



Tupper Lake Middle/High School STUDENT CODE OF CONDUCT 2016-2017

It is the School District's belief that each student should be treated as a person who can reasonably be expected to be responsible for his/her own behavior. The school administration will assist each student in this program of personal responsibility with sensible rules of conduct, focusing on safety and respect for the rights and property of others and consistently applied in the classrooms, throughout the school, on school grounds, on the bus, and on any school sponsored activities. Students who cannot accept this responsibility and violate school rules will be required to accept penalties and more regulated supervision.

Discipline is most effective when it deals directly with the problem at the time and place it occurs, and in a way, that is viewed as fair and impartial by the student. Therefore, before seeking outside assistance, teachers will first use all their resources to create a change of behavior. When the teacher has made every effort to bring about positive behavioral change, and has been unsuccessful, the student will be referred to the administration. Once done, the administration assumes the role of deciding what further action will be taken in accordance with this discipline code. When necessary, disciplinary action will be firm, fair, and consistent in order to be most effective in changing behavior.

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Bill of Student Rights and Responsibilities

I. Pursuant to Section 100.2 (1) (I) of the Regulations of the Commissioner of education, a bill of student rights and responsibilities is established. A student in the Tupper Lake School District shall:

- a. Take part in all district activities on an equal basis regardless of race, sex, national origin, or handicap.
- b. Take part in student government activities unless properly suspended from participation pursuant to the district's discipline policy.
- c. Address the Board of Education on the same terms as any citizen.
- d. Be suspended from instruction only after his/her rights pursuant to Education Law #3214 have been observed.
- e. In all disciplinary matters have the opportunity to present his/her version of the facts and circumstances leading to imposition of disciplinary sanctions to the professional staff member imposing such a sanction.
- f. To be protected from intimidation, harassment, or discrimination based on actual or perceived race, color, weight, national origin, ethnic group, religion, or religious practice, sex, gender/gender identity, sexual orientation, or disability, by employees or students on school property or at a school-sponsored event, function or activity.

II. It shall be the responsibility of each student in the Tupper Lake School District:

- a. To be familiar with and abide by all district policies, rules and regulations pertaining to student conduct.
- b. To work to the best of his/her ability in all academic and extracurricular pursuits and strive toward the highest level of achievement possible.
- c. To conduct himself/herself, when participating in or attending school sponsored extracurricular events, as a representative of Tupper Lake School District, and as such hold himself/herself to the highest standards of conduct, demeanor, and sportsmanship.
- d. To be in regular attendance of school and in class.
- e. To contribute to the maintenance of an environment that is conducive to learning and to show due respect to other persons and property.
- f. To make constructive contributions to his/her school and to report fairly the circumstances of school-related issues.
- g. To respect one another and treat others fairly in accordance with the District Code of Conduct and the provisions of the Dignity Act. To conduct themselves in a manner that fosters an environment that is free from intimidation, harassment, or discrimination. To report and encourage others, to report any incidents of intimidation, harassment or discrimination.

Introduction

The Tupper Lake High School Discipline Code applies to all students in the classrooms, throughout the school, on school grounds, on the bus, and on any school sponsored activities. Consequences to actions will be applied when a student has clearly made an inappropriate choice about his/her behavior. Some of the possible consequences for inappropriate behavior include:

- parent/guardian notification
- referral to administration
- parent/guardian conference with administrators, counselors, teachers, and/or staff
- after school detention
- lunch restriction
- in-school suspension
- suspension from school (home tutoring will be offered to students 16 years of age and under - counseling may be provided)
- referral to superintendent
- notification of appropriate authorities (police, probation, department of social services)
- criminal charges
- community or school service
- payment for property loss or repair
- loss of privileges (to be determined by administration with regard to the nature of the infraction)
- bus transportation
- hall passes
- attendance and participation in extracurricular activities
- attendance and participation in social activities
- senior privileges
- loss of credit for specific assignments or exams
- Hallway restriction
- Loss of work study, library, or cafeteria privileges.

Admission to BOCES Vocational programs at the Adirondack Education Center is dependent upon disciplinary points accumulated during the previous school year. These point totals cannot exceed ten during the junior year for senior privileges, 50 during the sophomore or junior year for AEC BOCES programs, no more than 10 points of discipline each year for In-School Work Study, or 40 during the previous year for work study participation. Point totals may also be used for eligibility to attend other school functions.

Administration has discretion to alter the action taken based on factors such as the nature of the offense, the number of previous referrals, and the circumstances surrounding the offense. Other disciplinary consequences may be utilized on an individual, case-by-case basis.

A suspended student (whether in-school or out of school) may not participate in any extracurricular activities until returning to school after serving the suspension in its entirety. Each building will generate a list of students with pictures to help event staff to identify those students not allowed to attend after school or extracurricular functions. A student may be prosecuted for criminal trespass in the third degree (section 140.10NYS Penal Code) if he/she enters school property without permission from a school administrator.

ACTS AND CONSEQUENCES

Tardiness to School

We expect students to arrive on time for school. Tardiness to school is defined as failure to be in the classroom and sitting in your seat when the opening bell rings. Individual expectations for readiness for class will be set by physical education teachers.

1st incident within a 10 week period	2nd incident within a 10 week period	3rd incident within a 10 week period	Additional incidents within a 10 week period
30 minute detention Warning	One 60 minute detention Warning	Referral to administration 120 minute detention Parent notification	Referral to administration 120 minute detention Hall Restriction
		2 points	3 points

Tardiness to Class

We expect all students to arrive on time for all assigned classes including study hall, detention, tutorials, and lunch. Tardiness is defined as failure to be in the room and sitting in your seat or prepared to begin when the second bell stops ringing. Physical education teachers will set individual expectations for readiness for class.

1st incident within a 10 week period	2nd incident within a 10 week period	3rd incident within a 10 week period	Additional incidents within a 10 week period
30 minute tutorial with teacher Warning	Two 30 minute tutorials or equivalent with teacher Warning	Referral to administration 60 minute detention Parent notification	Referral to administration 2 - 60 minute detentions Parent notification Hall Restriction
		2 points	3 points

Class Cut

We expect each student to follow his/her assigned schedule. A class cut is defined as an unexcused absence or an unexcused tardiness of more than twenty minutes from any class period in the school day, including lunch and study halls. An eighty-minute class is considered 2 class cuts.

1st incident	2nd incident	Additional incidents	
One 60 minute detention-30 minutes with teacher followed by 30 minutes in detention room 2 points	Referral to administration 2 - 60 minute detentions Parent notification 4 points	Referral to administration 1 day in-school suspension Parent notification 5 points	

Tutorial Cut

The school day at Tupper Lake Middle/High School officially ends at 2:40 p.m., and the tutorial period from 2:15 – 2:40 is part of the expected daily schedule. We expect each student to report to tutorials when requested by his/her teacher. In the event that another teacher has assigned a tutorial session, it is the responsibility of the student to notify the teachers and schedule a tutorial session on an alternate day in addition to the tutorial assigned by the first teacher.

1 st incident	2 nd incident	Additional incidents
One 60 minute detention – 30 minutes, with teacher, followed by 30 minutes in the detention room. Parent notification by teacher 2 points	Referral to administration 120 minute detention Parent notification 4 points	Referral to administration 1 day in-school suspension Parent notification 5 points

Leaving School Without Permission

Tupper Lake Middle/High School is a closed campus. Students are expected to remain on school grounds from the time they arrive to dismissal. Exceptions apply to those students who are legally dismissed by written note to a school official or by appearance at school by the parent or guardian and to seniors who have earned senior privileges.

1 st incident	2 nd incident	Additional incidents
Referral to administration 1 day inschool suspension Parent notification Hallway Restriction 4 points	Referral to administration 2 days inschool suspension Parent notification Hallway Restriction 6 points	Referral to administration 3-5 days inschool and/or out of school suspension Parent notification 8 points

Detention Cut

The school day at Tupper Lake Middle/High School officially ends at 2:40 p.m., and the detention period from 2:15 – 3:10 is part of the expected daily schedule. We expect each student to report to detention when assigned by administration.

1 st incident	2 nd incident	3 rd incident
Referral to administration 120 minute detention 5 points	Referral to administration 2 – 120 minute detentions Parent notification 7 points	Referral to administration 1 day ISS Parent conference request 10 points
Additional incidents		
Referral to administration OSS at the discretion of administration Parent notification 10 points		

Assault		
All students are expected to respect the rights of others and use those means available within the school (for example, mediation) to achieve positive resolutions to conflicts. Assault is defined as the threat or attempt to strike another, whether successful or not, provided the target is aware of the danger. Engaging in harassing conduct, verbal threats, intimidation, or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical well-being.		
1st incident	2nd incident	Additional incidents
Referral to administration. 1 – 3 days inschool and/or out of school suspension Notification of appropriate authorities (police, probation, social services). Criminal charges filed if necessary Parent notification 10 points	Referral to administration. 3 – 5 days inschool and/or out of school suspension Notification of appropriate authorities (police, probation, social services). Criminal charges filed if necessary Parent conference 20 points	Referral to administration. Notification of appropriate authorities (police, probation, social services). Criminal charges filed if necessary Referral to the office of the Superintendent 20 points
NOTE: Aggressive behavior and/or physical challenge or contact against a staff person by a student will be considered an assault. A five-day out of school suspension will be invoked immediately and the student will be referred to the Office of the Superintendent. The student may also be subject to criminal charges.		

Forgery		
All students are expected to submit notes, excuses, and passes, which are properly authorized by a parent or staff member, as deemed appropriate. Forgery is defined as the submission of a note or pass bearing an unauthorized request or signature. Forgery also occurs when a pass or note is altered without proper authorization.		
1st incident	2nd incident	Additional incidents
Referral to administration 1 day inschool suspension Parent notification 5 points	Referral to administration 2 days inschool suspension Parent notification 10 points	Referral to administration 3-5 days inschool and/or out of school suspension Parent notification 15 points

Fighting		
All students are expected to respect the rights of others and use those means available within the school (for example, mediation) to achieve positive resolutions to conflicts. Fighting is defined as a physical altercation between two or more students with intent to injure.		
1st incident	2nd incident	Additional incidents
Referral to administration. 1 – 3 days inschool and/or out of school suspension Notification of appropriate authorities (police, probation, department of social services). Criminal charges filed if necessary Parent notification 10 points	Referral to administration. 3 – 5 days inschool and/or out of school suspension Notification of appropriate authorities (police, probation, department of social services). Criminal charges filed if necessary Parent conference 20 points	Notification of appropriate authorities (police, probation, Department of Social Services). Criminal charges filed if necessary Referral to the office of the Superintendent 20 points

Truancy		
<p>All students are expected to attend school on all scheduled days unless legally excused. A student may be legally excused for: 1) personal illness, 2) illness or death in family, 3) impassable roads or severe weather conditions, 4) religious observance, 5) required court appearance, 6) attendance at a health clinic or doctor's office, 7) approved college visit, 8) military obligation. Legal absences must be documented in writing by a parent/guardian and submitted to the attendance officer upon the student's return to school. A student will be considered truant when no legal excuse is presented to the attendance officer.</p>		
1st incident	2nd incident	Additional incidents
Referral to administration Parent notification <p style="text-align: center;">4 points</p>	Referral to administration 1 days in-school suspension Parent notification <p style="text-align: center;">6 points</p>	Referral to administration 2 days in-school suspension and/or referral to LTI program Parent notification <p style="text-align: center;">8 points</p>

Inappropriate Attire		
<p>Each student has the right to dress in a manner to represent his/her individuality. However, some attire is not appropriate in school. Students may not wear attire, which interferes with an environment conducive to learning. Examples of inappropriate attire, which apply equally to boys and girls, will include the following; cut-off or cut-up shirts, midriff tops or shirts that expose the stomach, tube tops, halters, muscle shirts, off the shoulder shirts, scanty shorts and skirts, any significantly distracting dress, clothing with derogatory or insensitive pictures and/or phrases and/or symbols.</p>		
<ol style="list-style-type: none"> 1. Hats, hoods, and other head coverings are not worn in school. (This does not apply to athletic events) 2. Sleeveless shirts and tank tops must measure 2" wide across the shoulder. 3. Exposed underwear and /or bra straps will not be permitted. 4. The length of the shorts or skirt will be a maximum of 3" above the knee. 5. Tee-shirts are allowed. No off color remarks, obscenities, ethnic slurs and/or innuendo and / or references to drugs, alcohol or tobacco, may be written on any shirts or other attire. 6. No cut off shirts above the waist. 7. Clothing that exposes any sort of cleavage is prohibited. (Cleavage is defined as any part of the breast.) 8. All clothing must be clean and in good repair. 9. Proper attire shall be extended to include footwear. Students must wear shoes at all times. Slippers, socks without shoes and/or other similar footwear are prohibited. 10. Low rising pants cannot expose buttocks or underwear when student is standing, seated or bent over. 		
1st incident	2nd incident	Additional incidents
Referral to administration. The student will be requested to return home to change or requested to change clothes in the appropriate locker room and/or, remove a hat, hood, or symbol. Issuance of a verbal or written warning. <p style="text-align: center;">1 point</p>	Referral to administration. The student will be requested to return home to change or requested to change clothes in the appropriate locker room and/or, remove a hat, hood, or symbol. One 60 minute detention Parent notification <p style="text-align: center;">2 points</p>	Referral to administration. The student will be requested to return home to change or requested to change clothes in the appropriate locker room and/or, remove a hat, hood, or symbol. One day inschool suspension. Parent notification <p style="text-align: center;">3 points</p>

Endangering the Safety and/or Welfare of Others and/or Oneself

Each student is expected to consider the physical and emotional safety of themselves and others. Endangering the welfare of others is when an individual takes action, which places him/herself or others at risk of physical, emotional, and/or mental harm.

This consequence will be applied to any similar incident on all school buses.

Examples of such conduct include, but are not limit

- 1) Lying, deceiving or giving false informati ed to:
- 2) Stealing District property or the property on to school personnel.
school property or while attending a school functio f other students, school personnel or any other person lawfully on n.
- 3) Defamation, which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them. This can include posting or publishing video, audio recordings or pictures (written material, cell phones, Internet, YouTube, etc.).
- 4) Discrimination, based on a person's actual or perceived race, age, sexual orientation, use of a recognized guide dog, hearing dog or service dog, color, creed, national origin, ethnic group, religion, religious practice, sex, sexual orientation, gender or gender identity, marital or veteran status, use of a recognized guide dog, hearing dog or service dog, or disability as a basis for treating another in a negative manner on school property or at a school function.
- 5) Harassment, the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical wellbeing based on a person's actual or perceived race, color, weight, national origin, political affiliation, ethnic group, religion, religious practice, marital or veteran status, use of a recognized guide dog, hearing dog or service dog, disability, sexual orientation, gender or sex.
- 6) Bullying and intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm and/or emotional discomfort; for example, "play" fighting, extortion of money, overt teasing, etc.
- 7) "Internet bullying" (also referred to as "cyberbullying") including the use of instant messaging, email, websites, chat rooms, text messaging, or by any other electronic means, when such use interferes with the operation of the school; or infringes upon the general health, safety and welfare of students or employees.
- 8) Sexual harassment, which includes unwelcome sexual advances, requests for sexual favors, taking, sending or receiving sexually explicit videos, pictures or auditory recordings and other verbal or physical conduct or communication of a sexual nature.
- 9) Displaying signs of gang affiliation or engaging in gang-related behaviors that are observed to increase the level of conflict or violent behavior.
- 10) Hazing, which includes any intentional or reckless act directed against another for the purpose of initiation into, affiliating with or maintaining membership in any District or school sponsored activity, organization, club or team.
- 11) Selling, using, possessing or distributing obscene material.
- 12) Gambling and gaming.
- 13) Inappropriate touching and/or indecent exposure.
- 14) Initiating or reporting warning of fire or other catastrophe without valid cause, misusing 911, or inappropriately discharging a fire extinguisher.
- 15) Violating gender privacy when using school restroom facilities.

1st incident	2nd incident	Additional incidents
Referral to Administration Discipline at discretion of Administration 1 day ISS & Parent notification 5 points	3-5 ISS/OSS discretion of Administration. Parent notification 10 points	Referral to the Office of the Superintendent 20 Points

BOCES Bus

1 st incident	2 nd incident	3 rd incident
3-5 day suspension from transportation-a parent or guardian may drive a student to the BOCES building. No student will be allowed to drive while under suspension from transportation. 5 points	2 week suspension from transportation-a parent or guardian may drive a student to the BOCES building. <p style="text-align: center;">10 points</p>	5 week suspension from transportation. Removal from BOCES program Referral to the Office of the Superintendent. <p style="text-align: center;">20 points</p>

Harassment

In accordance with the **Dignity for All Students Act**, School District policy and practice must ensure that no student is subject to discrimination or harassment, based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity or sex by school employees or students **on or off school property**.

School Property means in or within any building, structure, athletic playing field, playground, parking lot, or land contained within the real property boundary line of a public elementary or secondary school; or in or on a school bus (Education Law Section 11[1]).

School Bus means every motor vehicle owned and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities, or, privately owned and operated for compensation for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities (Education Law Section 11[1] and Vehicle and Traffic Law Section 142).

School Function means a school sponsored extracurricular event or activity (Education Law Section 11[2]).

Disability means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment, provided, however, that in all provisions of this article dealing with employment, the term must be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held (Education Law Section 11[4] and Executive Law Section 292[21]).

Employee means any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title nine B of article five of the Social Services Law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact (Education Law Section 11[4] and 1125[3]).

Sexual Orientation means actual or perceived heterosexuality, homosexuality, or bisexuality (Education Law Section 11[5]).

Gender means actual or perceived sex and includes a person's gender identity or expression (Education Law Section 11[6]).

Harassment means the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical wellbeing; or conduct, verbal threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; such conduct, verbal threats, intimidation or abuse includes but is not limited to conduct, verbal threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex (Education Law Section 11[7]).

“Cyberbullying” means harassment/bullying, as defined above, through any form of electronic communication. Cyberbullying may include, among other things, the use, both on and off school property, of electronic technology, including, but not limited to, e-mail, instant messaging, blogs, chat rooms, pagers, cell phones, gaming systems and social media websites, to deliberately harass or threaten others.

Protected Classes

Race means a group of persons related by a common descent or heredity. For purposes of enumeration the U.S. Census Bureau uses terms such as: "White/Caucasian", "Black/African American/African-descent", "Asian", "Bicultural", "Hispanics/Latinos" etc. to describe and classify the inhabitants of the United States.

Color means the term refers to the apparent pigmentation of the skin, especially as an indication or possible indication of race.

Weight means aside from the obvious meaning in the physical sciences, the word is used in reference to a person's "size".

National Origin means a person's country of birth or ancestor's country of birth.

Ethnic Group means a group of people who identify with each other through a common heritage including language, culture, and often a shared or common religion and or ideology that stresses ancestry.

Religion means specific fundamental beliefs and practices generally agreed to by large numbers of the group or a body of persons adhering to a particular set of beliefs and practices.

Religious Practice means a term including practices and observances such as attending worship services, wearing religious garb or symbols, praying at prescribed times, displaying religious objects, adhering to certain dietary rules, refraining from certain activities, proselytizing, etc.

Sex means the biological and physiological characteristics that define men and women. (MALE and FEMALE denote "sex".)

Gender means the socially constructed roles, behaviors, activities, and attributes that a given society considers appropriate for men and women. (MASCULINE and FEMININE denote "gender".)

Sexual orientation means the sex to which a person is sexually attracted. Someone attracted primarily or exclusively to members of the opposite sex is characterized as straight or heterosexual. Someone attracted primarily or exclusively to members of the same sex is characterized as homosexual. A person with a strong or viable attraction to both genders is characterized as bisexual or pansexual

Disability means any restriction or lack (due to any impairment) of ability to perform an activity in the manner or within the range considered typical.

1st incident	2nd incident	3rd incident
Referral – investigation Hall Restriction-one month Loss of electives Change in schedule Loss of work study Loss of Library privileges Assigned seat in Cafeteria 5 points	Referral –Investigation 1 day ISS Parent meeting 10 points	Referral 3-5 day ISS/OSS discretion of Administration Parent conference Referral to counseling 20 points
Additional incidents		
Referral to the Office of the Superintendent 20 points		

Insubordination

All students are expected to respond in a timely and respectful manner to all reasonable adult directives. Insubordination is defined as the refusal to follow the reasonable directives of any member of the building or transportation staff.

1st incident	2nd incident	Additional incidents
Referral to administration 120 minute detention Parent notification 3 points	Referral to administration 1 day in-school suspension Parent notification 6 points	Referral to administration 1-3 days _____ out of school suspension Parent conference 10 points

Profanity		
All students are expected to use language, which is appropriate to the school and campus. Profanity is defined as the use of language, which is inappropriate to school. This language is inappropriate because it deprives the individual of more accurate self-expression and interferes with student and staff rights to function in a non-threatening environment, which is conducive to learning. Use of profane language varies in degree of severity and consequences will be applied accordingly.		
Use of profanity/obscene language/gestures Profanity used during a discussion or dispute or used as a point of emphasis. Use of words, which are considered distasteful and/or insulting.		
1st incident	2nd incident	Additional incidents
Referral to administration 60 minute detention Parent notification 3 points	Referral to administration 120 minute detention Parent notification 6 points	Referral to administration 1-3 days inschool and/or out of school suspension Parent notification 9 points

Use of Profanity/Obscene Language/Gestures to a Staff Member (Profanity directed toward a staff member)		
1st incident	2nd incident	Additional incidents
Referral to administration 1-3 days inschool and/or out of school suspension Parent conference 10 points	Referral to administration 3-5 days inschool and/or out of school suspension Parent notification 20 points	Referral to the office of the Superintendent 20 points

Indecent Behavior and/or Exposure	
All students are expected to behave in a manner that is respectful of others and not in opposition to societal norms. Indecent behavior is defined as sexually suggestive acts or gestures.	
1st incident	Additional incidents
Referral to administration 1-3 days inschool and/or out of school suspension Parent conference Notification of Superintendent 10 points	Referral to the office of the Superintendent 20 points

Cheating/Plagiarism		
<p>Each student is expected to produce his/her own work in and out of the classroom. Exceptions occur when a teacher assigns cooperative exercises, projects, and/or assignments. Cheating is defined as the intention to deceive staff and students by: 1.) acquiring another individual's written or cognitive property for personal gain; and/or 2.) assisting another student by providing written, or your own, or cognitive property.</p> <p>Each student is expected to acknowledge the supporting work of authors in his/her research papers. Plagiarism is defined as presenting or submitting published material without clear documentation and offering the information as a product of your own work.</p>		
1st incident	2nd incident	Additional incidents
<p>The grade of "zero" is assigned with no opportunity to earn exercise or exam credit. Notification of parent by teacher.</p> <p style="text-align: right;">1 points</p>	<p>Referral to administration. The grade of "zero" is assigned with no opportunity to earn assignment or exam credit. One day inschool suspension Parent notification</p> <p style="text-align: right;">5 points</p>	<p>Referral to administration. The grade of "zero" is assigned with no opportunity to earn exercise or exam credit. Loss of course credit is considered. 1 – 3 days inschool and/or out of school suspension. Parent conference</p> <p style="text-align: right;">10 points</p>

Stealing		
<p>All students are expected to respect school property and the property of Tupper Lake students, staff, and visitors. Students are also expected to respect the property of organizations and persons when participating in Tupper Lake Middle/High School activities at other schools and organizations (for example, athletic competitions and field trips). Under no circumstances are students to claim the property of others as their own. Stealing is defined as having in your possession property belonging to others without the prior permission of the owner or the owner's agent.</p>		
1st incident	10 points	Additional incidents
<p style="text-align: right;">20 points</p> <p>Referral to administration. 1 – 5 days inschool and/or out of school suspension. Community or school service. Restitution. Notification of appropriate authorities (police, probation, department of social services). Criminal charges filed if necessary. Parent conference.</p>		

Vandalism		
<p>All students are expected to respect school property and the property of other Tupper Lake students, staff members, and visitors. Students are also expected to respect the property of organizations and persons when participating in Tupper Lake Middle/High School activities at other schools and organizations (for example, athletic competitions and field trips). Vandalism is defined as the willful damage of others' property.</p>		
1st incident	10 points	Additional incidents
<p style="text-align: right;">20 points</p> <p>Referral to administration. 1 – 5 days inschool and/or out of school suspension. Community or school service. Restitution, as well as repair, clean, paint etc. for all instances as much as possible. Notification of appropriate authorities (police, probation, department of social services). Criminal charges filed if necessary. Parent conference.</p>		

Sexual harassment

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

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

All sexual harassment cases will be referred to the Office of the Superintendent or his/her designee.

20 points

Possession and/or Use of a Weapon

No student shall have in his/her possession upon school premises any rifle, shotgun, pistol, revolver, other firearm, knives with a 2" blade or longer, dangerous chemicals, explosives, or any object which is not necessary for school activities and which could be used as a weapon. A weapon is defined as any instrument capable of firing a projectile, the frame or receiver of any such weapon, a firearm muffler, or silencer, any explosive device, or any other instrument capable of inflicting bodily harm.

In accordance with the Gun Free Schools Act of 1994, a student found guilty of bringing a firearm, as defined by federal law, onto school property after hearing has been provided pursuant to section 3214 of the Education Law will be subject to at least a one year suspension from school. However, after this penalty has been determined the Superintendent of Schools will review the penalty and may modify such suspension, on a case-by-case basis. If the superintendent believes a one year suspension penalty to be excessive he/she may modify the penalty based on criteria including but not limited to:

- a. the age of the student;
- b. the student's grade in school;
- c. the student's prior disciplinary record;
- d. the superintendent's belief that other forms of disciplinary action may be more effective;
- e. input from parents, teachers, and/or others; and
- f. extenuating circumstances.

New York State peace officers and police officers are the only people permitted to have a weapon in their possession on school property.

A student who brings a weapon to school will face immediate suspension for a time to be determined by the Office of the Superintendent and criminal charges. Permanent exclusion from Tupper Lake High School will be considered.

20 points

**Use or Possession of Tobacco or Smoking Paraphernalia
(including lighters and/or matches)**

Students are under the supervision of the school district from the time they are picked up by the bus and/or arrive at school until they are dropped off by the bus at the end of the day. Therefore, students are not permitted to smoke any time during this period of supervision. This includes school- sponsored activities and on school sponsored trips or other extracurricular activities.

The Board of Education recognizing health hazards associated with smoking and in accordance with federal and state law prohibits smoking or other tobacco use (including the use of e-cigarettes) in all school buildings, on school property, or at any other school sponsored event.

Possessing, consuming, selling, attempting to sell, distributing or exchanging alcoholic beverages, tobacco, tobacco products or illegal and/or controlled substances, counterfeit and designer drugs, or paraphernalia for use of such drugs or be under the influence of any such substances on school property or at a school function. "Illegal substances" include, but are not limited to, inhalants, marijuana, synthetic cannabinoids, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, drug paraphernalia and any substances commonly referred to as "designer drugs."

Inappropriately using, sharing, selling, attempting to sell, distributing or exchanging prescription and over-the-counter drugs.

Possessing, consuming, selling, attempting to sell, distributing, or exchanging "look-alike drugs"; or, possessing or consuming (without authorization), selling, attempting to sell, distributing or exchanging other substances such as dietary supplements, weight loss pills, etc.

1st incident	2nd incidents
<p>Confiscation of tobacco and/or smoking paraphernalia Referral to administration At the discretion of the administration, 1 day in school suspension and/or the alternative to suspension program (TEG) Parent notification Notification of appropriate authorities (police, probation, Department of Social Services). Referral to an antismoking program (TEG)</p> <p align="right">5 points</p>	<p>Confiscation of tobacco and/or smoking paraphernalia Referral to administration and/or to the alternative to suspension program (TEG) At the discretion of the administration, 2days in school suspension and/or the alternative to suspension program (TEG) Parent notification Notification of appropriate authorities (police, probation, Department of Social Services). At the discretion of the administration, referral to the student assistance program, who will make recommendations for the student</p> <p align="right">10 points</p>

Possession, use, and Distribution of Alcohol or Drugs/Drug Paraphernalia Possession, Sale or Distribution

The student's locker will be searched and any contraband confiscated.
The student's parent or guardian will be notified immediately.
The appropriate law enforcement agency will be notified immediately.
The student will immediately be suspended from school for five days.
The student will be referred for appropriate counseling and, depending upon the facts and circumstances surrounding the student's actions, his/her acceptance of that service may be made a condition of reentry to regular classroom instruction.
The superintendent will be notified.

Possession, Use and Distribution of Alcohol, Tobacco or Drugs/drug paraphernalia At Extracurricular Activities

The following apply throughout the school year

The following are prohibited:

- a. Use or possession or attempted possession of alcohol.
- b. Use or possession or attempted possession of illegal drugs
- c. Use of tobacco product.

Discipline:

Violation of the above rules will result in the following disciplinary actions:

- Step 1: For the first offense, the student will be suspended from extracurricular activities for two weeks. The student must meet the minimum of three times with the school substance abuse counselor and follow any recommendations made by that counselor.
- Step 2: For the second offense, the student will be suspended from any extracurricular activities for five school months. The student must meet with the school substance abuse counselor at least once a week during the 5 month suspension period and follow any recommendations made by that counselor.
- Step 3: For the third offense, and any succeeding offense, the student will be suspended from any extracurricular activities for ten school months. The student must meet with the school substance abuse counselor and successfully complete all aspects of **any program recommended by the counselor**. An evaluation by an independent licensed alcohol or substance abuse counselor other than the school counselor may be directed as part of such program to assist in the development of a treatment plan. The cost of such independent evaluation and treatment shall be borne by the student and not the school district.

Under the Influence of Alcohol / Drugs

Whenever there is a reasonable suspicion of a student being under the influence of alcohol/drugs, she/he will be referred to the building administrator. The following disciplines will be taken if, in the opinion of such personnel, the student is under the influence of alcohol or drugs.

1 st incident	2 nd incident
<ul style="list-style-type: none"> a. The student's locker will be searched and any contraband confiscated. b. The student's parents or guardian will be notified immediately. c. The appropriate law enforcement agency will be notified immediately. d. The student will immediately be suspended from school for five days. e. The student will be referred to an appropriate counseling service and, depending upon the facts and circumstances surrounding the student's actions, his/her acceptance of that service may be made a condition of reentry to regular classroom instruction. f. The superintendent will be notified 	<p>In the event this is the second time that student has been involved in an alcohol/drug-related incident, she/he will be referred to the Office of the Superintendent for further action. The superintendent will then conduct a hearing. Following the hearing, the superintendent may suspend the student in accordance with New York State Education Law, Section 3214, as follows:</p> <ul style="list-style-type: none"> a. If the student is 16 years of age or older, the suspension can be for an extended period. b. If the student is under 16 years of age, she/he can immediately be removed from regular classroom instruction for the rest of the school year and assigned home tutoring or other alternative instruction. c. The student will be referred to an appropriate counseling service and, depending upon the facts and circumstances surrounding the student's actions, her/his acceptance of that service may be made a condition of reentry to regular classroom instruction. <p style="text-align: right;">20 points</p>

Possession of Internal Medication

Students who need to have access to prescription or non-prescription medication in school are to leave it with the school nurse along with parental permission and a written order from the physician concerning its use. In case a student need to use such medication when the nurse is not on duty the medication with parental permission and MD orders can be left with another staff member to be administered as long as the student has been deemed "self-directed" by the school nurse.

<p>Students who are in the possession of internal medication but have not followed the directions described above shall be warned for the first incident. For succeeding incidents s/he will be disciplined according to normal school disciplinary policies.</p> <p style="text-align: right;">5 points</p>	<p>Students who distribute such medication to others will be considered under this policy as distributing drugs illegally.</p> <p style="text-align: right;">20 points</p>
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False Alarms and/or the Possession or Use of Fireworks and/or Incendiary Devices and Arson

No student will report a fire or pull a fire alarm or automated emergency defibrillator (AED) without cause nor will they bring to school or have in their possession fireworks or other incendiary devices (for example, smoke bombs, fire crackers, flares, etc.) anywhere on the school campus.

These are a danger to the health and safety of all members of the community including members of the fire department who respond to the call. Therefore, any student involved in these activities will be suspended without fail for a period of five days in accordance with New York State Law.

The Superintendent of Schools may in such cases consider permanent exclusion from school. In addition, the administration will file charges of criminal mischief with the appropriate authorities.

Filing of criminal mischief charges.

Referral to the Office of the Superintendent.

20 points

Cell Phones and Electronic Devices

- a.) Cell phones and electronic devices may be carried by students in grades 7-12 and kept in student possession during the school day.
- b.) Students in grades 7-12 will be allowed to use electronic devices for personal use prior to 7:50 a.m., during hallway passing time, in the cafeteria during scheduled lunch mods, and after 2:04 if they are not required to stay for tutorial or detention.
- c.) Cell phones and electronic devices may not be used during class, study hall, in detention, tutorial or ISS.
- d.) Teachers and staff members shall use their discretion to permit students to use cell phones during the school day, under direct supervision, only if the teacher determines that the cell phone usage is necessary and/or enhances the educational learning experience.
- e.) Cell phones and electronic devices may not be used to take photographs or record audio and/or video at any time during the school day unless proper authorization has been provided by the building principal.

Unauthorized or inappropriate cell phone use will result in a referral to the middle/high school office. The cell phone will be turned in and returned to the student at the end of their school day.

Corrective Procedures

Failure to comply with corrective procedures will result in more severe disciplinary consequences, which may include out of school suspension, and/or loss of privileges. Failure to comply with inschool suspension guidelines may result in additional time assigned to inschool and/or out of school suspension.