

St. Margaret's School
Additional Handbook Information 2015-2016

Bishop's Pastoral Message

"Catholic Education is an expression of the mission entrusted by Jesus to the Church He founded."

Through education the Church seeks to prepare its members to proclaim the good news and to translate this proclamation into action. Since the Christian vocation is a call to transform oneself and society with God's help, the educational efforts of the Church must encompass the twin purposes of personal sanctification and social reform in light of Christian values." To Teach as Jesus did - Pastoral message on Catholic Education - November, 1972)

St. Margaret's School Philosophy

As Catholic educators, it is our duty to develop in individuals all those competencies necessary to necessary to build integrated Christians. St. Margaret's School constantly seeks to lead children to understand themselves and the world in which they live, to enable them through spiritual, intellectual, social, health, and emotional growth to fulfill their responsibilities as persons and members of human society under God.

St. Margaret's School emphasizes a child centered education by striving to enable all children to develop to their fullest potential. Therefore, we believe:

1. Parents are the primary educators so their children.
2. Teachers and Staff members of St. Margaret's School have the vocation of assisting parents in fulfilling their responsibilities.
3. That the church has an educational mission calling each to active faith in God.
4. That each child has self-worth.

Please take note of the additional policies that will take effect here at St. Margaret's School, in regulation with New York State and the Diocese of Syracuse. Please sign and return as soon as possible the Pesticide Policy, the Technology Policy and acknowledgment of the Code Of Conduct which is printed in full in this handbook.

Accident Reports

Whenever an injury or accident occurs on school property or at a school sponsored activity, the adult in charge must complete a Diocesan accident report form. The report must be signed by the Principal and a copy must be mailed to the Diocesan Risk Management Office within 48 hours. The original accident report will stay on file in the school.

Admissions Policy

The Catholic Schools of the Diocese of Syracuse commit themselves to a continued policy that there will be no discrimination on the basis of race, color, gender, national origin, disability, or age.

St. Margaret's School will offer current students and families the opportunity to register before the open enrollment period. During the open enrollment period, St. Margaret's parishioners will be given first consideration, then students from other Catholic parishes, and then those not affiliated with a Catholic Parish.

Busing

There are several school districts that provide busing to St. Margaret's School. Please contact the school office for a complete list of districts and transportation department contact numbers.

Bus Conduct

Every student has the right to ride the school bus in peace. It is the responsibility of the students on the bus to respect the rights of other riders. Misbehavior on the school bus can lead to injury of the children and damage to the bus. While on the bus, students are expected to remain seated, refrain from any fighting, tripping, pushing, or bullying of others, and to show respect to the bus driver. Any violation of school or bus rules will result in disciplinary action which may include: verbal or written warnings, temporary suspension of bus privileges, or loss of bus privileges for the remainder of the school ' year.

Directory Information

The Family Educational Rights and Privacy (FERPA) policy classifies name, address, and grade level as "directory information". Under the law, this information may be released to third parties when requested without prior parental consent. If you do not wish to have this information released, please make this known to the Principal in writing.

Drug/Alcohol Policy

The policy of the Catholic schools of the Diocese of Syracuse is that the use or possession of alcohol, illegal drugs, and drugs used for non-medical purposes on school property or at any school-sponsored activity by students is strictly prohibited at all times.

Emergency Contacts

Each parent/guardian shall provide the school with telephone numbers where they may be reached in the event of unforeseen emergencies. The school also requests that parents provide the names, addresses, and telephone numbers of individuals who could act in the parent's absence should the parent be unreachable in the event of an emergency. The emergency card should be returned to the school nurse no later than the second day of school.

Fire & Emergency Drills

It is very important for the safety of our students that we periodically conduct fire and emergency evacuation drills. Each school must conduct at least 12 fire drills per year. Of these, 8 drills must take place before December 1. The remaining drills must be done before May 1. An exit is occasionally blocked and students are required to follow an alternate exit route.

Fundraising

Throughout the year, families will be asked to participate in fundraising activities. These activities are *extremely* important to our school. Fundraising proceeds are used for educational materials, field trips, technology, special events, sports programs, and other school activities.

Media Coverage

At times during the school year, the media (such as the *Catholic Sun*) come to the school to report on programs, events, and activities. If parents do not wish to have their child participate in the coverage, they should make this known to the school in writing.

Non-Custodial Parent

St. Margaret's School abides by the provisions of the Buckley Amendment with respect to the rights on non-custodial parents. In the absence of a court order to the contrary, the school will provide the non-custodial parent with access to the academic records and other school-related information regarding the child. If there is a court order specifying that there is to be no information given, it is the responsibility of the custodial parent to provide the school with an official copy of the court order.

Parental Concerns Procedure

Parental questions, comments, and suggestions are always welcome.

In order to expeditiously resolve parental concerns, parents are asked to contact their child's teacher first to discuss the situation or schedule a parent-teacher conference. If the situation is not satisfactorily resolved, or parents would like to speak with the Principal about their idea/suggestions, parents are encouraged to contact the office at anytime.

Release of School Records

Consistent with the provisions of the Family Educational Rights and Privacy Act (FERPA), no part of a student's educational record will be disclosed to any person, organization, or agency without written consent of the student's parent or legal guardian (or consent of the student if over 18 years old) unless:

- a. The disclosure is to school officials, including teachers, who have a legitimate educational interest in the record.
- b. The disclosure is to comply with a judicial order or lawfully issued subpoena.
- c. The disclosure is in connection with a health or safety emergency.

Prior to any disclosure in the case of a judicial order, subpoena, or health/safety emergency, the school will make a reasonable attempt to notify the parents in advance of the disclosure.

When a student transfers to another school, a copy of the student's records will be forwarded to the new school upon official request from the receiving school. In addition to such written request, the written consent of the parent/guardian is required to authorize the transfer.

Sexual Harassment

It is the policy of the Diocese of Syracuse and St. Margaret's School that all students be free from all forms of sex discrimination including sexual harassment in the school environment. Any allegation that a student has been sexually harassed, or has been involved in sexually harassing another, will be fully investigated. If the allegations are determined to be valid, appropriate action will be taken.

Sexual harassment may occur in a number of ways, including:

- Verbal or physical conduct of a sexual nature
- Situations where a student's submission to or rejection of such conduct becomes a basis for academic decisions affecting the student and/or impacts the learning environment.
- When such conduct creates a hostile, intimidating, or offensive learning environment.

Any student who believes that he/she has been subjected to sexual harassment should immediately report the incident to the Principal or School Counselor so that the matter can be investigated, and the student's welfare protected. All information gathered during an investigation will be kept confidential to the fullest extent permitted by law.

Smoking

By law, all schools and school grounds must be smoke-free.

Support from the Public Sector

Students in grades K-6 receive textbooks through the New York State Textbook Loan Act. At the end of the year, students will be held responsible for lost and/or damaged books. St. Margaret's School also receives library materials and computer software from the public school system.

Testing Program

New York State tests in Math and English Language Arts, will be administered to all students grades 3-6. Parents will be notified of all test results.

PLEASE NOTE:

St. Margaret's School reserves the right to modify or amend this handbook at any time without prior approval

**Dates are accurate as of August 2015.
Please keep in mind all dates/times may be subject to change.**

School Discipline and Code of Conduct

Discipline is vital to maintain the educational and religious climate at St. Margaret's School. St. Margaret's exists to create a Catholic, Christian, educational environment where the pursuit of academic excellence is shared by the administration, faculty, staff, students and parents. Any individual or group that interferes with the normal operations of our school community will be dealt with accordingly. Please refer to the following *Code of Conduct* for detailed information.

General School Rules

- Be respectful and conduct yourself in accordance with good manners at all times.
- Individual classroom rules must be followed.
- Homework, assignments, and projects should be completed on time.
- Maintain a positive learning atmosphere by being quiet in the halls as teachers and students are working in the classrooms.
- School and gym uniforms must be worn accordingly. Hats may not be worn during the school day.
- Any act of violence (verbal or physical), fighting, teasing, or bullying is strictly prohibited.
- Running is not permitted in the halls, classrooms, or cafeteria at any time.
- Classrooms and school property must be respected at all times.
- Chewing gum is prohibited.
- Students must remain silent during fire drills.
- Electronic equipment (including, but not limited to, walkmans, Discmans, laser pointers, and electronic games) is not permitted on the school bus or at school.

Cafeteria Rules

- Exhibit good table manners and courtesy to others.
- Glass bottles are not permitted at school.
- Show respect to all cafeteria staff and lunch program volunteers.
- All food must stay in the lunchroom.
- Speak quietly with the students at your table only. No yelling.
- Do not throw any food, paper products, etc.
- Clean up after yourself.

Playground Rules

- Students may not leave the playground area at any time.
- Rough play, tackling, pushing, shoving, and hitting are not permitted.
- No jumping off structures or swings.
- Snowball throwing is not permitted.
- Food/drinks are not allowed to be taken to recess.

Terms of Enrollment

The following sets forth the nature, dynamics and character of the relationship between the School and its students and their parents. This summary will allow both students and parents to clearly understand their rights and obligations while attending the School, and it will minimize any potential misunderstanding in this regard. It is understood that by seeking enrollment in and attend the School, the applicants, students and their parents understand and agree to this statement of rights and obligations. It is part of your agreement with the School.

The School warmly welcomes all of the students accepted for the coming school year and will work hard to provide them with a Catholic and academic education in a supportive learning environment. It is understood and agreed by the School's students, and their parents, that students shall obey the School's *Code of Conduct*, observe the rules and regulations of the School and perform the academic work required so as to result in sufficient academic success while attending the School. It is also understood and agreed that the School's students attend the School at the School's invitation, and not pursuant to any right that a student or parent may possess. The admission to, and continued attendance at the School require students to behave consistent with the *Code of Conduct*, all other rules and regulations of the School and in a manner befitting a student of a Catholic institution. These responsibilities exist both inside and outside of the classroom and during all school functions, whether on campus or located elsewhere.

In order to protect its standards of academics, discipline and character, the School reserves the right to require the withdrawal of any student at any time, for any reason deemed sufficient in the sole discretion of the School and its administrators. Through their application enrollment into the School, all students and their parents and/or legal guardians, concede and acknowledge that the School has this right. By a student's attendance at the School, he or she, and his or her parents or guardians, acknowledge the further important obligations and restrictions contained in the *Student Handbook*, and agree to be bound by its terms.

Students attending the School understand that they do not possess the same rights they might possess if attending a public school. For example, a student's freedom of speech is limited in many important respects at the School. Any speech, written or oral, that is contrary to the Roman Catholic faith, the teachings of the Church, the directives of the Bishop or Ordinary of the Diocese of Syracuse or contrary to the School's *Code of Conduct* are prohibited. Likewise, speech that is contrary or disruptive to the philosophy and purpose of the School is prohibited. Participating in prohibited speech at the School may be the basis for disciplinary action, up to and including suspension or expulsion.

Likewise, while students may have a constitutional right to be free from unreasonable searches or seizures while attending a public school, they understand and agree that the School has the right to search their person or property, if the School's instructors or staff reasonably believe that the search will produce evidence of a violation of a School rule, the School's Code of Conduct or the law. The School's students and their parents understand and agree that it is within the sole discretion of the School's administrators to determine whether such a reasonable belief exists. They further understand and agree that the School has the unfettered right to examine, search or inventory a student's desk, locker, or other space provided to the

student for use at School. It is further understood and agreed that these areas may be searched by the School at any time and for any reason. Moreover, if the School permits on-campus

parking, students and their parents understand and agree that the School has the unfettered right to search any automobile parked upon its premises. Students have no reasonable expectation of privacy relative to any of these areas (e.g., desks, hallway lockers, locker room lockers, automobiles parked on School grounds, etc.)

Additionally, it is understood and agreed by students, and/or their parents or guardians, that they waive and relinquish any right they may have to sue the School, any parish, the Diocese of Syracuse, and/or any individual acting on the half of the School, a parish or the Diocese, such as administrators, teachers, staff, volunteers or any of their agents relative to any matter directly or indirectly concerning academic or disciplinary decisions or matters covered within the *Student Handbook*.

Each student and his or her parents or guardian, by their acceptance of enrollment at the School, agree they may not bring any civil action in any local state or federal court or in any administrative agency or body to challenge any school decision relative to academics or disciplinary matters, including any decision relating to the rules, regulations, procedures or programs covered within this handbook. Students and their parents or guardians agree that any challenge to any school academic or disciplinary action, any enrollment decision, any suspension or expulsion, or any decision relating to the rules, regulations, procedures or programs covered in the *Student Handbook* may only be challenged or appealed within the hierarchy of the School and/or Diocese, subject to the limitations and processes contained within the *Student Handbook*.

While any students or parent or guardian of a student may consult with legal counsel relative to any decision made by the School or Diocese concerning the student, the School emphasizes and reiterates that students and parents or guardians are not permitted to have legal counsel present during any meetings or hearing or to otherwise participate in any disciplinary process or any other proceeding or process administered by the School or Diocese. It is understood and agreed that school administrators are not obligated to meet with attorneys or advocates of any sort, at any time.

The *Student Handbook* contains the School's *Code of Conduct* and the parameters of student discipline. However, it should be noted that any listing of prohibited conduct in the Handbook is only by way of illustration and example, and it is not intended or expected to be an exhaustive or exclusive list of prohibited conduct or conduct that may result in disciplinary action.

The School is pleased to welcome you to the School community and looks forward to your participation in its academics and activities.

CODE OF CONDUCT

I. PURPOSE OF THIS CODE

This Code of Conduct defines St. Margaret's School's expectations for conduct on property associated with the school and at school functions. It also defines a range of penalties for unacceptable conduct.

Unless otherwise indicated, this Code applies to the conduct of students, employees, parents and visitors committed on property associated with the school, at school functions or that otherwise affects the school's spiritual or educational mission.

II. PHILOSOPHY

St. Margaret's School exists to create a Catholic educational community where the pursuit of academic excellence is enlightened and enlivened by faith in the Gospel of Jesus Christ. The religious and academic goals of the school challenge the students, employees, parents, and visitors to develop: the spiritual dimension of their life, high moral character, self-worth, self-discipline, respects for the dignity and rights of others, service to others, concern for the community and concern for the common good.

III. BILL OF STUDENT'S RIGHTS AND RESPONSIBILITIES

A. Student Rights.

Regardless of race, sex, color, national origin, all students have the right to:

1. A Catholic spiritual atmosphere that supports the faith journey and academic growth of students.
2. The guidance of understanding teachers, counselors, and other school staff.
3. An education that offers students the opportunity for inquiry and development.
4. Constructive discipline for the development of good character, conduct and habits.
5. Reasonable efforts to ensure safeguard personal security while on property associated with the school during school hours or at school functions.
6. An educational climate where the well being of students is of primary concern.
7. An educational staff that provides a positive role model for student development.
8. Guidance in choosing a career or college, as appropriate.
9. Wholesome extracurricular activities, unless such activities are denied the student as set forth below.
10. Appropriate education and/or remediation to serve special needs within the limits of the school's program, consistent with the student's individual education plan.
11. Consideration as an individual within the educational environment.

12. The opportunity to approach teachers and administrators with reasonable requests and questions concerning education.

B. Student Responsibilities.

All students are accountable for their own behavior on parish or school property and at school functions, and have the responsibility to:

1. Take full advantage of the opportunities for spiritual and academic growth provided by the school.
2. Treat others with the dignity and respect they deserve as children of God.
3. Comply with the provisions of this Code while on school and at school functions.
4. Grow in character and knowledge as they grow in ability.
5. Be honest with themselves and others.
6. Show respect for fellow students, teachers and all school staff.
7. Set a positive example so that others may enjoy and profit from their company.
8. Perform all assignments to the best of their ability.
9. Consider their education as preparation for the future.
10. Obey all school rules and regulations.
11. Respect public, private and school property.
12. Attend school regularly and punctually.
13. Develop high moral standards and the courage to live by them.
14. Strive for mutually respectful relationships with teachers and comply with reasonable requests of teachers and administrators.
15. Develop opinions and values that will make them an asset to the school community.

IV. DEFINITIONS

A. Definitions of Key Words and Terms.

For purposes of this Code, the following words and phrases shall have the meanings set forth below:

1. **Assault:** The physical abuse, or infliction of personal injury, or unlawful detention of any person and the intentional use of physical force, or the threat thereof, that places, or attempts to place, another person in well-founded fear of personal injury.
2. **Controlled Substance:** A drug or other substance identified in certain provisions of the federal Controlled Substances Act specified in both federal and state law and regulations that apply to

this Code.

3. **School Function:** Any school-sponsored extra-curricular event or activity.
4. **School Property:** Any place in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary lines of the parish or school complex, or other church owned or controlled property, or in or on a school bus operated by a public school District, providing transportation to the School's students.
5. **Explosive:** An explosive device of a nature or in a quantity that is sufficient to cause injury to the person of the holder thereof or to the person or property of others, including the School.
6. **Illegal Drugs:** A controlled substance except for those legally possessed or used under the supervision of a licensed health-care professional, or those legally possessed or used under any other authority under the Controlled Substances Act or any other federal or New York State law.
7. **Illegal Substances:** Alcohol, and tobacco and look-alike drugs.
8. **In¹School Suspension:** The temporary removal of a student from the classroom and the placement of that student in another designated area of the school building where the student will be supervised and will receive substantially equivalent, alternative education. The student may not attend any type of extracurricular activities during the period of the suspension. All conditions for re-entry must be satisfied for the student to be re-admitted to classes.
9. **Out-of-School Suspension:** The temporary removal of a student from the classroom and out of the school building. During this time, the student will receive substantially equivalent, alternative education. The student may not attend any type of extracurricular activities during the period of the suspension. All conditions for re-entry must be satisfied for the student to be re-admitted to classes.
10. **Parent:** The biological, adoptive or foster parent, guardian or person in parental relation to a student.
11. **Suspension:** The disciplinary removal of a student from his or her regular educational program and activities.
12. **Expulsion:** The permanent removal of a student from the school program.
13. **Violent Student:** A student under the age of 21 who (a) commits an act of violence upon a school employee; or (b) commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at a school function; or (c) possesses a weapon while on school property or at a school function; or (d) displays, while on school property or at a school function, what appears to be a weapon; or (e) threatens, while on school property or at a school function, to use a weapon; or (f) knowingly and intentionally damages or destroys the personal property of any school employee or any person lawfully on property or at a school function; or (g) knowingly and intentionally damages or destroys school property.
14. **Visitor:** Anyone on school property or at a school function who is not a school employee or a student of the school building in which the individual is physically present.
15. **Weapon:** A firearm as defined in 18 USC § 921 for purposes of the Gun Free Schools Act, and any device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, and any other gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, BB gun, starter gun, pellet gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, pocket knife, brass knuckles, sling shot, metal knuckle knife, box cutters, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance that can cause

serious physical injury or death when used as a weapon.

V. THE ROLES OF OTHERS IN THE SCHOOL COMMUNITY

A. *Teachers and Other Professional Staff.*

The role of the teaching and other professional staff employed by the school is to:

1. Demonstrate, by word and action, respect for the Catholic Identity of the school, law and order and self-discipline.
2. Keep students and parents informed regarding student progress.
3. Express concern and enthusiasm for teaching and learning.
4. Treat students as individuals, with concern and respect.
5. Provide direction and guidance so students can learn to think, reason, and be responsible for their actions.
6. Become knowledgeable of school rules and regulations regarding student conduct, and require that there be observance of the same.
7. Be consistent, fair and firm in dealing with students both in and out of the classroom.
8. Reinforce positive student behavior.
9. Seek appropriate resources to effect positive change in student behavior.
10. Before seeking assistance from the administration for discipline problems, use available resources to bring about positive behavioral changes in the classroom.

B. *The Administrative Staff:*

The role of a School Administrator is to:

1. Maintain an environment that is reflective of the religious and academic goals of Catholic Schools in the Diocese of Syracuse.
2. Responsibly exercise the authority assigned by the Bishop, the Pastor, the Superintendent of Schools and Assistant Superintendents.
3. Develop effective schedules and teaching assignments for students and staff.
4. Be consistent, fair, and firm in decisions affecting students, staff and parents.
5. Demonstrate, by word and example, respect for the Catholic identity of the school, law and order, self-discipline, and sincere concern for all persons under their authority.
6. Participate in the development of rules and regulations and make them known and understood by students, staff and parents.
7. Initiate and maintain open lines of communication with students, staff, parents, parish officials and diocesan representatives.

8. Become involved with students by attending school activities and visiting classrooms.
9. Work with students, teachers, counselors, and parents to establish cooperative techniques for bringing about an effective educational program.

C. Parents of Students.

The role of the parent of a student is to:

1. Encourage the child to take advantage of the spiritual, academic, and social opportunities provided by the school.
2. Ensure the child attends school punctually and regularly as required by law.
3. To notify the School that the child will not attend school on a particular day no later than the start of school each morning.
4. Know and understand the rules and regulations their child is required to observe at school.
5. Strive to keep their child in good health.
6. Require their child to be clean and dressed consistent with acceptable standards, the school's dress code, and the requirements of this Code.
7. Encourage their child to learn and respect the rights of others.
8. Teach their child, by word and example, respect for the Catholic Identity of the school and for law and authority.
9. Provide guidance for their child to develop socially and morally acceptable standards of conduct and behavior.
10. Become involved in their child's school, with its teachers, programs and activities, and to attend conferences and school functions.
11. Encourage and support their child in completing homework assignments.
12. Recognize that primary responsibility for their child's welfare and development rests with the parent.
13. Satisfy financial obligations to the school. **VI.**

VIOLATIONS OF THE CODE OF CONDUCT A.

Acts of Misconduct Defined.

The School expects the members of the school community to conduct themselves in an appropriate and civil manner, with proper regard for the rights and welfare of students, employees and other members of the school community, and for the care of school facilities and equipment.

The commission of any of the following acts (as they are defined below) is prohibited on school property and at a school function. Such conduct is punishable by the penalties set forth in Section VII of this Code after compliance with the procedures set forth in Section VIII hereof.

1. Act of Violence: To strike, hit, kick, punch, scratch or otherwise physically assault another person; to damage or destroy the personal property of a student, teacher, administrator; other school employee or any person lawfully on school property; or to intentionally damage or destroy school property; or to commit any act that is included within the definition of a violent pupil. as defined herein. Acts of violence include Arson, Assault, Bomb Threats, Fighting, and Possession of an Explosive or a Weapon.

2. Arson: The intentional destruction or other damage by fire, explosion or smoke to real property or personal property of the school, to personal property of school students or staff, or to personal property of third parties.

3. Assault: The physical abuse, or infliction of personal injury, or unlawful detention of any person and the intentional use of physical force, or the threat thereof, that places, or attempts to place, another person in well-founded fear of personal injury.

4. Bias Harassment: The act of threatening bodily harm or by repeatedly tormenting another person based on the victim's race, ethnic origin, religion, cultural difference, or disability. Bias harassment may take the form of comments, jokes, name-calling, innuendoes, offensive conversations, perpetuating rumors or gossip, offensive gestures, noises, blocking a victim's path, assault, or any other behavior that is designed to show disrespect to an individual based on cultural, racial, or religious differences or based on a disability.

5. Bomb Threat: The intentional false claim that an explosive device is located on school property or at a school function.

6. Cheating: The act of giving or receiving (or conspiring to give or receive) answers to class assignment (includes copying computer material) or test answers from another source.

7. Chronic Violation of School Rules: The accumulation of any combination of detentions and suspensions that equals 10 or more in a semester.

8. Destruction of Property: The destruction, defacing or other impairment of school property or property belonging to other persons.

9. Disorderly Conduct: Conduct that obstructs or disrupts a teaching, research, administrative or disciplinary procedure or any other authorized School activity. Disorderly Conduct includes, but is not limited to, running in hallways; making unreasonable noise; using language or gestures that are profane, lewd, vulgar or abusive; the willful interference with the free flow of vehicular or pedestrian traffic; or engaging in any willful act that disrupts the normal operation of the school community.

10. Disruptive Conduct: Conduct by a student under the age of 21 that is substantially disruptive of the educational process or substantially interferes with the teacher's authority in the classroom or other educational setting. Disruptive Conduct includes, but is not limited to, the failure to comply with the lawful directions of teachers, school administrators or other school employees, and speech or gesture which, by virtue of its content and/or circumstances, is likely to disrupt the conduct or classes of other school activities or to undermine the maintenance of discipline within the school setting. Disruptive Conduct also includes being late for school or class; being unprepared for class; and committing other conduct that detracts from the delivery of the school's educational program.

11. Dress Code Violation: The appearance of a student at school in clothing other than that specified in the school's dress code without permission.

12. Drug or Alcohol Violation: The possession, use or sale of an Illegal Drug or Illegal Substance, or the act of being under the influence of drugs without appropriate authorization (includes substances controlled by law, marijuana, medications or other drugs or substances which stimulate or are purported by the student to be any of the above). Insubordination while under investigation for a drug violation will also be considered a drug violation.

13. Extortion: Any intentional action which reasonably instills fear in another individual that the actor or another person will cause injury to the persons or property of that individual or another person for the purpose of obtaining money or property from that individual.

14. False Alarm: The intentional or grossly negligent activation of a fire alarm when no threat of fire exists, or the initiation, instigation or communication to the school, or any of its employees of any other claim of fire or threat thereof when none exists.

15. Fighting: Combative physical contact or other violent encounters between two or more persons.

16. Forgery: The involvement in the imitation or fabrication of another's signature or written work.

17. Harassment: The act of threatening bodily harm, verbally harassing or repeatedly tormenting another person and any other behavior that is intended to or has the reasonable effect of annoying, intimidating or causing fear in another. Harassment may take the form of comments, name-calling, jokes, stalking, perpetuating rumors or gossip, offensive gestures, offensive remarks, physical abuse, or any other behavior that is designed to annoy, intimidate, or cause fear.

18. Insubordination: The refusal or failure to comply with any school rule, regulation or policy (including those relating to attendance), or the failure to comply with a reasonable request from school personnel or representatives authorized to make such a request. Insubordination, as it relates to students, includes, but is not limited to, the failure to comply with the lawful directives of teachers, school administrators or other school employees in charge of students or otherwise demonstrating disrespect toward such individual; lateness for, missing or leaving school without permission; and skipping detention. Insubordination, as it relates to non-students, includes, but is not limited to, the violation of regulations governing the use of school property, and the failure to comply with the lawful directions of school employees or law enforcement officers acting in performance of their duties.

19. Littering: The general distribution or dissemination of printed, written, recorded or other materials without the prior approval of the building principal. The granting of approval or the refusal to grant the same shall be determined pursuant to administrative guidelines for the distribution and dissemination of materials on school property.

20. Loitering: Remaining in an area after the bell when assigned to a particular classroom at that time. Loitering also includes congregating in the halls to impede traffic, or standing next to the building. -

21. Other Misconduct: The act of soliciting, commanding, aiding or otherwise abetting any person to commit any act or conduct that is proscribed by this Code, and the commission or omission of any act which is in violation of any Federal or State law or any school rule or regulation, including the School's Safety Plans.

22. Parking Violations: The act of parking a student-operated vehicle on school property without a parking permit, or parking in unauthorized areas. The school assumes no liability for vandalism/theft of the vehicle while on school property. In addition, student vehicles are subject to search with reasonable suspicion.

23. Plagiarism: The unauthorized use of another's material that is represented as one's own work.

24. Possession of an Explosive: The use, actual or constructive possession, or the sale of an Explosive.

25. Possession of a Weapon: The use, actual or constructive possession, or the sale of a Weapon.

26. Reckless Endangerment: The commission of any act that has the likely potential to cause bodily harm to another individual or oneself.

27. Repeatedly Disruptive Conduct: Misconduct that results in the student being sent from the classroom by teacher(s) on five or more occasions during a semester.

28. Sexual Harassment: Any act or conduct that involves or effects the harassment of another based upon that person's gender, including, but not limited to, inappropriate comments, jokes, name calling, innuendoes, sexually offensive conversations, perpetuating or performing the unwelcome touching of another person's clothes or person, whistling 'or other noises understood to be an unwelcome comment regarding another person's gender, blocking a victim's path, assault, or any other behavior that is intended to or has the reasonable effect of being offensive based on a person's gender.

29. Tardy: Students are tardy when they are not in their seats when the bell rings. Tardy to homeroom means arriving to homeroom after the bell, but before the attendance has been sent to the main office.

30. Theft: The unlawful use, taking possession of, or control over, property belonging to the school or another.

31. Threatening the Well Being of Another Person: The act of making a threat of any kind that has at its end the harm to another person.

32. Tobacco Violations: The act of possessing, smoking or chewing tobacco or tobacco products anywhere on school grounds. The use of tobacco is not allowed anywhere on school grounds by law.

33. Traffic Violation: The operation of a motor vehicle on school property at a speed in excess of fifteen (15) miles per hour, or the operation of snowmobiles, motorbikes, go-carts, motor scooters, and other similar vehicles propelled by gasoline, diesel oil, fossil fuel or electric powered engines on school property. The only motor vehicles allowed to be operated on school property are those automobiles, buses and trucks that are (a) licensed by the Department of Motor Vehicles, (b) insured

in compliance with the mandatory provisions of the Vehicle & Traffic Law, and (c) lawfully operated on the school's driveways, parking fields or other portions of school property for the purpose of attending school activities or conducting business or performing services for the school.

34. **Trespassing:** The entry upon or use of school property without proper authorization in situations where said property is restricted in entry or use.

35. **Tuancy:** The act of being illegally absent from school without the knowledge and consent of a parent/guardian, or failing to attend school when expected to be in school, or leaving school without the permission of the administration, or failing to attend classes in consecutive periods.

36. **Violation of the Technology Policy:** The act of using computer technology in a manner that is not consistent with the Technology Policy that is included in this handbook.

37. **Vandalism:** The willful destruction of the real or personal property of the school or another person. (In addition to suspension, restitution in the form of money or work will be expected).

B. The School's Dress Code.

The school employees and students shall be appropriately groomed and dressed while on school property and at school functions. Teachers and all other school employees should exemplify and reinforce acceptable student dress and help students develop an understanding of appropriate appearance in the school setting. Also, visitors are to be appropriately attired while on school property and at school functions.

Each building principal shall inform all students and their parents of the student dress code at the beginning of the school year, and of any revisions to the dress code made during the school year. **Regular School Uniform (Grades K-6)**

Boys:

Shirt: White or light blue button down shirt (long or short sleeve) worn tucked in.

Tie: Navy blue or forest green tie.

Pants: Navy blue or khaki dress pants worn with a black or brown belt.

Shoes: Solid black or brown school shoes.

Sweaters (optional): Navy blue or forest green sweaters or vests may be worn.

Hair: Hair styles must be neat and short above the ear and collar.

No hair dye or extreme styles.

* *Kindergarten boys only .Kindergarten boys may also wear the button-down shirt without a tie.*

Girls:

Shirt: White blouse with peter pan or button down collar (long or short sleeve). Shirts must be tucked in with skirts/pants.

Jumper (All grades): Uniform plaid jumper available from Flynn and O'Hara.

Skirts (Grades 4-6 only): Uniform plaid skirt available from Flynn and O'Hara.

Pants (Nov. 1 April 1 only): Navy blue or khaki dress pants (no rivets, or stretch material) Shoes: Solid black, brown, or navy shoes. Shoes must have a closed toe and heel. No platforms, clogs, or high heels.

Sweaters (optional): Navy blue or forest green cardigan, sweater, or vests may be worn.

Earrings: Stud earrings are permitted. Hoops and dangling earrings are not permitted for safety reasons.

Hair: No extreme hair colors or styles.

Nail Polish: Clear or light pink

Optional Warm Weather Uniform

* The warm weather uniform is permitted from September October 31 and April 1 - June only.

Boys: • St. Margaret's polo shirt (white or forest green with SMS logo) Available through Flynn & O'Hara. Shirts must be tucked in.

• Khaki or navy blue dress shorts - Available through Flynn & O'Hara. Boys must wear a belt with their shorts.

• Shoes must be one of the following:

- School shoes

- Plain white or black solid color sneakers

Girls: • St. Margaret's polo shirt (white or forest green with SMS logo) Available through Flynn & O'Hara. Shirts must be tucked in.

• Khaki or navy blue skirt - Available through Flynn & O'Hara.

• School shoes or plain white solid color sneakers

Gym Uniform

Girls and Boys:

- Solid navy blue shorts, sweatpants, or wind pants (A white stripe is permitted). No words, decals, designs, etc.
- Plain white t-shirt (no words, logos, etc.)
- Sneakers

C. Conduct on School/ Buses.

When riding on a school bus maintained by a public school district, the student is responsible to comply with all of the rules and regulations established by the public school district providing such transportation. In addition, the school may impose a penalty on a student after receiving a report of misbehavior from a representative of the public school district's transportation department.

When riding vehicles owned or rented by the school all of the provisions of the school's discipline policy and code of conduct shall apply.

D. Visitors.

The School encourages parents to visit the school and classrooms. However, since schools are a place of work and learning, certain limits must be set for such visits. For these reasons, the following rules apply to visitors to the schools:

1. The building principal has authority over all persons in the building and on the school grounds.
2. All visitors to the school must report to the principal's office upon arrival at the school to sign the visitors register and be issued a visitors identification badge. The identification badge must be worn at all times while in the school or on school grounds, and returned to the principal's office before leaving the building. Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings, are not required to register.
3. Parents who wish to observe a classroom while school is in session are required to arrange

such visits in advance with the school's administrator and classroom teacher(s), so that class disruption is kept to a minimum.

4. Teachers should not be expected to take class time to discuss individual matters with visitors.

5. All visitors are required to abide by the rules for conduct on school property contained in this Code.

E. Misconduct Committed Off School Property.

Students, staff and visitors may be disciplined for misconduct that is not committed on school property or at a school function if such misconduct in the professional opinion and sole discretion of the school administration (1) is a violation of civil or criminal law involving moral turpitude ; (2) would reflect or discredit the reputation of St. Margaret's School; (3) threatens the health, safety or welfare of a student, teacher or other member of the school staff; (4) is contrary to the moral, religious, or orthodox principles of the Roman Catholic Church or the philosophy, policies, goals, and commitments of St. Margaret's School; or (5) is likely to interfere with a positive educational environment.

At its sole discretion the administration may impose any penalty within the range of penalties outlined by the violator's respective group including expulsion, termination and ejection.

F Misconduct Not Specifically Defined.

The definitions of misconduct set forth in Section VI. of this Code are not meant to be all-inclusive. Thus, any conduct not defined in this Code that violates any federal or New York State statute, or any rule, regulation or established practice of the school, shall be punishable by penalty to be imposed at the discretion of the appropriate school personnel.

G. School Building Rules

The principal of each school building has the authority to establish standards of conduct and rules for local matters, school building activities and the granting or withholding of student privileges. These standards and rules may include procedures for homeroom; student assemblies; emergency drills; study halls; use of the cafeteria; conduct in the building hallways; use of student lockers; student ID's and student passes; school parking privileges; book bags and backpacks in the building; bicycles, skateboards, roller blades and similar means of transportation; the use of electronic devices and laser pointers; and other local matters related to discipline and order in the building.

VII. PENALTIES FOR VIOLATIONS OF THE CODE OF CONDUCT

Students, employees and visitors who violate this Code will be subject to disciplinary action as the facts may warrant, including any of the penalties listed below:

A. Range of Potential Responses.

1. Scope

The penalties described in this section are the range of penalties that may be imposed upon any student who is determined to have committed any act of misconduct specified in Section VI of this Code.

2. Corrective Actions

School authorities may use a range of possible responses to misconduct committed by a student. In some circumstances, a primary response may be to discuss the student's conduct with the parents in

(a) Parent Conference: The student's parent or guardian will be contacted for a

attempt to correct such inappropriate behaviors or it may require the implementation of any or all of the following corrective actions:

- conference. The conference will include the student, his/her parent or guardian, school personnel and others whose participation is deemed appropriate by the School.
- (b) **Disciplinary Probation:** School authorities will place students on probation in addition to imposing a penalty for the misconduct. If the student complies with the specific terms of the probation no additional disciplinary action will be imposed. The probation agreement will further provide that, if the terms of the probation are violated, additional disciplinary action will be taken.
- (c) **Special Disciplinary Probation:** The student and school authorities may agree that the student will be placed on special disciplinary probation with no other penalty imposed for the misconduct, provided that the student complies with the specific terms of the probation. The probation agreement may further provide that, if the terms of the probation are violated, the student may be disciplined for the original act of misconduct after an informal conference with parents.
- (d) **Counseling:** Students may be referred for counseling in appropriate cases.
- (e) **Court Intervention:** Court assistance in the form of a PINS (Person In Need of Supervision) petition.

4. Range of Penalties

Students who violate this student discipline code will be subject to appropriate disciplinary action including, but not limited to, one or more of the following:

- (a) Verbal Warning
- (b) Parent Notification
- (c) Written Warning Signed by Parents
- (d) Parent/Teacher Conference
- (e) Parent/Teacher/Administrator Conference
- (f) Counseling
- (g) Special Probation
- (h) Special Disciplinary Probation
- (i) Detention
- (j) Suspension from athletic, social, or extracurricular activities
- (k) **In-school Suspension:** The principal may suspend a student from attendance at class. The parent or guardian will be notified of such suspension by telephone and/or letter. The student may not attend school activities during the period of the suspension. All conditions for re-entry must be satisfied before the student is

readmitted.

- (l) Out-of-school Suspension: The principal may suspend a student from attendance at class. The parent or guardian will be notified of such suspension by telephone and/or letter. The student may not attend school activities during the period of the suspension.
- (m) Expulsion: The school removes the student from enrollment in the school. The academic records of the student will be sent to the student's respective public school district unless the school is advised in writing to send them to another educational institution.

In addition, the principal may invoke the following when in his or her discretion they are warranted:

- (a) **Principal's Disciplinary Conference:** A disciplinary conference may be scheduled before the principal, or his or her designee at the discretion of the principal. At this time the student and his or her parents will have an opportunity to discuss the alleged infractions and respond. In addition, at the Disciplinary Conference the student and his or her parent will have the opportunity to provide the Principal with any other information they feel will help the Principal evaluate the allegations or the student's behavior. At the conclusion of such hearing, the Principal may take whatever action is deemed appropriate, including but not limited to, indefinite suspension from school or expulsion. Attorneys shall not be present at this conference.
- (b) **Delegation of Responsibility to Conduct the Disciplinary Conference:** The Superintendent, principal or delegate may further delegate the responsibility to conduct the Disciplinary Conference to a school official or to a group such as a School Disciplinary Board. In these cases, the delegate or the School Discipline Board will follow all of the procedure outlined above for the Disciplinary Conference and submit a written recommendation to school officials. The school official will then review the recommendation and render a written decision. The student and parents will be provided copies of this decision and the recommendation on which it was based.
- (c) **Personal Liability:** The school may pursue, on behalf of itself or an employee, all available rights and remedies to recover from the student and/or parents of the student for damages to personal property.
- (d) **Police Notification:** In cases involving criminal conduct, School authorities may refer the matter to appropriate law enforcement authorities.

4. Academic Sanctions

In addition to other penalties provided herein, the principal may deny credit for work done and may also deny the right to make-up an assignment or test for Cheating, Leaving a Final Examination Without Permission, Plagiarism and other misconduct that is related to academic performance.

5. Progressive Discipline

Depending upon the nature of the violation, student discipline is progressive i.e., except in cases of very serious violations, a student's first violation will generally merit a lighter penalty than subsequent violations. The individual determining the penalty should take into account all other

relevant factors in arriving at an appropriate penalty. In the event of a minor infraction every effort will be made to impose progressive discipline. In the event of a serious infraction the penalties listed below will be imposed by the administration upon a finding that the student has committed the conduct specified herein. However, the school expressly reserves the right to impose any penalty within the range set forth above for the violation of any school rule when, under the particular circumstances involved, a different penalty is justified in the judgment of the school administration.

Depending upon the nature of the violation, the possible penalties listed in Section VII below may be imposed either alone or in combination.

B. Penalties for Specific Violations.

School authorities upon a finding that a student has committed the specific conduct specified herein may impose the following range of penalties:

Conduct	Penalty	First Occurrence	Repealed Occurrence
Act of Violence'	Minimum Maximum	Verbal Reprimand Expulsion	Suspension Expulsion
Arson'	Minimum Maximum	Suspension Expulsion	Suspension Expulsion
Assault'	Minimum Maximum	Parent Notification Expulsion	Suspension Expulsion
Bias Harassment	Minimum Maximum	Parent Notification Suspension	Parent Conference Expulsion
Bomb Threat	Minimum Maximum	Suspension Expulsion	Suspension Expulsion
Cheating	Minimum Maximum	Detention Suspension with parent conference	Suspension with parent conference Expulsion
Chronic Violation Of School Rules'	Minimum Maximum	Parent Administrator Conference Expulsion	Suspension Expulsion
Destruction of Property'	Minimum Maximum	Detention and liability for damages Suspension and liability for damages	Suspension and liability for damages Expulsion and liability for damages
Disorderly Conduct	Minimum Maximum	Verbal warning Suspension	Detention Expulsion
Disruptive Conduct	Minimum Maximum	Verbal warning Suspension	Detention Expulsion
Dress Code Violations	Minimum Maximum	Verbal Warning Detention	Parent Notification Suspension
Drug or Alcohol Violation'	Minimum Maximum	Suspension Expulsion	Expulsion Expulsion
Extortion'	Minimum Maximum	Suspension Expulsion	Expulsion
False Alarm'	Minimum Maximum	Suspension Expulsion	Expulsion
Fighting	Minimum Maximum	Detention Expulsion	Expulsion
Forgery	Minimum Maximum	Detention - Parents Notified Suspension	Suspension Expulsion
Harassment	Minimum Maximum	Verbal Warning Suspension	Written Warning Signed by Parent Expulsion
Insubordination	Minimum Maximum	Verbal Warning Suspension	Detention Expulsion
Littering	Minimum Maximum	Verbal Warning Detention	Detention Suspension
Loitering	Minimum Maximum	Verbal Warning Detention	Detention Suspension

Conduct	Penalty	First Occurrence	Repealed Occurrence
Other Misconduct	Minimum Maximum	Verbal Warning Suspension	Detention Expulsion
Parking Violations'	Minimum Maximum	Parent Notification Suspension	Detention Expulsion
Plagiarism	Minimum Maximum	Parent Notification Suspension	Parent Conference Expulsion
Possession of An Explosive'	Minimum Maximum	Suspension Expulsion	Expulsion
Possession of A Weapon'	Minimum Maximum	Suspension Expulsion	Expulsion
Reckless Endangerment	Minimum Maximum	Suspension Expulsion	Expulsion
Repeatedly	Minimum	Suspension Parent	Notification
Disruptive Conduct	Maximum	Expulsion	Expulsion
Sexual Harassment	Minimum Maximum	Verbal Warning Expulsion	Suspension Expulsion
Tardy	Minimum Maximum	Verbal Warning Detention	Parent Notification Suspension
Threat to Well Being ⁵	Minimum Maximum	Suspension with Evaluation Expulsion	Suspension with Evaluation Expulsion
Theft	Minimum Maximum	Parent Conference - Suspension	Suspension Expulsion
Tobacco Violation	Minimum Maximum	Detention Suspension	Suspension Expulsion
Traffic Violation ⁶	Minimum Maximum	Parent Notification Suspension	Written Warning Signed by Parents Expulsion
Trespassing	Minimum Maximum	Parent Notification Suspension	Parent Conference Expulsion
Truancy	Minimum Maximum	Written Warning Signed by Parents Suspension	Suspension Expulsion
Vandalism	Minimum Expulsion	Detention — Liability for Loss Expulsion	Suspension — Liability for Loss
Violation of Technology Policy'	Minimum Minimum	Verbal Reprimand Expulsion	

Notations

- 1 The school will notify police.
- 2 The school may notify police.
- 3 Stipulations of the Diocesan Drug and Alcohol Policy will be followed in addition to discipline procedure.
- 4 In addition loss of driving privileges may result.
- 5 The student will be suspended until he or she is evaluated by a mental health professional to determine that the student is not a threat to himself or herself or to anyone else. The parents will be required to sign a release of information permitting school officials to speak to the evaluator before and after he or she has evaluated the student.

C. Minimum Penalties for Students.

1. Students who Bring a Weapon to School

The minimum period of suspension from school for any student found guilty of bringing a weapon onto School property will be at least five days. A Discipline Conference with the Diocesan Superintendent or a delegate will be required using the procedure set forth above.

3. Students who are **Repeatedly Disruptive**

The minimum period of suspension from school for any student, who engages in conduct that results in the student being sent out of from the classroom on five or more occasions during a semester, shall be one day.

4. **Reports by Teachers**

All staff members must immediately report and refer a violent student to the principal or the Superintendent for a violation of this Code. 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 making the referral.

D. For Misconduct at a School

The Principal shall be responsible for enforcing the conduct required by this Code at school functions, and may designate other school employees or agents to take action consistent with this Code.

When an individual is committing prohibited conduct that, in the judgment of the Principal or his or her designee, does not pose any immediate threat of injury to persons or property, the individual shall be informed that the conduct is prohibited and asked to stop such conduct. The school 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 individual shall be immediately removed from school property or the school function. Students and staff who violate this Code while at a school function shall be subject to immediate ejection from the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the person. The school may initiate disciplinary action against any student or staff member, as appropriate. The school may also pursue civil and/or criminal sanctions against any person violating this Code.

H. For School Employees.

Any person who, while on school property or at a school function, wrongfully refuses a valid request or command to desist in any conduct prohibited by this Code shall be ejected from the premises. Persons other than students found in violation of this Code of Conduct shall be subject to criminal and/or civil penalties as provided by law. In addition, teachers are also subject to the stipulations of their contract and Personnel Policies Handbook. Support Staff are subject to the stipulations of their Personnel Policies Handbook as well.

I. For Visitors.

Parents and other visitors are held to the same standards of respectful behavior as students on the school grounds, at school related functions and when interacting with school personnel.

Any unauthorized person on school property will be reported to the school principal.

Unauthorized persons will be asked to leave, and the police may be called if the situation warrants.

The authorization of visitors who violate this Code, to remain on school property or at the School Function, shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection and to criminal and/or civil penalties as provided bylaw.

VIII. DISCIPLINE PROCEDURES

A. For Students.

The amount of due process a student is to be afforded before a penalty may be imposed depends on the severity of the penalty. In all cases, the school employee authorized to impose the penalty must inform the student of the misconduct that he or she is alleged to have committed, and must conduct an informal investigation the facts surrounding the alleged misconduct. All students must be given an opportunity to present their version of the facts to the school personnel imposing the penalty. Additional process shall be afforded as follows:

1. For Detentions

Teachers, principals and the Superintendent may use after school detention as a penalty for student misconduct.

2. **For Suspensions from Athletics or Extra-curricular Activities**

A student subjected to a suspension from athletic participation, extra-curricular activities or other privileges is not entitled to a Disciplinary Conference. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the school official imposing the suspension to discuss the conduct and the penalty involved.

3. For Short-Term In-school Suspensions **and Out of School Suspensions**

School authorities must balance the need of individual students to attend school and the need to maintain order in the classroom to establish an environment for all students that is conducive to learning. As such, principals or the Diocesan Superintendent have the authority to place students who would otherwise be suspended from school as the result of a Code violation in in-school suspension or out-of-school suspension.

A student subjected to a short-term in-school or out of school suspension is not entitled to a Disciplinary Conference. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the school official imposing the in-school suspension to discuss the conduct and the penalty.

Any conditions for re-entry to school stipulated in the suspension must be satisfied before the student is readmitted to the school.

4. Long-term Suspensions

When the Superintendent or building principal determines that a suspension for more than five days may be warranted, he or she shall give reasonable notice to the student and the student's parents of their right to Discipline Conference at which the students and parents will be informed of the charge against the students, as well a report of the evidence given by those persons and circumstances investigated. The student and his parent will have an opportunity to respond to the charges, the evidence, request that additional witnesses or circumstances be investigated, and provide the school official with any other information the student or parent believes will help him or her understand the behavior render a decision. Attorneys are not present at this conference.

4. For Expulsions

Permanent suspension is reserved for extraordinary circumstances. When the Superintendent, building principal, or delegate determines that an expulsion might be warranted, he or she shall give reasonable notice to the student and the student's parents of the Discipline Conference at which the students and parents will be informed of the charge against the students, as well as a report of the evidence given by those persons and circumstances investigated. At that time, the student and his or her parent will have an opportunity to respond to the charges, the evidence, request that additional witnesses be interviewed or circumstances be investigated and provide the school official with any other information the student or parent believes will help him or her understand the behavior render a decision. Attorneys are not present at this conference.

B. Waivers of Disciplining my Conference

A student and parent may voluntarily and knowingly waive his or her right to a Disciplinary Conference. In this regard, the parents of the student will be required to sign a form documenting a request for a waiver.

C. School Employees.

Administrators, teachers and support staff members are subject to the provisions the Code as well as the provisions of their respective *Personnel Policies Handbook* and contracts and *Faculty Handbook*, if any.

Any school employee, whose conduct on school property or at a school function disrupts academic or other school activities while on school property, at school functions or at any other times violates or threatens the welfare of the person or property of others or acts in a manner contrary to the Catholic Identity of the school shall be subject to suspension and to further disciplinary action, including termination, as the facts may warrant in accordance with any legal rights to which they may be entitled.

D. For Visitors The following procedures shall apply procedurally to violations of this Code by non- students:

1. The Principal has the authority to enforce these rules and regulations. The Principal may designate such person, or persons, as he or she deems necessary, for the enforcement of these rules and regulations.
2. The Principal may initiate and/or receive charges of any alleged violation of these rules and regulations and cause all investigations to be made.
3. The Principal may request all lawful assistance to secure, remove, eject or otherwise prevent persons from adversely affecting public order or from materially disrupting normal school processes.
4. Enforcement of these rules and regulations against persons other than the students shall be as provided by law.

IX. APPEALS FROM IMPOSITION OF DISCIPLINE FOR STUDENTS

A. Appeals to the Assistant Superintendent for the Region of the Diocese.

Appeals from all decisions of the Principal relative to this Code shall be taken to the Assistant Superintendent of Catholic Schools for the respective Region of the Diocese. All appeals shall be made in writing and shall set forth the decision appealed from and the grounds for the appeal. The written appeal shall arrive made no later than ten (10) business days from the date of the decision

that is the subject of said appeal, unless they can show extraordinary circumstances precluding them from doing so. The Assistant Superintendent for the Region or a delegate will review the case and render a written decision.

B. Appeals to the Superintendent of Schools.

Final decisions of the Assistant Superintendent for that Region of the diocese may be appealed by parents to the Diocesan Superintendent of Schools within 10 days of the decision, unless they can show extraordinary circumstances precluding them from doing so. The Diocesan Superintendent will review the case and render a written decision. This decision is binding.

X. REFERRAL TO AUTHORITIES

A. To Law Enforcement.

The building principal must immediately notify the Diocesan Superintendent of those Code violations that constitute a crime and substantially affect the order or security of a school. The Superintendent or delegate is to inform the appropriate local law enforcement agency as soon as practical, but in no event later than the close of business on the day the Diocesan Superintendent or delegate learns of the violation. The notification may be made by telephone, followed by a letter mailed on the same day. The notification must identify the student(s) and explain the conduct that violated the Code and constituted a crime.

The school will immediately confiscate any weapons, alcohol or illegal substances possessed by a student and will notify the parent of the student involved of the incident. Appropriate disciplinary action will be taken, up to and including expulsion and referral for criminal prosecution.

B. To Juvenile Justice Agencies.

The Diocesan Superintendent shall refer any student who is determined to have brought a weapon to school who is under the age of 16, or who is 14 or 15 years old and does not qualify for juvenile offender status under the Criminal Procedure Law to the County Attorney for a juvenile delinquency proceeding before the Family Court.

The Diocesan Superintendent shall refer a student over the age of 16 and any student 14 or 15 years old who qualifies for juvenile offender status to the appropriate law enforcement authorities for prosecution. Students 14 or 15 years old who qualify for juvenile offender status under § 1.20 of the Criminal Procedure Law include those who possess a concealed firearm, machine-gun or loaded firearm on school grounds. The Superintendent may consult the diocesan counsel if the or she has any question as to whether the student in question does qualify for juvenile offender status.

C. To Human Services Agencies.

The Superintendent, principal, or delegate may make a referral of a student discipline case to an appropriate human service agency whenever, in his or her judgment, the same is warranted. The Superintendent or delegate may receive and consider the recommendations of the student's principal, teachers, counselor, school psychologist and other pupil services personnel familiar with the student in deciding whether to make such a referral and, if so, to which agency. The parent of the student shall be informed of the referral.

XI. ALTERNATIVE EDUCATION PROGRAMS

The following educational programs shall be utilized as appropriate to meet the individual needs of students:

A. For Suspended Students.

When a student of any age is suspended for violation of this code, the school will take immediate steps to provide the student with adequate alternative instruction.

XII. IN-SERVICE EDUCATIONAL PROGRAM

A. Suggested Programs.

The School will provide in-service education programs for all school staff members to ensure the effective implementation of this Code. The Principal may solicit the recommendations of the school staff, particularly teachers and administrators, regarding in-service programs pertaining to the management and discipline of students.

The following are suggested programs that may be utilized for in-service education for all staff members to ensure effective implementation of this Code:

1. School Oriented Programs developed at the building level.
2. Superintendent's Workshop days.
3. Building faculty meetings.
4. Assertive Discipline Programs and films presented at the building.

XIII. INTERPRETATION

A. Calculating Time Limits.

When any period of time for an act to be done under this Code ends on a Saturday, Sunday or a public holiday, such act may be done on the next succeeding business day and , fifth period ends at a specified hour, such act may be done at or before the same hour of such next succeeding business day.

B. "Time Out" Techniques.

Nothing in this Code abridges the customary right and responsibility of a teacher to manage student behavior in the classroom. Short-term, time-honored classroom management techniques such as "time out" in an elementary classroom or in an administrator's office are not considered removals from class. This, however, should not become a substitute for good classroom management.

C. Authority to Suspend.

Nothing in this Code abridges the customary right or responsibility of a principal to suspend a student when, in the judgment of the principal, the student's conduct warrants the same.

D. Inconsistent Provisions.

To the extent that any provision of this Code regarding student behavior conflicts with any school rule, regulation or policy, the provisions of this Code shall be controlling.

To the extent that any provision of this Code regarding professional staff behavior conflicts with any school rule, regulation or policy, the provisions of this the individual's respective Personnel

Policies.Handbook, Faculty Handbook and contract shall be controlling.

To the extent that any provision of this Code regarding support staff behavior conflicts with any school rule, regulation or policy, the provisions of this the individual's respective Personnel Policies Handbook shall be controlling.

E. Not Exclusive.

These rules and regulations and the penalties imposed hereunder shall not be deemed exclusive, nor as a limitation, waiver, or extinguishment of the school's right to utilize other available legal remedies against persons who violate this Code. The school may take additional or other legal action, as it deems appropriate or necessary to maintain public order.

Cell Phone Policy

Students may carry cell phones in school but that they must be turned off from the time that the student arrives at school until the end of the school day.

A student may use them only in the case of an emergency and the determination of an incident as an emergency is solely in the judgment of the school.

The use of cell phones after the school day must be in a manner that is consonant with the Acceptable Use Technology Policy.

Directory Information (for elementary schools)

The family Educational Rights and Privacy (FERPA) policy classifies name, address, and grade, as "directory information." Under this law, this information may be released to third parties when requested without prior parent written consent. If you do not wish this information released, please make this known to the school administration in writing.

Education is a Partnership.

Education is a partnership between school and parent. If, in the opinion of the principal, this partnership breaks down, a parent may be required to withdraw his/her child from the school.

THE DIOCESE OF SYRACUSE CATHOLIC SCHOOLS

ACCEPTABLE USE POLICY REGARDING STUDENT USE OF COMPUTERS, INTERNET ACCESS, AND RELATED EQUIPMENT/SERVICES

INTRODUCTION

The Catholic Church views emerging technologies, such as computers, the worldwide internet, and related items, as gifts of the Spirit that challenge God's faithful people to make creative use of such new discoveries and technologies to better the human condition in a manner that is consistent with the Church's teachings. (See *Aetatis Novae*, #2). The Catholic Schools of the Diocese of Syracuse recognize that as such new technologies change the ways in which information may be accessed and used, they may also change the methods of instruction and learning. The Catholic Schools support the use of such technologies and tools in the educational process, to the extent such use assists the learning process, is safe for all concerned, and is consistent with the Church's teachings.

Such tools and methods must be used by Catholic educators and students in a manner that is educationally appropriate, and which is consistent with the Church's teachings, and applicable laws. Therefore, the Diocese of Syracuse Catholic School Office and the schools associated with the Diocese ("local schools") hereby adopt this Acceptable Use Policy for Students. It shall govern all student use of computers equipment, the internet, and related equipment and services occurring in the student's performance of his or her duties, on school property or in regard to any school event, and its violation may constitute a basis for student discipline.

DEFINED TERMS

As used in this policy, the following terms shall have the following meanings.

1. The term "Acceptable Use Policy" or "AUP" shall mean this policy, which conditions and controls the use of internet services and/or computers, as those terms are defined here, on school premises and at or during any school event.
2. The "Catholic School Office" or "CSO" shall mean the Catholic School Office of the Diocese of Syracuse, New York.
3. The term "Code of Conduct" shall mean the code by that name adopted by each local school and published, among other places, in each local school's Student Handbook.
4. The term "computer equipment" shall mean any device, equipment or instrument that is utilized for the electronic creation, receipt, storage, transmission or manipulation of data. The term shall include personal computers and laptop computers, any network of interconnected computers, intranet, personal digital assistants, cell phones, portable media players (e.g., iPod) and any similar or related device.
5. The term "Diocese" shall mean the Roman Catholic Diocese of Syracuse, New York.
6. The term "Diocesan Property" shall mean a real or personal property belonging to the Diocese or any of the schools associated with the Diocese, "local schools", including any computer, computer network, intranet, internet service, e-mail service or accounts, data storage accounts or any other similar or related equipment, service or thing.
7. The term "educational purpose" shall mean the intended use of any form of media, computer, computer network, and/or the internet in a manner and for a purpose that is plainly related and readily applicable to a local school's curriculum, sponsored extra-curricular events, and/or administration.
8. The term "e-mail" shall mean any form of electronic communication that involves the

transmission of communication, information, or data by a publicly accessible network of interconnected computers or computer networks. It shall include all forms of such communication, including electronic mail, online chat, file transfer, and the interlinked web pages and other documents of the Worldwide Web.

9. The term "internet" shall mean the World Wide internet, as that term is commonly defined, as well as any intranet, computer network, electronic mail, text messaging, electronic chat devices and any other computer usage that involves the electronic receipt, transmission or storage of data, information or communication, whether facilitated through an internet service provider or otherwise.
10. The term "local school" shall mean any of the Catholic Schools affiliated with the Diocese.
11. The term "policy" shall mean, in the case of the CSO, any policy, directive or guidance provided by the CSO to the various local schools. In the case of a local school, the term shall mean any policy, directive, or rule of a local school, including its Code of Conduct.
12. The term "school event" shall mean any event occurring during the school day, including any curricular, extra-curricular, or other school sponsored or endorsed event, regardless of whether said event occurs on school property or is directly supervised or controlled by school officers or employees.
13. The term "school property" shall mean shall mean an real or personal property belonging to the Diocese, including any computer, computer network, intranet, internet service, e-mail service or accounts, data storage accounts or any other similar or related equipment, service or thing.
14. The term "sexual harassment" shall mean the preparation and dissemination of any verbal or written materials, photographic, video or audio material, conduct, physical contact, or other actions that are offensive to a reasonable person and which have a sexual connotation or which otherwise create a sexually hostile working or learning or environment, as described with more particularity in the Sexual Harassment Policy of the Diocese of Syracuse Catholic Schools Office, which is, by reference, incorporated here.
15. The term "student" shall mean any student enrolled in any Diocesan school.

ACCEPTABLE USE POLICY TERMS

It is hereby the policy of the Catholic School Office and the Catholic Schools affiliated with the Diocese that student use of school provided computer equipment, internet access or service, e-mail accounts or service, and any similar thing shall be subject to and conditioned upon adherence to this AUP. In addition, use of any such thing on school property or at any school sponsored event shall be conditioned upon and subject to this AUP. This AUP shall supplement each local school's Code of Conduct, and its violation shall be a basis for discipline.

Specific Terms

1. The student's use of any computer equipment, internet access or service, e-mail or any similar thing shall be governed by consistent with this AUP, and all state, federal and local laws, including those governing use and dissemination of copyrighted, trademarked or otherwise protected intellectual property.
2. The student is individually and personally responsible for any use of computer equipment, internet access or service, or e-mail accounts provided to the student, and shall safeguard his or her passwords or other access control mediums accordingly.
3. The student shall only use school provided computer equipment, internet access and/or e-mail accounts for educational purposes or the discharge of his or her assigned duties.
4. The student shall use computer equipment, internet or access, e-mail or any

similar thing on school property or in relation to any school event solely for educational purposes, irrespective of who owns or has provided such things.

5. The student has no right to the use of computer equipment, internet access or service, e-mail or any similar thing in regard to instruction or any school function or event; such use and access is a privilege, which the local school may revoke at any time and without the provision of any form of process, within the sole discretion and judgment of the local school's principal.
6. The student is prohibited from using any other party's password or access control to access any computer equipment, internet access or service, e-mail or any similar thing, except as specifically authorized.
7. The student shall not change, alter or modify any provided password or other form of access control without express permission to do so.
8. The student is prohibited from accessing or using personally owned or obtained computer equipment, internet access or service, e-mail e.g., aol, yahoo or hotmail or any similar thing during the school day, on school property, or in regard to at any school event or function, except as specifically authorized in writing by the local school principal.
9. The student is prohibited from using any computer equipment, internet access or service, e-mail or any similar thing for any purpose that is inconsistent with the Church's teachings or the policies of the **CSO** or local school, including, but not limited to the following:
 - a. Accessing, viewing, transmitting or storing sexually or otherwise offensive messages, pictures, or unlawful information on the Internet;
 - b. The use of impolite, abusive, or otherwise reasonably objectionable language in either public or private;
 - c. Harassing, insulting or attacking others;
 - d. Improperly accessing, using or damaging computers, computer networks or systems, intranets, servers, internet accounts or web sites belonging to any other person or party;
 - e. Intentionally wasting limited and/or valuable resources; and/or
 - f. For any commercial purpose or political purpose, other than the student's duties, or in any manner that violates federal, state, or local laws or statutes.
10. All provided computer equipment, internet access or service, e-mail or any similar thing is the property of the local school and/or Diocese, and the student has no right to use of or access to any such thing in the performance of his or her duties.
11. The Diocese, CSO or local school and/or the student, agent or representative of any of them, may access, monitor, review, download, print, copy, delete, any material located on, transmitted by, or received by any computer equipment, internet access or service, e-mail account or any similar thing. In addition, and as appropriate, the Diocese, CSO, and/or local school may provide such material to any law enforcement agency or other governmental agency. The decision to undertake any of these actions is reserved to the exclusive discretion and judgment of the Diocese, CSO or local school, and shall not require the existence of any justification, cause or suspicion.
12. By signing this Student Handbook receipt, parents hereby stipulate and agree that the student has no right to privacy, exclusive possession or access in regard to any computer equipment, internet access or service, e-mail or any similar thing. The student and his or her parents waive, relinquish and shall be precluded from asserting any such right in any judicial, administrative, governmental, or quasi-governmental proceeding.
13. Upon notice that his or her possession, use, or access to any computer equipment, internet access or service, e-mail or any similar thing is suspended or terminated, the

student shall promptly return any school provided equipment and/or passwords or other forms of access control.

14. Upon request, the student shall immediately provide his or her local school with access to any school provided computer equipment, internet access or service, e-mail or any similar thing, used in conjunction with the student's duties and/or provided by the Diocese or a local school.

CONSEQUENCES AND PENALTIES FOR VIOLATION OF AUP

Consequences of inappropriate computer use shall be determined in the sole discretion and judgment of the principal of the local school, consistent with this AUP and its Code of Conduct. Examples of such consequences are listed below. This list is not intended and shall not be construed as an exhaustive list or to require any particular process or particular penalty. The assessment of any penalty shall not operate to the exclusion of any other penalty; and a local school may apply one or more penalties as its principal deems appropriate.

1. Parental notification and a parental conference with the principal or his/her designee.
2. Any penalty listed for the Violation of the Technology Policy in the local school's Code of Conduct, including a loss of privileges, detention, suspension and/or expulsion.
3. The requirement that the student reimburse or compensate the local school or any third party for damage caused to a computer other property, or property rights as a result of a violation of this AUP, which shall be a condition precedent to the student's continued or renewed enrollment at the local school or any other Catholic school in the Diocese of Syracuse.
4. The institution of a civil action to recover money damages caused to the local school and/or Diocese through any violation of this AUP.
5. Loss of computer, computer network, intranet, internet, e-mail, or data storage access and/or use privileges. Any student who loses such privileges and later has them reinstated shall be supervised at all times in his or her use of any such equipment, service or access.
6. Whenever the local school believes or suspects that a criminal law has been violated, the local school shall notify the appropriate state or local agency, in consultation with and as guided by the Catholic School Office, and may ask any such agency to investigate or prosecute any such conduct.