identifying strategies to directly intervene with the specific element;
- Recommending intervention to the Superintendent or his/her designee if it relates to change in district policy or procedure;
- Implementing changes, as approved by appropriate administration;
- Utilizing appropriate district and/or community resources to address and help remediate student unexcused absences, tardiness or early departures; and
- Monitoring and reporting short and long term effects of intervention.

Building Review of Attendance Records

The building principal and/or other designated staff as assigned will work in conjunction with other designated staff in regularly reviewing attendance records no less than two (2) times per month. These reviews are conducted to identify attendance patterns and to initiate appropriate action to address the challenge of unexcused absences, tardiness and early departures.

Annual Review by the Board of Education

The Board of Education shall annually review the building level student attendance records and if such records show a decline in student attendance, the Board shall make any revisions to its Policies to improve student attendance.

Community Awareness

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

- Providing a plain language summary of the policy to parents/guardians at the beginning of each school year and promoting the understanding of such a policy to students and their parents/guardians;
- Providing each teacher, at the beginning of the school year or upon employment, with a copy of the policy; and
- Providing copies of the policy to any other member of the community upon request.

Chronic Absenteeism

New York State Education Department defines chronic absenteeism as missing 10% or more of school over the course of an academic year for any reason (excused or unexcused). This equates to missing at least 2 days each month, for the 10 month school year.

Both the New York State and the Federal government assert that attendance matters in the predictability of a child's academic success. New York State and the Federal Government's Every Student Succeeds Act (ESSA) utilize attendance data as one way to measure effectiveness and as a marker to compare schools an

The district believes that regular school attendance supports each child's educational learning by increasing the number of regular - daily opportunities to learn and grow. In contrast, the district believes poor attendance presents negative implications with respect to learning outcomes for all students. Accordingly, the district is committed to partnering with parents to ensure that students avoid chronic absenteeism.