

**BOARD MEETING:** Regular Meeting  
**DATE:** Wednesday, August 20, 2025  
**TIME:** 6:00 p.m.  
**PLACE:** Naples High School Library

- I. Roll Call
- II. Meeting Called to Order
- III. Adopt the Agenda of the Regular Meeting of August 20, 2025 (Board Action)
- IV. Proposed Executive Session, Subject to Board Approval
- V. Pledge of Allegiance
- VI. Public Comments:

The Board of Education invites you, the residents of our school community, to feel comfortable in sharing matters of interest or concern that you might have with us. The Board President will be happy to recognize those of you who wish to speak. We would ask that you come forward and please identify yourself before presenting your thoughts.

Those items brought to the attention of the Board during this time may be taken under consideration for future response or action. (*Individual comments will be limited to three minutes.*)

As a matter of courtesy, we ask that issues related to specific School District personnel or students be brought to the attention of the Superintendent of Schools privately. Thank you for this consideration.

Board Response: The Board of Education is committed to keeping communication open and transparent. The Board of Education President will be working with the Board and the Superintendent to make every effort to respond to public comments directed to the Board of Education at previous meetings, during the next scheduled meeting.
- VII. Points of Interest
- VIII. Superintendent Reports – Administrative Updates - Presentations
  - Superintendent Update
  - Administrative Updates
- IX. Board Report - Facilities
- X. Authorizations (Board Action)
  - Adopt the District Wide School Safety Plan
  - Adopt the District Code of Conduct
- XI. Minutes (Board Action)
- XII. Reserve Fund Plan Amendment (Board Action)
- XIII. Agreements (Board Action)
  - Memorandum of Agreement – Interscholastic Cross-Country Team
  - Memorandum of Agreement – NTA Cross County Coaches
- XIV. Business (Board Action)
  - 2026-2027 Budget Timeline
  - Policy Updates
  - Incomplete Team - Golf
  - Discards
  - Budget Transfer
  - Non-Resident Enrollment-Foreign Exchange Student
- XV. Personnel (Board Action)
  - Resignations
  - Retirement Resignations
  - Appointments
  - 2025-2026 Fall Sports Coaches Amended
  - 2025-2026 Summer Hours
  - 2025-2026 Unpaid Advisor Appointments
  - 2025-2026 TOSA Appointment
- XVI. Consent Agenda Items (Board Action)
  - CSE Committee Recommendations
  - Substitutes
  - Volunteers
  - Student Teacher Rescinded
- XVII. Adjournment (Board Action)



**Superintendent Reports – Administrative Reports - Presentations**

Superintendent Kevin Swartz noted that staff are returning August 27<sup>th</sup> and students are returning September 2<sup>nd</sup> noting that communication has gone out with the details.

Mr. Swartz gave a shout out to the cleaning crew for being amazing this summer getting buildings ready and ahead of schedule. Other information shared: Naples is in a good place for staffing; A thank you to Cassandra Montemarano for all the work she did for our district in the TOSA position this past year noting that she has accepted an administrative position with Monroe 2 BOCES furthering her career in an administrative role; Kyle Inda, a long-time special education teacher, expressed an interest in the TOSA position and is to be appointed tonight, will do wonderful work in that role; Jordan Shearing, to be appointment tonight, will fill Kyle's position.

Mr. Swartz also provided a brief update on the construction work and the opening of the first day. A shout out for the summer curriculum work that teachers have been doing noting how it is helping the teachers and the kids as well as new teachers when they come to our district to have a good sense of where the launch point for curriculum and assessment are with kids. A lot of positive and we are looking to build on that throughout the year.

Mr. Swartz stated that the Cell Phone Ban is going into effect September 2<sup>nd</sup>. Kudos to the administrative team for working through the Code of Conduct as well as the Student Handbooks and the communication to staff, students and parents. This is new and we will monitor, adapt and adjust where we need to depending on how are staff and students do with this transition.

Mr. Swartz thanked the Board for the work around the priorities. The priority work will serve as that overarching district foundation noting that the four district priorities were shared with the new teachers as well as what that looks like at the building level. This will serve the district well to have the overarching board priorities, then the district priorities with the application of those priorities at the building level.

Mr. Swartz also provide information regarding the Fall Sports teams and the MOA to be approved tonight regarding Cross-County Coaches.

Director of Pupil Personnel, Cassandra Lamphier, thanked and appreciated the board for their support over the last year as well as the Administrative Team, teachers, district and community members. Mrs. Lamphier welcomed Jordan Shearing and noted her experience and that she would be filling the 12-1-1 classroom. Other information shared: student placement; new nurse, Alice DeMallie and the summer program; NYS and Opioid overdose program and working with Workfit; Standardize process for special education students from building to building; last day of summer school; and lemonade stand highlight for the students.

Assistant Superintendent Chad Hunt provided a brief update on the EV Bus Charger voucher and the amendment to the requirements of the voucher. Other information shared with the board: State Reporting is open from 08/19/25-09/15/25; Draft Fiscal Audit; and 3+1 Update.

**Board Report – Facilities**

Board Member Joseph Callaghan provided updates on the Phase II (auditorium punch list), Phase III (Painting, tiling, ADA door entry - Elementary), Capital Outlay 2025 (doors). Information on the 2026 Capital Project Work – looking at priority work: HS Classrooms, HS Air Conditioning, Elementary Kitchen and Cafeteria, Elementary west hallway, HS windows, Athletic Fields, Bus



**Motion: Steven Mark**

**2nd: Joseph Callahan**

**Resolved, that upon the recommendation of the Superintendent, the Naples Central School District Board of Education approves the following Business resolutions as presented:**

- Resolved, that upon the recommendation of the Superintendent, the Board of Education approves the 2026-2027 Naples Central School District Budget Timeline as presented.
- Resolved, that the Board of Education, upon the recommendation of the Policy Committee, with no second reading as per Policy #1410, approves the following policies, regulations and forms as presented:
  - Policy # 7315: Acceptable and Responsible Technology Use (formally Student Use of Computerized Information Resources)
- Resolved, that the Board of Education approves Marcus Whitman Incomplete Team athletes, Maddie Daggett and Parker Weissand, to follow the Naples Golf Team Match Schedule for the 2025-2026 School Year.
- Resolved, that approval be given for the following to be declared surplus property and approval given to discard as per Policy #5250:
  - Elementary Music: Broken Bass Xylophone
- Resolved, that the Board of Education approves the following Budget Transfer:
  - FROM 9711-700-00-0000 \$977,936.76 Serial Bonds Interest
  - TO 9731-600-00-0000 \$512,865.00 Bans-Construction-Principal
  - TO 9731-700-00-0000 \$465,071.76 Bans-Construction-Interest
- Resolved, that the Board of Education approves the attendance of Foreign Exchange student for the 2025-2026 School Year, as per Board Policy #7132, Non-Resident Students
  - Riccardo Izzo

**Voting Yes: 6**

**Motion Carried**

**Voting No: 0**

**Motion: Maura Sullivan**

**2nd: Kelley Louthan**

**Resolved, that upon the recommendation of the Superintendent, the Naples Central School District Board of Education approves the following personnel item(s) as presented:**

- Resolved, that the Board of Education approves the following Resignation(s), with regret:
  - Jennifer Naramore, Teacher Assistant, effective 07/11/2025
  - Cassandra Montemarano, Reading Teacher and TOSA Administrative Assistant, effective 09/01/2025
  - Madalene Guereri, Food Service Helper Part Time, effective 07/07/2025
- Resolved, that the Board of Education approves the following Retirement Resignation(s), with regret:
  - Jodie Schwartz, Special Education Teacher, effective 01/06/2026
  - Melinda Foster, Teacher Aide, effective 08/30/25
- Resolved, that upon the recommendation of the Superintendent, the Naples Central School District Board of Education approves the following Probationary appointment(s), pending a successful background fingerprinting clearance report:

- Jordan Shearing, to a probationary term of three (3) years beginning on August 21, 2025 expiring on August 20, 2028, as a Special Education Teacher, effective August 21, 2025. Eligibility for tenure in Special Education at the end of the probationary period is dependent on the employee receiving APPR ratings of Highly Effective or Effective in at least three (3) of the four (4) preceding years and no Ineffective rating in the final year. The certification areas and status are Students with Disabilities (Birth-Grade 2), Professional; Students with Disabilities (Grades 1-6), Professional; Literacy (Birth-Grade 6), Professional; Literacy (Grades 5-12), Professional; Childhood Education (Grades 1- 6), Professional; Early Childhood Education (Birth-Grade 2), Professional; School Building Leader, Initial; School District Leader, Professional. Salary for this position will be Step 14 of the 2025-2026 Distribution Schedule – Masters +30. This appointment is in accordance with and subject to Education Law, the regulations of the Commissioner of Education, and the by-laws of the Board of Education.
- Kristy Pentycofe, to a Probationary Food Service Helper appointment, effective 08/27/25 at the rate of \$15.50 per hour.
- Dawn Kramer, to a Probationary Food Service Helper appointment, effective 08/27/25 at the rate of \$15.50 per hour.
- Resolved, that the Board of Education approves the following amendment for Coaches for the 2025-2026 School year, salary as per negotiated agreement and contingent on student enrollment:

Fall Coaches

RESCIND Soccer, Girls JV: Robert Birdsall

Soccer, Girls Mod A: Robert Birdsall

RESCIND Soccer, Girls Modified: Alyson Powers

Soccer, Boys Modified: Alyson Powers

- Resolved, that the Board of Education approves that regularly employed personnel may be called in to work summer hours in the 2025-2026 school year as needed, salary as per negotiated agreement.
- Resolved, that the Board of Education approves the following unpaid Advisor appointment(s) for the 2025-2026 School Year, contingent upon student enrollment:
  - Boys Baseball Club: Brian Battle
  - CC and More Club: Colleen Shuler-Healy
- Resolved, that the Board of Education approves the following appointments for the 2025-2026 School Year as per the Naples Teachers' Association Agreement.
  - Kyle Inda, as a 1.0 FTE Administrative Assistant Teacher on Special Assignment, effective July 1, 2025 and expiring on June 30, 2026. The certification area and status are Special Education, Permanent. Salary for the 2025-2026 school year will be Step 28 of the 2025-2026 Salary Distribution Schedule – Masters.

**Voting Yes: 6**

**Motion Carried**

**Voting No: 0**

**Motion: Kelley Louthan**

**2nd: Joseph Callaghan**

**Resolved, that the Board of Education, upon the recommendation of Superintendent Kevin Swartz, approves the Consent Agenda Items as presented:**

a. Resolved, that the Board of Education approves committee recommendations from the following meeting(s):

- Committee on Special Education actions of: 04/30/25; 07/25/25; 07/31/25; 08/07/25;
- Committee on Pre-School Special Education actions of: 07/25/25;
- 504 Committee actions of: None

b. Resolved, that the Board of Education hereby approves the following Substitute appointments, pending a successful background fingerprinting clearance report:

<u>Name</u>	<u>Position</u>
Sarka Mehlenbacher	Typist
Donna Fox	Food Service Helper
Owen Douglas	School Monitor
Owen Douglas	Teacher Aide
Angela Witty	School Monitor
Angela Witty	Clerk
Angela Witty	Typist
Angela Witty	Teacher Assistant
Angela Witty	Teacher

c. Resolved, that the Board of Education hereby approves the following Volunteers:

<u>Name</u>	<u>Position</u>
Megan Fox	Volunteer

d. Resolved, that the Board of Education rescinds the recommendation of the following student teacher:

<u>Name</u>	<u>Placement/Supervising Teacher</u>
Jackson Russo	Science: 08/27/25 – 10/17/25 Ellen Ellison

**Voting Yes: 6**

**Motion Carried**

**Voting No: 0**

**Motion: Maura Sullivan**

**2nd: Steven Mark**

There being no further business, the Regular Meeting of August 20, 2025 is hereby adjourned at 7:26 p.m.

**Voting Yes: 6**

**Motion Carried**

**Voting No: 0**

Dated this 20<sup>th</sup> day of August, 2025

Michele Barkley  
Michele Barkley  
District Clerk



# Naples Central School District

## **DISTRICT-WIDE SCHOOL SAFETY AND EMERGENCY RESPONSE PLAN**

Commissioner's Regulation 155.17

### **Introduction**

Emergencies and violent incidents in school districts are critical issues that must be addressed in an expeditious and effective manner. Districts are required to develop a District-wide School Safety Plan designed to prevent or minimize the effects of serious violent incidents and emergencies and to facilitate the coordination of the district with local and county resources in the event of such incidents or emergencies.

The district-wide plan is responsive to the needs of all schools within the district and is consistent with the more detailed emergency response plans required at the school building level. Districts are at risk of a wide variety of acts of violence, natural, and technological disasters. To address these threats, the State of New York has enacted the Safe Schools Against Violence in Education (SAVE) law. This component of Project SAVE is a comprehensive planning effort that addresses risk reduction/prevention, response, and recovery with respect to a variety of emergencies in the school district and its schools.

The Naples Central School District continues to support this integral component of the SAVE Legislation through the regular review and updating of its contents. The Superintendent of Schools encourages and advocates this ongoing district-wide cooperation and support of Project SAVE.

### **General Considerations and Planning Guidelines**

#### ***Purpose***

The Naples Central School District-wide School Safety Plan was developed pursuant to Commissioner's Regulation 155.17. At the direction of the Naples Central School District Board of Education, the Superintendent of Naples Central School District appointed a District-wide School Safety Team and charged it with the development and maintenance of the District-wide School Safety Plan.

#### ***Identification of School Teams***

As referenced in the previous section, the Naples Central School District has appointed a District-wide School Safety Team consisting of, but not limited to, representatives of the School Board, students,

teachers, administrators, parent organizations, school safety personnel, and, other school personnel. The members of the team and their positions or affiliations are as follows:

- Kevin Swartz (Superintendent/Safety Team Chair)
- Nicole Green (High School Principal)
- Philip Bariteau (High School Teacher)
- Sheila Brundage (Naples Ambulance)
- CJ Stephens (Fire Chief)
- Patrick Elwell (Transportation Supervisor)
- Alice DeMallie (High School Nurse)
- Laurie Fitzgerald (Elementary School Teacher)
- Matthew Green (High School Teacher)
- Carrie Grove (Elementary School Teacher)
- Shawn Mason (Director of Facilities)
- Timothy Durgan (School Resource Officer—Ontario County Deputy)
- Jason Klewicki (NYS Trooper)
- Heather Clark (Assistant Principal/Data Coordinator)
- Brian Meteyer (Elementary School Psychologist)
- William Murphy (High School Counselor)
- Cassandra Lamphier (PPS Director)
- Darlene Wolfanger (Teacher Aide)
- Katherine Piedici (Elementary School Principal)
- Melissa Andalaro (High School Psychologist)
- Kelly VandeSande (Elementary School Nurse)
- Benjamin Pursell (Director of Technology)
- Board of Education Member: Jacob Hall

### ***Concept of Operations***

General protocols reflected in the District-wide School Safety Plan guide the development and implementation of the Building Safety Plans. The District-wide Safety Plan sets forth the general procedures and protocols to be adhered to at each school and serve as the standard operating procedures.

In developing the district-wide plan, key internal and external stakeholders were involved in order to garner the best local operational knowledge and the best emergency management and safety expertise in creating and revising the plan. The Naples Central School is an integral part of the community and, as such, it is important that community stakeholders are involved and understand the role of the school district and its relationship to the safety of the community at large.

In the event of an emergency or violent incident, the initial response to all emergencies at an individual school will be by the Building Safety Teams.

Upon activation of the Building Safety Teams, the Superintendent of Schools or his/her designee will be notified and, where appropriate, local emergency officials will also be notified. Efforts may be supplemented by county and state resources through existing protocols.

### **Chief Emergency Officer**

The Superintendent of Schools is the District's Chief Emergency Officer. The responsibilities of the Chief Emergency Officer are:

- Coordinating communication between school staff and first responders
- Ensuring understanding of the district-wide safety plan
- Ensuring completion and of building-level plans
- Ensuring the amendment of all plans as needed

### **Plan Review and Public Comment**

Pursuant to Commissioner's Regulation, Section 155.17 (e)(3), this plan will be made available for public comment at least 30 days prior to its adoption. The district-wide plan may be adopted by the School Board only after at least one public hearing that provides for the participation of school personnel, parents, students and any other interested parties. The plan must be formally adopted by the Board of Education.

Full copies of the District-wide School Safety Plan and any amendments will be submitted to the New York State Education Department within 30 days of adoption. In addition, the Building Safety Plans will be sent to the New York State Police and the Ontario County Sheriff's Department.

This plan will be reviewed periodically during the year and will be maintained by the District-wide Safety Team. The required annual review will be completed on or before July 1 of each year after its adoption by the Board of Education. A copy of the plan will be available on the district website.

### **Prevention/Intervention Strategies**

Initiatives that improve the culture and climate in our schools and improve communication at all levels can substantially enhance our ability to truly prevent any negative event from occurring. Prevention would always be preferred over risk reduction. However, not all such events will be prevented despite our best efforts. Therefore, we must formulate plans to intervene and reduce risk by minimizing the impact of any negative event.

This section will identify specific prevention and risk reduction strategies that have been implemented within the Naples Central School District. Many of these components serve as both prevention and risk reduction tools.

#### ***Strategies for Identifying Needs Related to Creating a Positive, Safe Learning Environment:***

- Review of Academic and Behavioral Data
- Building and Grade Level Team Meetings
- Initiatives from the Character Education Committee
- Needs Assessments Conducted by the Mental Health Advisory Committee

#### ***Strategies and/or Programs Intended to Create and/or Maintain a Safe Learning Environment:***

- Presentations from the School Resource Officer (SRO)
- MTSS Behavioral Supports
- Health Classroom Instruction

- Weekly Student Support Team Meetings
- Restorative Circles
- Character Education Assemblies
- Check In/Check Out Systems
- Counseling Supports
- Creation of the RISE Program
- Peer/Academic Leader Program

***Efforts to Improve Communication Between and Among Students:***

- Creation and Use of Grade Level List-serves
- Regular Paper and Electronic Newsletters
- District Social Media Accounts
- Restorative Circles
- Superintendent's Advisory Council
- Inclusion of Students on Certain NCS Committees

***Anonymous Reporting System:***

- Safe School Helpline
- Dial 1-800-4-1-VOICE, ext. 359 (418-6423) to leave information, or text 66746 then type TIPS

**Training, Drills, and Exercises**

The District will provide annual multi-hazard school safety training for all staff and students. For staff, the training will take place in online trainings, full-scale drills, table top exercises, and staff development programs when appropriate. For students, the trainings will involve classroom activities, full-scale drills, and assemblies. The components of this training will be consistent across the district while the means of dissemination will likely be varied due to the grade levels involved and other building specific issues. Staff training will be routinely conducted at the school level followed by age-appropriate drills with the entire school population.

The District will ensure that each building conducts drills and exercises to test the components of their respective building-level plan. The use of tabletop exercises to accomplish this task in coordination with local and county emergency response and preparedness officials may be considered when live drills are impractical or not sufficient to meet training goals. Specific drills and training will be conducted for selected response protocols including: Shelter-In-Place; Hold-In-Place, Evacuation, Lockout, and Lockdown. Additionally, fire, natural gas, bomb threat and alternate site evacuations may/will be conducted annually and may involve a staff drill or training session only or the entire school population.

In addition, Early Dismissal drills will not occur more than 15 minutes earlier than normal dismissal time. Transportation and communication procedures will be included in the test, and parents and guardians will be notified in writing at least one week prior to such drill.

The emergency back-up generators and lighting are also tested annually and all systems verified functional without electricity.

The following are mandated as of July 1<sup>st</sup> 2016:

- 8 - Evacuation Drills (fire drills) and 4 lock down Drills every School Year.
- 8 - Drills by December 31<sup>st</sup>
- 4 - Evacuation Drills using secondary means of egress
- 1 – Drill during lunch or assembly unless instruction is provided on how to do same.

### ***Personnel Acting in School Security Capacity***

#### Routine Precautions by all staff

All staff members are expected to immediately report to their building principal any information they have received or observations they have made regarding anything that could possibly impact the safety and security of anyone within the school community.

Note: Staff should always err on the side of safety and share such information each and every time. No detail is too small or inconsequential as individual staff may not be aware of all circumstances surrounding a particular student or concern.

#### Limited Access

Each school district building is tasked with implementing this policy while tailoring it to the specific needs of their building. Generally, this means that the fewest exterior doors necessary to maintain normal business will remain unlocked during portions of the regular school day – most commonly to facilitate morning arrival. Those doors that may need to remain unlocked during a portion of the school/business day should be monitored in some fashion. All entrances are to be secured shortly after the start of the instructional day.

Once secured for the instructional day, the schools may utilize an audio and/or video electronic, visitor access control system at their primary entrances that provides a means for school staff to remotely screen and approve visitors prior to actually granting them access into the building.

The schools also utilize a keyless entry / electronic access control system allowing specific access (designated days/times, buildings and entrances) to authorized personnel by presenting a programmed proximity identification card to a reading device at those entrances. This system also automatically unlocks and locks specific entrances to accommodate normal arrival, dismissal and after school activity.

#### Staff Photo Identification Badges

All Naples Central School District employees are issued photo identification (proximity) badges that are to be displayed at all times while on school district property to assist visitors, students and staff in identifying employees as well as possible intruders.

#### Visitor policy

Should an unannounced visitor appear at a classroom, office or be observed in the hallways without proper identification (visitor pass or a note from the office), staff may approach and inquire as to a subject's business or contact their school's main office immediately.

### Student Sign-Out Procedures

Schools are diligent in ensuring that only those persons authorized to sign-out students are allowed to do so utilizing the applicable data maintained within School Tool. Staff may also require a photo ID if the requesting party is unknown to them and may contact a parent or guardian for confirmation when deemed appropriate.

### Video Surveillance

A digital video surveillance system is in service in the Naples Central School to assist in monitoring, deterring and recording activity in high use areas, as well as areas of chronic concern or perceived vulnerability.

### Fire Alarm

A fire detection alarm that is linked to a central monitoring station is in service at every Naples school building. These alarms and fire response procedures are tested regularly consistent with New York State Education Department regulations.

### Mass Communication System (Blackboard Connect)

The School District utilizes the Blackboard Connect mass communication system capable of making emergency notifications to all or a portion of the school community.

### School Resource Officer

The District contracts with Ontario County to provide a School Resource Officer (SRO) on campus during the school day and at other district events. The SRO assumes a number of roles involving:

- Safety expert and law enforcer
- Problem solver and liaison to community partners
- Educator

*\* Please see a copy of the attached agreement the District has with the Ontario County Sheriff's Office regarding a SRO*

### Random Drug Sniffing Canine Search

The District will occasionally conduct canine searches throughout the school year.

### Vital Educational Agency Information

The District maintains general information about each educational agency located in the school district, including information on: school population, number of staff, transportation needs, and the business and home telephone numbers of key officials of each such educational agency.

### ***Early Detection of Potentially Violent Behaviors***

The District recognizes the importance of early recognition and intervention into conflicts and potentially violent or threatening behaviors. As such, the District will ensure that appropriate school violence prevention and intervention training will be incorporated into phases of staff professional

development.

Informative materials regarding the early detection of potentially violent behaviors shall be made available to the school community through various means that may include brochures, district-wide newsletters, and the district website.

Students, parents, and all staff are encouraged to share information regarding any student conflicts, threats or troubling behaviors with the appropriate school administrator so that an investigation can commence in a timely fashion if deemed necessary.

This communication may extend beyond the Naples Central School District personnel to include members of the District's Safety Team, Law Enforcement, Mental Health Professionals, etc., when deemed appropriate and within existing legal parameters.

### ***Hazard Identification***

The list of sites of potential emergency include: all school buildings, playground areas, properties adjacent to schools, on and off-site athletic fields, buses, and off-site field trips. Each individual Building Health and Safety Team has assessed their own facility for any unique hazards and has documented them on their respective Building Safety Plans.

### ***Notification and Activation (Internal and External Communications)***

Incident Commanders are authorized to and will initiate contact with the appropriate law enforcement officials in the event of a violent incident. Possible points of contact may include:

- 911
- Ontario County Sheriff's Office: 585-394-4560
- New York State Troop E: 585-398-4100

The process for informing educational agencies within a school district of a disaster or an act of violence include the following possible forms of communication: telephone, e-mail, district radio system, NOAA weather radio, district website, intercom or PA system, local media, Blackboard Connect Emergency Alert System, others as appropriate or necessary.

The system may specify that in the event of an emergency, or impending emergency, the district will notify all principals/designees within the district to take the appropriate action. The District will utilize the Blackboard Connect Emergency Alert System to contact parents, guardians or persons in parental relation to the students in the event of a violent incident or an early dismissal. The district might also use local media in some instances or post information on the district website.

## **Situational Responses**

### **Multi-Hazard Response**

In the event of a catastrophic emergency (fire, building collapse, etc.) the evacuation of the building and the preservation of life is the only consideration. It is anticipated that specific procedures outlined in this document, particularly as they relate to notifications, line of authority, etc., may well be violated in cases involving catastrophic emergencies.

There are many variables that could impact the manner in which the Building Safety Teams respond to a particular occurrence. These variables could include: time of day, weather, age of students, and location of students, anticipated response time of emergency responders, availability of support personnel, and availability of transportation. Specific emergency situations are identified and standard response procedures are detailed in Building-level Emergency Response Plans; however, given the aforementioned variables, it is impractical to try and map out the specific steps to take for every conceivable scenario. It is more practical to focus on just a few critical decisions that need to be made in every emergency pursuant to our primary goal of preventing injury and loss of life.

The building principal is designated as the person in charge during the initial response to any emergency at their respective school. The principal will provide leadership, organize activities and disseminate information with the assistance of the Building Safety Teams and the District Safety Team, if needed. If the principal is unavailable, or not on site, the Designated Alternate will act in their absence with the same authority and responsibility.

In most instances where this level of school response is warranted, the school will be seeking assistance from outside emergency responders in resolving the situation. As such, the immediate objective is generally to contain and manage the incident until the emergency responders arrive on scene.

Procedures for obtaining advice and assistance from local government officials including the county or city officials responsible for implementation of Article 2-B of the Executive Law. By contacting 9-1-1, the system for coordinating the delivery of assistance from both the county and local agencies will be activated.

Each Building-level Emergency Response Plan includes procedures and actions that will be implemented in the event of the occurrence of a hazardous event. Such plans are not available to the public, nor are they to be included in the District-level Safety Plan.

#### Responses to Acts of Violence: Implied or Direct Threats

The District's policies and procedures for responding to implied or direct threats of violence by students, teachers, other school personnel and visitors to the school will be included in the Building-level Safety Plans. The following types of procedure(s) may be used by the district:

- Use of staff trained in de-escalation or other strategies to diffuse the situation.
- Inform Building Principal of implied or direct threat.
- Determine level of threat with Superintendent/Designee.
- Contact appropriate law enforcement agency, if necessary.
- Monitor situation, adjust response as appropriate, include the possible use of the Emergency Response Team.

#### Acts of Violence

The District's policies and procedures for responding to acts of violence by students, teachers, other school personnel and visitors to the school will be included in the Building-level Safety Plans. The following types of procedure(s) could be used by the district:

- Determine level of threat with Superintendent/Designee.
- If the situation warrants, isolate the immediate area and evacuate if appropriate.
- Inform Building Principal/Superintendent.
- If necessary, initiate lockdown procedure, and contact appropriate law enforcement agency.
- Monitor situation; adjust response as appropriate; if necessary, initiate early dismissal, sheltering or evacuation procedures.

### Response Protocols

The District's selection of appropriate responses to emergencies, including protocols for responding to bomb threats, hostage takings, intrusions and kidnappings will be included in the Building-level Safety Plans. The following possible protocols are provided as examples:

- Identification of decision-makers
- Plans to safeguard students and staff
- Procedures to provide transportation, if necessary
- Procedures to notify parents
- Procedures to notify media
- Debriefing procedures

### Arrangements for Obtaining Emergency Assistance from Local Government

Arrangements for obtaining assistance during emergencies from emergency services organizations and local government agencies include contacting:

- 911 immediately
- Ontario County Sheriff's Office: 585-394-4560
- NYS Troopers: 585-398-4100
- Naples Fire Department: 585-374-2370
- Naples Ambulance: 585-374-2170

### Procedures for Obtaining Advice and Assistance from Local Government Officials

In the event of an emergency where additional advice, assistance, or assets not readily available to the District are needed; the Superintendent, his/her designee or the School Resource Officer (SRO) will contact:

- Naples Town Supervisor: 585-374-2111
- Naples Village Mayor: 585-374-2435

### District Resources Available for Use in an Emergency

District resources which may be available during an emergency include all of our facilities at the campus, our buses, and other vehicles trucks. We can also contact the Town Highway Department for access to heavy equipment and other resources.

### Procedures to Coordinate the Use of School District Resources and Manpower during Emergencies

The Naples Central School District will use the Incident Command System to coordinate the use of school district resources and manpower during emergencies.

### Protective Action Options

Plans for taking the following actions in response to an emergency where appropriate will be included in Building-level Emergency Response Plans: school cancellation, early dismissal, evacuation, and sheltering.

## **Recovery**

### ***District Support for Buildings***

After an incident, the safety teams will work with stakeholders to provide needed supports. Necessary resources will be deployed in order to support students, staff, and community members.

### ***Disaster Mental Health Services***

Mental health services needed will be addressed by the appropriate safety team. The Naples Central School District will activate its Critical Team to address the personal and psychological needs of the students and staff following a traumatic incident. The District's Employee Assistance Program is available for staff members. The Superintendent of Schools will make the determination for the need for outside mental health resources in the event of a disaster or other traumatic event.

### *Family Counseling Service of the Finger Lakes*

[www.fcsfl.org](http://www.fcsfl.org) Phone 315-789-2613

For incidents of a larger magnitude, the District may need to request the services of the County and State Mental Health Agencies for support services. New York State has a statewide plan for the delivery of mental health services. These services can be accessed through Ontario County Mental Health Services or directly from the State of New York at the following numbers:

<i>Ontario County Community Mental Health Services</i>	<i>(585) 396-4363</i>
<i>Yates County Community Services Department</i>	<i>(315) 536-5115</i>
<i>NYS Office of Mental Health Services - Disaster Mental Health Services</i>	<i>(518) 474-2578</i>

Once the incidents have been resolved, the *Superintendent* will hold a Post Incident de-briefing to discuss what transpired during the event and how the District and the Emergency Response Team can improve their response to bring resolution to the matter more quickly and efficiently

## **Chapter 168 and the Required Amendment to the School District's Emergency Plan**

### **a. Essential Personnel:**

- *Facilities and Maintenance Staff:* Needed to ensure buildings and grounds are cleaned, disinfected, etc. on a regular basis. Shifts would be staggered to follow social distancing guidelines.
  - Director of Facilities, Maintenance Mechanics, Grounds, Custodians, Cleaning Staff
- *District Office Personnel:* Would follow a rotational schedule to ensure the continuity of payroll, benefits, communications, etc.
  - Superintendent, Business Official, District Clerk, Accounts Payable Clerk
- *Technology Department Staff:* Would support the hardware/software/etc. needs of staff and students to ensure that remote learning needs are met.
  - Director of Technology, Professional Development and Instruction as well as Computer Services Assistants
- *Building and/or District Administrators and Office Staff:* Would work a limited number of days per week to ensure the continuity of learning, communications, etc.
  - Principals, Director of Pupil Personnel Services, Assistant Principal/Data Coordinator
  - Typists, Clerks, Computer Services Assistant
- *Transportation Department and Food Service Department:* Would follow a rotational schedule if required to provide students with meals or devices for remote learning.
  - *Food Service Director, Cooks, Food Service Helpers*
  - *Transportation Supervisor, Head Bus Driver, Bus Drivers, Bus Monitors*
- *Other Faculty and Staff:* Depending on guidance from New York State and/or the Department of Health, and local contractual language, other faculty and staff members would perform their work responsibilities in-person or remotely.

### **b. Telecommuting/Remote Work:**

The District has worked to ensure that all non-essential employees have the devices, software, hot spots, network access, etc. needed to perform their job responsibilities remotely. To accomplish this, the District has used staff surveys, a Technology Committee, and an IT Helpdesk email system to identify and meet technology-related needs. Additionally, the District has used a combination of conference as well as asynchronous days to provide employees with professional development focused on supporting remote learning.

### **c. Work Shift Staggering:**

Throughout the reopening process, the District has prioritized social distancing, face coverings, hand washing, and disinfecting. Furthermore, the District has sought to reduce exposure by moving in-person meetings and interactions to Zoom to the greatest extent practicable. If required to implement staggered work shifts to provide an extra layer of safety, buildings or departments would

design schedules in alignment with existing guidance from New York State or the Department of Health.

**d. PPE Protocols:**

All PPE items are currently stored in the High School basement facility storage area. Only Facilities personnel have access to this room. Staff members place a request into the Master Library System. A member of the Facilities Department will bring the requested items to the requester the same day or the following day. Once the facilities member has done this, they will mark the order complete in the Master Library System. Inventory is maintained by the Director of Facilities and reordered as necessary.

**e. Documenting Work Hours and Locations:**

Staff in the District Office, the Main Offices, and the Central Business Office will document work hours and locations using WinCap Web, Aesop, Google Docs, and PDF fillable forms (details might differ slightly based on the work responsibilities of the employee).

**f. Emergency Housing for Essential Employees:**

Due to limited housing options in the region, this section is not applicable to the Naples Central School District.

**NYS Workplace Violence Prevention Law & NCS Violence Prevention Program**

**Statement of Purpose:**

The NCS school community recognizes the importance of working collaboratively in order to be proactive when it comes to reducing the likelihood of violence in schools. The more we know, and the sooner we know it, the higher the likelihood we can prevent violence in our district. Through both building and district safety committees, priority goals and objectives include:

- Providing a forum, with a broad representation of workplace staff, where concerns, ideas, or issues related to potential violence or safety can be discussed. Regular assessment of our practices, as they relate to potential school violence or safety, is a district expectation and responsibility.
- Being responsive to issues and concerns as they arise and using available district resources to reduce or mitigate the potential for workplace violence.

**Risk Evaluation:**

Identified Risks

- Potential blind spots with cameras due to positioning, tree growth, or technological issues requiring attention.
- Evaluation of doors that may “stick” at times, particularly in warm weather.
- Improvement of classroom door safety through potential utilization of thumb turn locks.
- At various times of year, speed of drivers (students and others) can be an issue on the south side of the HS (entrance off of Main Street).
- Should the district reactivate a means for anonymous reporting of threats given our contract with vendor expired during Covid.

- Concern about the possible lengthy response time to NCS for police or ambulance services given our location.

#### Methods of Prevention

A minimum of 3 times annually, NCS school buildings will meet to discuss matters of safety as they relate to the goals/objections noted above. Additionally, the NCS District Safety Team will meet a minimum of 3 times annually to discuss the same goals/and objectives. This ensures opportunity to understand the needs and concerns (as they related to potential violence) in all district locations. Both building and district safety teams will be comprised of individuals from diverse departments and job descriptions. Standing agenda items for the NCS District Safety Team shall include:

- Update from the elementary school safety team to share concerns, risks, or incidences related to safety.
- Update from the high school safety team to share concerns, risks, or incidences related to safety.
- Update from our school resource officer to share pertinent information regarding safety, best practices, or risk mitigation based on current trends in the district/community.
- Update from our Facilities and Maintenance departments with focus on safety related matters.
- Roundtable forum where any member of the committee can share risks, concerns, or thoughts related to safety or safety prevention.

Additional levels of risk evaluation & prevention include but are not limited to:

- Regular communication with our School Resource Officer/local law enforcement regarding potential school violence/threats which lead to preventative action steps.
- Conducting risk assessments (either internally or through emergency responders) with students as warranted.
- Building teams, including teachers, administrators, and PPS providers, who regularly evaluate and discuss students who struggle emotionally. This leads to direct intervention from school personal or potentially external support from local agencies as warranted.
- Periodic connection surveys conducted with students.
- Provide mental health/counseling support contacts for staff members.
- Annual review of the district emergency response plan, including a public forum, prior to Board of Education approval.
- Review of policies, practices, and procedures with insuring agencies to identify areas of improvement.
- Improving and utilizing technology as a means to identify and reduce the potential for violence.
- Regular review of expectations regarding securing of doors and windows.

#### **Hierarchy of Controls**

Engineering Controls:

The district recently engaged in an audit of all interior and exterior security cameras to ensure adequate coverage. Adjustments were made to ensure coverage of all grounds and several obstructions (tree limbs) have been removed. Plans are in place to replace/improve classroom door

locks, beginning with the elementary school in 2025 and at the High School in the next capital improvement project.

#### Administrative Controls:

As of 2023, NCS employs a full-time School Resource Officer. This ensures a daily presence on our campus and this officer also serves as a member of our building PPS teams and the District Safety Team.

#### Personal Protective Equipment:

Regular conversations are held with individuals requiring specific PPE to engage in their job responsibilities. To date, and per conversations with union leadership, NCS employees have access to all necessary PPE at the present time.

### **System for Reporting Work Place Violence**

Any NCS employee seeking to file a report of work place violence may complete the work place violence prevention form. This can be accessed in (add area on website) or by visiting the NCS District Office.

#### **NCS Workplace Violence Prevention Plan:**

The NCS District Emergency Response Plan, which is approved annually by the NCS Board of Education after a public hearing, will serve as the vehicle which meets the requirements of the Workplace Violence Prevention Law. All requirements of the Workplace Violence Prevention Law, including proactive efforts to prevent violence and best practices for responding to violent situations are outlined in detail within the district emergency response plan. This section of the Naples Emergency Response plan outlines the requirements of the Workplace Violence Prevention Law and includes specific examples and action steps the district takes to reduce the potential for violence in schools. However, it should be noted that further examples exist throughout the Naples Emergency Response plan and align directly to the objectives of the NYS Workplace Violence Prevention Law as written. The Naples Emergency Response Plan is updated annually and posted publicly on the Naples CSD website.

#### **Providing Training for NCS Staff:**

Training and resources for NCS staff/community that can reduce the potential for violence include but are not limited to:

- School Violence: Identifying and Addressing (Full Course). Annual certification for staff required through Vector Solutions.
- DASA (Dignity for All Students Act Training). Annual training required for staff and students, provided by the school district.
- Participation in required Lock-Down/Lock-Out/Shelter in Place drills per NYS regulation. Procedures are reviewed with students and staff annually.
- Maintain a “Safe Schools” reporting system on our website which allows for specific or anonymous reporting of potential incidences of school violence.

- Annual review and audit of district technology (phones systems, PA systems, and camera systems) to identify potential gaps or needs.
- De-escalation training for staff supporting specialized programs.

### **Documentation and Review of Incidences:**

Any issues of violence within the Naples Central School District will be documented as follows:

- Incidences involving students will be documented in our student data management system and with law enforcement as necessary. Issues related to student violence will be documented annually, per law, within the NYSED portal.
- Incidences involving staff will be documented in the staff member's personnel file and law enforcement records as necessary.
- Incidences involving individuals not considered students/staff will be documented and housed in the NCS District Office.
- Any time an incident of violence occurs, NCS administration (with members of the building or district safety team) will review the incident, using all relevant and available data, to determine if further action steps can be taken to reduce or eliminate the potential for similar events in the future.
- The Workplace Violence Plan will be reviewed annually by the District Safety Committee, along with the NCS Safety Plan, prior to the public forum on the District Safety Plan held prior to the start of each school year.
- Incidences of workplace violence should immediately be reported to NCS school administration and law enforcement/school resource officer (as necessary).

### **Emergency Response Terminology and Definitions**

- **Evacuate** and **evacuation** means to move students for their protection from a school building to a predetermined location in response to an emergency.
- **Shelter** and **shelter-in-place** mean keeping students in school buildings and sheltering them when it is deemed safer for students to remain inside rather than to return home or be evacuated.
- **Lockdown** means to immediately clear the hallways, lock, and/or barricade doors, hide from view, and remain silent while readying a plan of evacuation as a last resort. The lockdown will only end upon physical release from the room or secured area by law enforcement. Lockdown is initiated during incidents that pose an immediate threat of violence in or around the school.
- **Hold** and **Hold-in-place** mean the restriction of movement of students and staff within the building while dealing with short-term emergencies.
- **Secure lockout** means students and staff remain inside school buildings that are locked and secured during incidents that pose an imminent concern outside the school.



# **CODE OF CONDUCT**

**Policy Updated 2013,  
Contact Information Updated – August, 2016  
Updated – February, 2020  
Updated – July 2025**

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# NAPLES CENTRAL SCHOOL DISTRICT CODE OF CONDUCT

## **I. Introduction**

The Board of Education (“Board”) is committed to providing a safe and orderly school environment where students may receive and District personnel may deliver quality educational services without disruption or interference. Responsible behavior by students, teachers, other district personnel, parents and other visitors is essential to achieving this goal.

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

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

This Code applies to all students, school personnel, parents, and other visitors when on school property or attending a school function.

## **II. Definitions**

For purposes of this Code, the following definitions apply:

**“Act of violence”** is an act against a person that includes, but is not limited to, biting, hitting, kicking, punching, pushing and shoving, and scratching.

**“Cyber-bullying”** means harassment or bullying as defined below, where such harassment or bullying occurs through any form of electronic communication. It can involve, but is not limited to: sending mean, vulgar, or threatening messages or images; posting sensitive, private information about another person; pretending to be someone else in order to make that person look bad. The District’s Policy on Student Harassment and Bullying Prevention and Intervention and its accompanying regulation provides more guidance regarding the definition and characteristics of Cyber-bullying.

**“Dignity for all Students Act” or (DASA)** was enacted in response to the increasing number of incidents involving harassed, ostracized and socially isolated students who, as a result of their maltreatment, engaged in dangerous behavior. The Dignity Act was signed into law to create a safe learning environment for our state’s public school students. Under DASA, no student shall be subjected to discrimination based on their: actual or perceived race; color; weight; national origin; ethnic group; religion; religious practice; disability; sexual orientation; gender, or sex. The Dignity Act applies to all incidents on school property (in a school building, athletic playing field, playground, parking lot, school bus); The Dignity Act applies to public school functions (school extracurricular events or activities – on or off school property).

**“Disruptive student”** means a student under the age of 21 who is substantially disruptive of the educational process or substantially interferes with the staff member’s authority over the classroom. “A substantial disruption” of the educational process or a substantial interference with a staff member’s authority occurs when a student demonstrates a persistent unwillingness to comply with the staff member’s instructions, or repeatedly violates the school or classroom rules.

**“Discrimination”** is the act of denying rights, benefits, equitable treatment or access to facilities available to all others, to an individual or group of people because of the group, class or category to which that person belongs (as listed under Harassment, below).

**“Harassment and Bullying”** as defined by DASA as amended defines harassment and bullying as the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse (including cyber-bullying) 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 well-being; 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. It also includes conduct that reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or conduct which occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. The phrase "threats, intimidation or abuse" includes both verbal and non-verbal actions. The harassing behavior may be based on any characteristic, including but not limited to a person’s actual or perceived:

- race,
- color,
- weight,
- age,
- national origin,
- ethnic group,
- religion,
- religious practice,
- disability,
- sex,
- sexual orientation, or
- gender (including gender identity and expression).
- Gender identity is one’s self-conception as being male or female, as distinguished from actual biological sex or sex assigned at birth.
- Gender expression is the manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice or mannerisms.

Specifically, harassment can include any verbal, written or physical conduct which offends, denigrates, or belittles any individual because of any of the characteristics described above. Such conduct includes, but is not limited to derogatory remarks, jokes, demeaning comments or behaviors, slurs, mimicking, name calling, graffiti, innuendo, gestures, physical contact, stalking, threatening, bullying, extorting, etc. The District’s Policy on Student Harassment and Bullying Prevention and Intervention and its accompanying regulation provides more guidance regarding the definition and characteristics of Harassment and Sexual Harassment, in particular.

**“Hazing”** is a form of harassment among students defined as any intentional or reckless act directed against another for the induction, initiation or membership process in any school sponsored activity, organization, club, or team involving harassment which produces public humiliation, physical or emotional discomfort, bodily injury or public ridicule. Hazing of a student includes soliciting, encouraging, aiding, or engaging in “hazing” behavior as defined pursuant to District policy, regulation and/or law. Hazing is demeaning, abusive and/or illegal behavior that harms victims, and is inconsistent with the educational goals of the District by negatively impacting the school environment. Hazing of a student by another student or group of students is strictly prohibited on school property; in school buildings; on school buses; by school sponsored groups, clubs or teams; and at school sponsored events and/or activities whether occurring on or off-campus. Permission, consent or assumption of risk by an individual subjected to hazing shall not lessen the prohibitions contained in the policy. The District’s Policy on Student Harassment and Bullying Prevention and Intervention and its accompanying regulation provides more guidance regarding the definition and characteristics of Hazing.

**“Illegal/Inappropriate/Prohibited Substances”** include but are not limited to, inhalants, marijuana, synthetic “marijuana” cannabinoids (*synthetic cannabinoids consist of plant material coated by chemicals that mimic THC, the active ingredient in marijuana*), cocaine, LSD, PCP, amphetamines, barbiturates, ecstasy, heroin, steroids, any substances commonly referred to as designer drugs, look-alikes, alcohol, tobacco (including any look alike products designed to mimic the effects of tobacco such as, but not limited to, electronic and vapor cigarettes), and prescription or over-the-counter drugs when possession or use has not been authorized in accordance with District policy and procedure or such are inappropriately used or shared with others.

**“Internet-Enabled Devices”** shall mean any device capable of connecting to the internet and enabling the user to access content on the internet, including but not limited to social media applications. Such devices shall include, but not be limited to smart phones, tablets, smart watches, laptops, and other portable electronic communication or computing devices. Internet-enabled devices supplied by the School District that are used for an educational purpose are not included in this definition.

**“Plagiarism”** is the use or close imitation of the language and ideas of another author and representation of them as one’s own original work. This includes copying from electronic sources (from the World Wide Web), even with minor alterations.

**“Retaliation”** means when any member of the school community retaliates against any person who reports alleged harassment or against any person who testifies, assists or participates in an investigation, proceeding or hearing relating to such harassment. It is possible that an alleged harasser may be found to have retaliated even if the underlying complaint of harassment is not found to be a violation of this code of conduct. Retaliation includes, but is not limited to any form of intimidation, reprisal or harassment and may be redressed through application of the same reporting, investigation, and enforcement procedures as for harassment.

**“School function”** means any school-sponsored extra-curricular event or activity.

**“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, as defined in Vehicle and Traffic Law §142.

**“Sexual Harassment”** specifically means sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

- a) Submission to that conduct is made either explicitly or implicitly a term or condition of a student’s education.
- b) Submission to or rejection of such conduct by a student is used as a component of the basis for decisions affecting that student.
- c) The conduct, on the basis of sex, could interfere with a student’s educational performance and/or deny or limit a student's ability to participate in or to receive benefits, services or opportunities in the school’s programs.

This applies whether the harassment is between people of the same or different gender. Sexual harassment can include, but is not limited to, verbal, written or physical conduct, directed at or related to a person’s gender or gender expression, such as sexual gossip or personal comments of a sexual nature, sexually suggestive or foul language, sexual jokes, whistling, spreading rumors or lies of a sexual nature about someone, demanding sexual favors, forcing sexual activity by threat of punishment or offer of educational reward, obscene graffiti, display or sending of pornographic pictures or objects, touching, pinching, grabbing, kissing or hugging or restraining someone’s movement in a sexual way. It also includes sexual violence which is defined as physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. Sexual violence as defined by New York Penal Law includes but is not limited to acts such as:

- a) Rape;
- b) Sexual assault;
- c) Sexual battery;
- d) Sexual coercion.

For purposes of this regulation, sexual harassment includes all verbal or physical conduct of a sexual nature between a District employee, officer, volunteer, vendor or visitor and a student. With respect to sexual harassment between students, the verbal or physical conduct of a sexual nature must be unwelcome to constitute harassment.

**“Sexual Orientation”** is defined as heterosexuality, homosexuality, bisexuality, or asexuality, whether actual or perceived.

**“Threat”** means an expression of intention to cause harm, do violence, intimidate, or punish.

**“Violent student”** means a student under the age of 21 who:

1. Commits, attempts, or threatens an act of violence upon a school employee.
2. Commits, attempts, or threatens an act of violence upon another student or any other person lawfully on school property or at a school function.
3. Possesses, while on school property or at a school function, a weapon.
4. Displays, while on school property or at a school function, what appears to be a weapon.
5. Threatens, while on school property or at a school function, to use a weapon.
6. Knowingly and intentionally damages or destroys the personal property of any school employee or any person lawfully on school property or at a school function.
7. Knowingly and intentionally damages or destroys school district property.

**“Weapon”** means a firearm as defined in 18 USC §921 for purposes of the Gun-Free Schools Act and the District weapons policy. It also means any other gun, BB gun, pistol, revolver, shotgun, rifle, machine gun, paint ball gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckle knife, box cutter, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or look-alikes (i.e., fake items made to look like any of the aforementioned or other weapon), pocket-, pen-, or other knife, or other device, instrument, material, or substance (“other Item”) that can cause physical injury or death when used, or when such other item is brandished as a weapon.

### **III. Student Rights and Responsibilities**

#### **Students’ Rights**

1. Students have the right to pursue an education in an atmosphere that is safe and conducive to learning and to achieve all that they are capable of achieving.
2. Students have the right to enroll in a particular course of study that best meets their needs.
3. Students have the right to be respected on the merits of their attributes as individuals.
4. Students have the right to procedural due process, guaranteed by the United States Constitution and New York State Education Law, prior to disciplinary action taken against them. Students have the right to freedom of speech and expression, which does not interfere with the educational process or infringe upon the rights of others.
5. Students have the right to be free from discrimination, harassment and/or retaliation on school property or school functions including but not limited to the educational program, activities, or admission policies of their school.

#### **Students’ Responsibilities**

1. Students will conduct themselves with respect toward self, fellow students and teachers in accordance with the District Code of Conduct and the provisions of DASA. Students will conduct themselves in a manner that fosters an environment that is free from bullying, cyber bullying, harassment, discrimination and/or retaliation. Students should also report and encourage others to report any incidents of bullying, cyber bullying, harassment, discrimination and/or retaliation.
2. Students will maintain as high a scholastic average as possible.
3. Students will follow the directions of the faculty and administration at all times.
4. Students will fulfill all academic and behavioral classroom obligations to teachers.
5. Students will show respect for school property and for the property of others.
6. Students will demonstrate good sportsmanship at all times and in all school activities.
7. Students will dress in a clean, presentable manner, in accordance with guidelines specified by the administration in the Code of Conduct, regarding appropriate school dress.
8. Students will take an active part in student government by running for office or conscientiously voting for the best candidates and making his/her problems known to the representative.

## **IV. Essential Partners**

The Naples Central School District believes that appropriate student behavior is a result of cooperative efforts among students, parents, staff members, the administration and the Board of Education. All essential partners will demonstrate respect for school and societal rules. The District therefore emphasizes the need for the entire school community to provide a meaningful educational experience to all District students.

### **A. Parents**

All parents are expected to:

- Recognize that the education of their children is a joint responsibility of the parents and the school community.
- Send their children to school ready to participate and learn.
- Ensure their children attend school regularly and on time.
- Ensure absences are excused.
- Insist their children be dressed and groomed in a manner consistent with the student dress code.
- Help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
- Know school rules and help their children understand them.
- Convey to their children a supportive attitude toward education and the District.
- Build good relationships with teachers, other parents and their children's friends.
- Help their children deal effectively with peer pressure.
- Inform school officials of changes in the home situation that may affect student conduct or performance.
- Provide a place for study and ensure homework assignments are completed.
- Report incidents of bullying, cyber bullying, harassment, discrimination and/or retaliation discrimination, harassment and/or retaliation that are witnessed or otherwise brought to a parent's attention in a timely manner.

### **B. Teachers**

All District teachers are expected to:

- Maintain a climate of mutual respect and dignity, regardless of actual or perceived race, color, weight, age, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, which will strengthen students' self-concept and promote confidence to learn.
- Demonstrate interest in teaching and concern for student achievement.
- Know school policies and rules, and enforce them in a fair and consistent manner.
- Communicate to students and parents:
  - Course objectives and requirements
  - Marking/grading procedures
  - Assignment deadlines
  - Expectations for students
  - Classroom discipline plan
- Communicate regularly with students, parents and other school district personnel.

- Confront issues of bullying, cyber bullying, harassment, discrimination and/or retaliation or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function. Report all incidents in a timely manner.
- Address personal biases that may prevent equal treatment of all students in the school or classroom setting.

### **C. Administrators**

All District administrators are expected to:

- Promote a safe, orderly and stimulating school environment, which supports active teaching and learning.
- Facilitate regular communication (including the redress of grievances) among staff, students, and parents.
- Evaluate on a regular basis all staff and instructional programs.
- Support the development of and student participation in appropriate extracurricular programs and assess and adjust as needed.
- Be responsible for enforcing the Code of Conduct and resolving all cases promptly and fairly.
- Maintain a climate of mutual respect and dignity, regardless of actual or perceived race, color, weight, age, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, which will strengthen students' self-concept and promote confidence to learn.
- Confront issues of bullying, cyber bullying, harassment, discrimination and/or retaliation or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function. Report all incidents in a timely manner.
- Address personal biases that may prevent equal treatment of all students in the school or classroom setting.

### **D. Other School District Personnel**

All other School District personnel are expected to:

- Maintain a climate of mutual respect and dignity, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, which will strengthen students' self-concept and promote confidence to learn.
- Demonstrate interest, enthusiasm and concern for student health, safety, and achievement.
- Know District policies and enforce them in a fair and consistent manner.
- Confront issues of bullying, cyber bullying, harassment, discrimination and/or retaliation or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function. Report all incidents in a timely manner.
- Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
- Communicate regularly with students, parents and other school district personnel as appropriate.

## **E. Board of Education**

All School Board members are expected to:

- Collaborate with student, teacher, administrator, and parent organizations, school safety personnel and other school personnel to develop a Code of Conduct that clearly defines expectations for the conduct of students, District personnel and parents/visitors on school property and at school functions.
- Adopt and review at least annually the District's Code of Conduct to evaluate the Code's effectiveness and the fairness and consistency of its implementation.
- Lead by example by conducting Board meetings in a professional, respectful, and courteous manner.
- Support the efforts of teachers, staff, and community to provide the highest quality education for students.
- Be student advocates and interact with parents; helping students achieve success by promoting a clear and open line of communication between parents and the Board of Education.
- Maintain a climate of mutual respect and dignity, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, which will strengthen students' self-concept and promote confidence to learn.
- Report issues of bullying, cyber bullying, harassment, discrimination and/or retaliation or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.

## **V. Acceptable and Unacceptable Dress**

- All students are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions. School is a workplace and student attire should be appropriate for the workplace. Student attire should be a reflection of the atmosphere of mutual respect, as dress code expectations are intended to promote an emotionally safe environment for all.
- Students and their families have the primary responsibility for acceptable student dress and appearance. However, teacher and school district personnel should exemplify and reinforce acceptable student attire and help students develop an understanding of appropriate appearance in the school setting. The school administration will make the final decision regarding inappropriate student dress.
- A student's dress, grooming and appearance shall be safe, appropriate and not disrupt or interfere with the educational process.
- Clothing shall be of a respectable type and coverage. Recognize that extremely brief garments that reveal or expose private parts or midriff/mid-torso, or expose underwear are not appropriate. This guideline and reasonable judgement should be used.
- Shorts, skirts and dresses shall be of respectable type and length. Private parts and midriff must be covered. This guideline and reasonable judgement should be used.
- Pajamas, bedroom slippers, etc. may not be worn except for special occasions such as spirit week.
- Safety is a primary concern; clothing should be clean and proper footwear should be worn at all times. Students should comply with course requirements for proper footwear and clothing for PE, art class, science, technology, etc. Course syllabi should include any specific requirements. Footwear and clothing that is a safety hazard (i.e., spiked heels, cleats) will not be allowed.

- Discriminatory messages on clothing related to ethnicity, ethnic origin, religion, religious practices, weight, ancestry, national origin, gender (including gender identity and expression), sexual orientation or disability are not permitted. Clothing that shows written or printed matter that is profane, sexually suggestive, or advocates alcohol, tobacco or illegal drug use may not be worn. Also, students may not wear clothing that encourages illegal or violent activities. Clothing should not depict guns or other weapons.

## VI. Acceptable and Unacceptable Student Conduct/Language

While on school property and at school functions, students **should**:

- Conduct themselves with respect toward self, fellow students and teachers. This includes conducting themselves in a manner that fosters an environment that is free from bullying, cyber bullying, harassment, discrimination and/or retaliation as defined in this Code, and to report and encourage others to report any incidents of bullying, cyber bullying, harassment, discrimination and/or retaliation.
- Follow all state laws and school expectations regarding the use of internet-enabled devices.
- Maintain as high a scholastic average as possible.
- Follow the directions of school district personnel at all times.
- Fulfill all academic and behavioral obligations.
- Show respect for school property and for the property of others.
- Demonstrate good sportsmanship at all times and in all school activities.
- Dress in a clean, presentable manner, in accordance with guidelines specified by the administration in the Code of Conduct, regarding appropriate school dress.

While on school property and at school functions, students should **not**:

- Engage in conduct that is disorderly. Examples of disorderly conduct include but are not limited to:
  - Running in hallways.
  - Making unreasonable noise.
  - Using language or gestures that are profane, lewd, vulgar, slanderous or denigrate others on account of race, color, religion, religious practices, creed, national origin, ethnic origin, ethnic group, weight, age, disability, gender (including gender identity and expression), or sexual orientation.
  - Obstructing vehicular or pedestrian traffic.
  - Engaging in any willful act that disrupts the normal operation of the school community, including, but not limited to, any deliberate act that results in damage or destruction of school property.
  - Trespassing. Students are not permitted in any school building, other than the one they regularly attend, without the permission from the administrator in charge of the building.
  - Internet-enabled devices misuse, including but not limited to, any unauthorized use of computers, software, or internet/intranet account: accessing inappropriate websites: or any other violation of the District's Acceptable Use Policy.

- Engage in conduct that is insubordinate. Examples of insubordinate conduct include but are not limited to:
  - Failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students or otherwise demonstrating disrespect.
  - Repeated misuse of internet-enabled devices.
  - Lateness, missing or leaving school without permission.
  - Skipping detention.
  
- Engage in conduct that is disruptive. Examples of disruptive conduct include but are not limited to:
  - Failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students.
  
- Engage in conduct that is violent. Examples of violent conduct include but are not limited to:
  - Committing an act of violence (such as hitting, kicking, punching and scratching) upon a teacher, administrator or other school employee or attempting to do so.
  - Committing an act of violence (such as hitting, kicking, punching and scratching) upon another student or any other person lawfully on school property or attempting to do so.
  - Possessing a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function.
  
- Engage in any conduct that endangers the safety, morals, health or welfare of others. Examples of such conduct include but are not limited to:
  - Lying, deceiving or giving false information to school personnel.
  - Stealing District property or the property of other students, school personnel or any other person lawfully on school property or while attending a school function.
  - 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 defaming them. This can include posting or publishing video, audio recordings or pictures (written material, cell phones, Internet, YouTube, etc.)
  - Discrimination, as defined above, which includes the use of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, gender (including gender identity is one's self-conception as being male or female, as distinguished from actual biological sex or sex assigned at birth and gender expression is the manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice or mannerisms) or other status protected by local, state, or federal law as a basis for treating another in a negative manner.
  - Harassment, as defined above, which includes a communication (verbal, written, electronic or graphic) and/or physical conduct based on an individual's actual or perceived race, color, religion, national origin, political affiliation, sexual orientation, sex, weight, age, marital or veteran status, disability or any other status protected by local, state, or federal law.
  - Bullying, hazing and intimidation, as defined above, 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.

- Cyber bullying, as defined above, including, but not limited to, the use of instant messaging, e-mail, Web sites, chat rooms, and text messaging, when such use interferes with the operation of the school; or infringes upon the general health, safety and welfare of students or employees.
  - 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 (such as inappropriate touching) or communication of a sexual nature.
  - Displaying signs of gang affiliation or engaging in gang-related behaviors that are observed to increase the level of conflict or violent behavior.
  - Hazing, as defined above, 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.
  - Selling, using, possessing or distributing obscene material.
  - Possessing, consuming, selling, attempting to sell, distributing or exchanging alcoholic beverages, tobacco, tobacco products (including look-a-like tobacco products such as smokeless or “vapor” cigarettes) or illegal substances, or being under the influence of any of these. “Illegal substances” include, but are not limited to, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, herbal/chemical products designed to mimic the effects of marijuana (also known as synthetic cannabinoids, including but not limited to such brand names as "K2", "Spice", etc.), 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.
  - Gambling and gaming.
  - Initiating or reporting warning of fire, bomb threat, or other catastrophe without valid cause, misusing 911, or inappropriately discharging a fire extinguisher.
  - Violating gender privacy when using school restroom facilities.
  - Indecent exposure, that is, exposure to sight of the private parts of the body or other lewd or indecent behavior.
  - Failure to report, when you have knowledge of, an intended false bomb threat.
  - Retaliation, as defined above.
- Engage in misconduct while on a school bus, school operated vehicle or private vehicle being utilized for the transport of students. It is crucial for students to behave appropriately while riding on District buses to ensure their safety and that of other passengers and to avoid distracting the bus driver. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. This includes but is not limited to excessive noise, pushing, shoving, fighting, bullying, cyber bullying, harassment, discrimination and/or retaliation as defined in this Code.

- Engage in any form of academic misconduct. Examples of academic misconduct include but are not limited to:
  - Plagiarism
  - Cheating
  - Copying or otherwise transmitting answers to or for other students.
  - Altering records.
  - Assisting another student in any of the above actions.

## **VII. Reporting Violations**

### **A. General Reporting Expectations**

All students are expected to promptly report violations of this Code, and to immediately report any individual possessing a weapon, alcohol or illegal substance on school property or at a school function, to a teacher, school counselor, the building principal or other District staff. To the extent possible, the reporting student's identity will be kept confidential.

All District staff members who are authorized to impose disciplinary sanctions are expected to do so in a prompt, fair and lawful manner. District staff members that are not authorized to impose disciplinary sanctions are expected to promptly report violations of this Code to their supervisor, who will, in turn, either impose an appropriate disciplinary sanction (if warranted) or refer the matter to a staff member who is authorized to impose an appropriate sanction.

Any weapon, alcohol or illegal substance found shall be confiscated immediately, if it is possible to do so in a safe manner, followed by notification to the parent of the student involved and the appropriate disciplinary sanction if warranted. Notification of law enforcement officials is also a probable consequence.

The building principal or his or her designee may notify the appropriate local law enforcement agency of those Code violations that constitute a crime and substantially affect the order or security of a school as soon as practical. The notification may be made by telephone, followed by a letter. This notification must identify the student and explain the conduct that violated the code of conduct and constituted a crime.

### **B. Reporting Discrimination, Harassment and Retaliation (including Bullying, Cyber-bullying, Hazing, Intimidation, etc.)**

The District will act to promptly investigate all complaints, verbal or written, formal or informal, of allegations of discrimination, harassment and retaliation; and will promptly take appropriate action to protect individuals from such further conduct. All sexual harassment and gender discrimination complaints will be forwarded to one of the District's Dignity Act Coordinators, who will carry out the investigation and coordinate compliance with DASA regulations as applicable to the complaint.

It is essential that any student who believes he/she has been subjected to discrimination, harassment, or retaliatory behavior, as well as any individual who is aware of and/or who has knowledge of, or witnesses any possible occurrence, immediately report same to any staff member or administrator. To effectively enforce this policy and to take prompt corrective measures, it is essential that all persons with knowledge of harassment/bullying report such behavior to an administrator including but not limited to a principal, superintendent, or the Dignity Act Coordinator (as defined below) within one school day after the incident is reported or witnessed so that it may be effectively investigated and resolved. A written report of the incident by the school employee reporting same has to be completed within two school days. All complaints and written reports of alleged harassing, bullying and/or retaliatory conduct shall be forwarded to the school building’s Dignity Act Coordinator for monitoring.

All complaints of alleged discriminating, harassing, and/or retaliatory conduct shall be:

- i. promptly investigated in accordance with the terms of District policy;
- ii. forwarded to the school building’s Dignity Act Coordinator for monitoring; and
- iii. treated as confidential and private to the extent possible within legal constraints.

The District’s designated Dignity Act Coordinators are:

<u>Name</u>	<u>School Building</u>	<u>Contact Information</u>
Nicole Green	Jr./Sr. High	<a href="mailto:ngreen2@naplescsd.org">ngreen2@naplescsd.org</a> 585-374-7927
Katie Piedici	Elementary	<a href="mailto:kpiedici@naplescsd.org">kpiedici@naplescsd.org</a> 585-374-7951

**VIII. Disciplinary Interventions or Consequences, Procedures and Referrals**

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

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

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

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

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

All school rules and disciplinary procedures are applicable to misconduct on school property, at school functions and outside of the school setting if the misconduct adversely affects the educative process and/or endangers the health, safety or morals of students.

This Code is instituted to address major areas of student conduct and is not intended to address all possible variations and degrees of behavior problems. Disciplinary infractions are categorized into three broad categories. Within each category, a sample group of infractions is listed. Any behavior, which is illegal, or otherwise damaging to the educational environment is prohibited, even though it may not be specifically mentioned. In such situations, the rights of the student, the school and the community will be considered prior to any disciplinary action.

**Level I** - A student misbehavior (of a more minor nature) that detracts from the teaching and learning process or the orderly operation of the school.

**Unacceptable Behavior:**

- Classroom disruption
- School/class tardiness
- Lack of materials/preparation
- Rude/discourteous behavior/acts
- Bus disturbance
- Cafeteria disruption
- Horseplay
- Inappropriate attire
- Loitering
- Parking violation
- Public displays of affection
- Refusing a supervisor's reasonable directive
- Unacceptable language
- **Inappropriate use of internet-enabled devices during the school day**

**Level II** - These behaviors are of a more serious nature and/or repeated Level I misconduct:

**Unacceptable Behavior:**

- Abusive language
- Cheating
- School/class truancy
- Dangerous conduct
- Detention truancy
- Disruptive/uncooperative classroom behavior
- Harassment/retaliation/bullying/cyber bullying
- Insubordination
- Invalid note/authorization

- Leaving school grounds
- Inappropriate language
- Theft
- Trespassing
- Unsafe driving
- Use of prohibited articles
- Vandalism
- Acceptable Use Policy Violations

**Level III** - These behaviors are considered to be the most serious of school-related misconduct. Not only do these actions detract from the teaching and learning process, but seriously endanger the health, safety and welfare of others. Outright repeated insubordination will also be placed in this category and/or continuation of Level I or Level II misconduct.

**Unacceptable Behavior:**

- Assault of student/staff
- Obscene language or gesture directed at a staff member
- Possession of weapon
- Stealing
- Threats/menacing
- Vandalism
- Other violations of law
- Harassment/retaliation/bullying/cyber bullying
- Violent Behavior

Students who are found to have violated the District’s Code may be subject to the following consequences either alone or in combination. The school personnel identified after each consequence are authorized to impose that consequence, consistent with District policy and the law. The listed sanctions are advisory and, as a general rule, discipline will be progressive. However, District personnel may impose any level of discipline, even for the first violation, that is proportionate to the misconduct at issue. Administration may adjust the consequence based on the infraction and or frequency.

1. **Oral warning** – any employee of the District staff
2. **Written warning** – any employee of the District staff
3. **Written notification to parent** –athletic director, coaches, School counselors, teachers, teacher assistants, principal, superintendent
4. **Detention (During School Generally less than 45 minutes)** - Building or District Administrator or Designee
5. **Detention (Afterschool)** – teachers, teacher assistants, building principal, or Designee
6. **Suspension from transportation** – Building or District Administrator
7. **Removal from classroom** - Teacher
8. **Suspension from athletic participation** – coaches, athletic director, principal, superintendent
9. **Suspension from social or extracurricular activities** – athletic director, principal, superintendent
10. **Suspension of other privileges** – principal, superintendent
11. **In-school suspension** – principal or superintendent

12. **Temporary removal from classroom** by teacher, principal, or principal's designee.
13. **Short-term (five days or less) suspension from school** – principal, superintendent, Board of Education.
14. **Long-term (more than five days) suspension from school** – superintendent, Board of Education
15. **Permanent suspension from school** – superintendent, Board of Education.

In all cases, regardless of the consequence imposed, the school personnel authorized to impose the consequence must inform the student of the alleged misconduct and must investigate, to the extent necessary, the facts surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to the school personnel imposing the disciplinary penalty in connection with the imposition of the consequence.

Students who are to be given consequences other than an oral warning, written warning or written notification to their parents may be entitled to additional rights before the consequence is imposed. When any suspensions occur and the school is closed on the suspension dates, then the suspension(s) will carry over to the next attendance day. These additional rights are explained below.

### **1. Detention During Ninth Period**

Teachers, principals, and the superintendent may use school detention as a consequence for student misconduct in situations where removal from the classroom or suspension would be inappropriate. After-school Detention will be imposed as a consequence only after the student's parent has been notified to confirm that the student has appropriate transportation home following detention.

### **2. Suspension from Transportation**

If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the principal's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the building principal or the Superintendent. In such cases, the student's parent will become responsible for seeing that his or her child gets to and from school safely. Should the suspension from transportation amount to a suspension from attendance; the District will make appropriate alternative arrangements to provide for the student's education.

A student subjected to a suspension from transportation is not entitled to a full hearing before the Superintendent (pursuant to Education Law §3214). However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the District official imposing the discipline to discuss the conduct and the consequence involved.

### **3. Suspension from Athletic Participation, Extracurricular Activities/Other Privileges**

A student subjected to a suspension from athletic participation, extra-curricular activities or other privileges is not entitled to a full hearing before the Superintendent (pursuant to Education Law §3214). However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference as outlined in the Extracurricular and Athletic Code of Conduct.

#### **4. In-school Suspension**

The Board recognizes that school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the Board authorizes building principals and the Superintendent to place students who would otherwise be suspended from school as the result of a Code of Conduct violation in “in-school suspension.”

A student subjected to an in-school suspension is not entitled to a full hearing before the Superintendent (pursuant to Education Law §3214). However, the student and the student’s parent will be provided with a reasonable opportunity for an informal conference with the District official imposing the in-school suspension to discuss the conduct and the penalty involved.

#### **5. Teacher Disciplinary Removal of Disruptive Students**

A student’s behavior can affect a teacher’s ability to teach and can interfere with the rights of other students in the classroom to learn. In most instances the classroom teacher can control a student’s behavior and maintain or restore control over the classroom by using good classroom management techniques. These techniques may include practices that involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain his or her composure and self-control in an alternative setting. Such practices may include, but are not limited to: (1) short-term “cooling off period” in an elementary classroom or in an administrator’s office; (2) sending a student to the principal’s office for the remainder of the class time only; or (3) sending a student to a school counselor or other District staff member for counseling. Time-honored classroom management techniques such as these do not constitute disciplinary removals for purposes of this Code.

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

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

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

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

The teacher must document the removal and meet with the principal as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the documentation. If the principal is not available by the end of the same school day, the teacher must leave the documentation with the secretary and meet with the principal prior to the beginning of classes on the next school day.

By the end of the day of the student's removal, the teacher and the principal must notify the student's parents, via telephone or email, that the student has been removed from class and why. The principal will verify the teacher notification by calling the parent and reminding them of the opportunity for an informal hearing at school with all parties involved. This will be followed by a written notice, sent within 24 hours, to inform parents of their right, upon request, to meet informally with the principal to discuss the reasons for the removal. The principal may require the teacher who ordered the removal to attend the informal conference.

If at the informal meeting the student denies the charges, the principal must explain why the student was removed and give the student and the student's parents a chance to present the student's version of the relevant events. The informal meeting must be held within 48 hours of the student's removal. The timing of the informal meeting may be extended by mutual agreement of the parent and principal.

The principal or the acting principal may overturn the removal of the student from class if the principal finds any one of the following:

1. The charges against the student are not supported by substantial evidence.
2. The student's removal is otherwise in violation of law.
3. The conduct warrants suspension from school pursuant to Education Law §3214 and a suspension will be imposed.

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

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

Each teacher must keep a file of all disciplinary forms filed for all cases of removal of students from his or her class. The principal must also keep a file of all removals of students from class.

Removal of a student with a disability, under certain circumstances, may constitute a change in the student's placement. Accordingly, no teacher may remove a student with a disability from his or her class until he or she has verified with the principal or the chairperson of the Committee on Special Education that the removal will not violate the student's rights under state or federal law or regulation.

The principal may, in his/her discretion, designate a School District administrator to carry out his/her functions for student removal.

## **6. Out-of-School Suspension**

Suspension from school is a penalty which may be imposed upon students who are insubordinate, disorderly, violent or disruptive, or whose conduct otherwise endangers the safety, morals, health or welfare of others. Students suspended from school are prohibited from being on School District property and from attending or participating in any school function on or off School District property. The consequence in terms of suspension is subject to the Superintendent's review for extenuating circumstances. The Board retains its authority to suspend students, but places primary responsibility for the suspension of students with the Superintendent and the principals.

All staff members must immediately report and refer a violent student to the principal or the Superintendent for a violation of the Code of Conduct. All recommendations and referrals shall be made in writing unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases a written report is to be prepared as soon as possible by the staff member recommending the suspension.

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

### **a. Short-term (5 days or less) Suspension from School**

When the Superintendent or principal (referred to as the "suspending authority") proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law §3214(3), the suspending authority must immediately notify the student orally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student's parents in writing, that the student may be suspended from school; the written notice shall be delivered in a manner reasonably calculated to assure receipt within 24 hours of the decision to propose suspension. Notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting the parents.

The notice shall provide a description of the charges against the student and the incident for which suspension is proposed and shall inform the parents of the right to request an immediate informal conference with the suspending authority, where the parents, upon request, shall be permitted to ask questions of complaining witnesses under such procedures as the suspending authority may establish. The notice and opportunity for informal conference shall be provided prior to the suspension unless the student's continuing presence in the school poses a continuing danger to persons or property, or an ongoing threat of disruption. Where the student's continuing presence in the school poses a continuing danger to persons or property, or an ongoing threat of disruption, the student may be immediately suspended and the notice and informal conference shall be afforded as soon as reasonably practicable. Both the notice and informal conference shall be in the dominant language or mode of communication used by the parents.

If the informal conference is requested, it will be scheduled at the earliest convenience of the school official.

After the conference, the suspending authority shall promptly advise the parents in writing of his or her decision. The suspending authority shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the Superintendent within five business days, unless they can show extraordinary circumstances precluding them from doing so. The Superintendent shall issue a written decision regarding the appeal within 10 business days of receiving the appeal. If the parents are not satisfied with the Superintendent's decision, they must file a written appeal to the Board of Education with the District Clerk within 10 business days of the date of the Superintendents' decision, unless they can show extraordinary circumstances precluding them from doing so. Final decisions of the Board may be appealed to the Commissioner within 30 days of the decision.

**b. Long-term (more than 5 days) Suspension from School**

When the Superintendent, or his/her designee, 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 a fair hearing. At the hearing the student shall have the right to be represented by counsel, the right to question witnesses against him or her and the right to present witnesses and other evidence on his or her behalf. When the Board of Education determines to conduct the fair hearing itself, it must provide the required notice of hearing.

The Superintendent shall personally hear and determine the proceeding or may, in his or her discretion, designate a hearing officer to conduct the hearing. The hearing officer shall be authorized to administer oaths and to issue subpoenas in conjunction with the proceeding before him or her. A record of the hearing shall be maintained, but no stenographic transcript shall be required. A tape recording shall be deemed a satisfactory record. The hearing officer shall make findings of fact and recommendations as to the appropriate measure of discipline to the Superintendent. The report of the hearing officer shall be advisory only, and the Superintendent may accept all or any part thereof.

An appeal of the decision of the Superintendent may be made to the Board that will make its decision based solely upon the record before it. All appeals to the Board must be in writing and submitted to the District Clerk within 30 calendar days of the date of the Superintendent's decision, unless the parents can show that extraordinary circumstances precluded them from doing so. The Board may adopt in whole or in part the decision of the Superintendent. Final decisions of the Board may be appealed to the Commissioner within 30 days of the decision.

**c. Permanent Suspension**

Permanent suspension is reserved for extraordinary circumstances including, but not limited to, where a student's conduct demonstrates a reckless disregard for the health, safety and welfare of others and/or poses a life-threatening danger to the safety and well-being of other students, school personnel or any other person lawfully on school property or attending a school function.

## **7. Minimum Periods of Suspension**

### **a. Students who bring a weapon to school (Gun Free School Act of 1994)**

Any student, other than a student with a disability, found guilty of bringing a weapon onto school property will be subject to suspension from school for at least one calendar year. Before being suspended, the student will have an opportunity for a hearing pursuant to New York Education Law section 3214. The Superintendent has the authority to modify the suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the following:

1. The student's age
2. The student's grade in school
3. The student's prior disciplinary record
4. The Superintendent's belief that other forms of discipline may be more effective
5. Input from parents, teachers and/or others
6. Other extenuating circumstances

The Superintendent is required to refer students over the age of sixteen or any student fourteen or fifteen years old who qualifies for juvenile offender status to the appropriate law enforcement authorities. A student fourteen or fifteen years old who possesses a firearm, machine gun, or loaded firearm (as identified under the New York State Penal Law section 220.14 (14)) qualifies for juvenile offender status under the New York State Criminal Procedure Law.

A student with a disability may be suspended only in accordance with the requirements of state and federal law.

### **b. Students Who Commit Violent Acts other than Bringing a Weapon to School**

Any student, other than a student with a disability, who is found to have committed a violent act other than bringing a weapon onto school property, shall be subject to suspension from school for at least five days. If the proposed penalty is the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The Superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

**c. Students Who are Repeatedly Substantially Disruptive of the Educational Process or Who Repeatedly Substantially Interfere with Teacher Authority over Classroom**

Any student, other than a student with a disability, who engages in conduct that results in the student being removed from the classroom by teacher (s) on four or more occasions during a semester, will be suspended from school for at least five days. If the proposed penalty is the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a short-term suspension. If the proposed penalty exceeds the five-day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The Superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

**8. Referrals**

1. Counseling

The Guidance Office shall handle all referrals of students to counseling.

2. PINS Petitions

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

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

3. Juvenile Delinquents and Juvenile Offenders

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

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

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

## **IX. Remedial Responses to Violations of Code of Conduct**

Students who violate this Code may also be subject to remedial action as the facts may warrant, including but not limited to any of the measures listed below:

- a. corrective instruction or other relevant learning or service experience;
- b. supportive intervention;
- c. behavioral assessment or evaluation;
- d. behavioral management plans, with benchmarks that are closely monitored; and/or
- e. student counseling and parent conferences.

Beyond these individual-focused remedial responses, school-wide or environmental remediation may also be utilized. These strategies may include:

- a. adoption of research-based prevention programs;
- b. modification of schedules;
- c. adjustment in hallway traffic and other student routes of travel;
- d. targeted use of monitors;
- e. staff professional development;
- f. parent conferences;
- g. involvement of parent-teacher organizations

## **X. Alternative Instruction**

When a student of any age is removed from class by a teacher or a student of compulsory attendance age is suspended from school pursuant to Education Law §3214, the District will take immediate steps to provide alternative means of instruction for the student.

## **XI. Discipline of Students with Disabilities**

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

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

### **A. Authorized Suspensions or Removals of Students with Disabilities**

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

A “**suspension**” means a suspension pursuant to Education Law § 3214.

A “**removal**” means a removal for disciplinary reasons from the student’s current educational placement other than a suspension and change in placement to an interim alternative educational setting (IAES).

An “**IAES**” means a temporary educational placement for a period of up to 45 days, other than the student’s current placement at the time the behavior precipitating the IAES placement occurred, that enables the student to continue to progress in the general curriculum, although in another setting, to continue to receive those services and modifications, including those described on the student’s current individualized education program (IEP), that will enable the student to meet the goals set out in such IEP, and include services and modifications to address the behavior which precipitated the IAES placement that are designed to prevent the behavior from recurring.

2. School personnel may order the suspension or removal of a student with a disability from his or her current educational placement as follows:
  - a. The Board, the District (BOCES) Superintendent of schools, Superintendent or a building principal may order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed five consecutive school days and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior.
  - b. The Superintendent may order the placement of a student with a disability into an IAES, another setting or suspension for up to 10 consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (a) above for the same behavior, if the Superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.
  - c. The Superintendent may order additional suspensions of not more than 10 consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement.
  - d. The Superintendent may order the placement of a student with a disability in an IAES to be determined by the committee on special education (CSE), for the same amount of time that a student without a disability would be subject to discipline, but not more than 45 days, if (i) the student carries or possesses a weapon to or at school, school premises or a school function; (ii) the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises or at a school function; or (iii) the student has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function.
- 1) “**Weapon**” means the same as “dangerous weapon” under 18 U.S.C. § 930(g)(w) which includes “a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except...[for] a pocket knife with a blade of less than 2 1/2 inches in length.”
- 2) “**Controlled substance**” means a drug or other substance identified in certain provisions of the federal Controlled Substances Act specified in both federal and state law and regulations applicable to this policy.

- 3) **“Illegal drugs”** means a controlled substance except for those legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or any other federal law.
- 4) **“Serious bodily injury”** means bodily injury which involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ or mental faculty.
- 5) Subject to specified conditions required by both federal and state law and regulations, an impartial hearing officer may order the placement of a student with a disability in an IAES setting for up to 45 days at a time, if the hearing officer determines that the school district has demonstrated by substantial evidence that maintaining the student in his or her current educational placement is substantially likely to result in injury to the student or others.

#### **B. Change of Placement Rule**

1. A disciplinary change in placement means a suspension or removal from a student’s current educational placement that is either:
  - a. for more than 10 consecutive school days; or
  - b. for a period of 10 consecutive school days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they cumulate to more than 10 school days in a school year and because of such factors as the length of each suspension or removal, the total amount of time the student is removed and the proximity of the suspensions or removals to one another.
2. School personnel may not suspend or remove a student with disabilities if imposition of the suspension or removal would result in a disciplinary change in placement based on a pattern of suspension or removal.

However, the District may impose a suspension or removal, which would otherwise result in a disciplinary change in placement, if the CSE has determined that the behavior was not a manifestation of the student’s disability, or the student is placed in an IAES for behavior involving weapons, illegal drugs or controlled substances, or serious bodily injury.

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

1. The District’s Committee on Special Education shall:
  - a. Conduct functional behavioral assessments to determine why a student engages in a particular behavior, and develop or review behavioral intervention plans whenever the District is first suspending or removing a student with a disability for more than 10 school days in a school year or imposing a suspension or removal that constitutes a disciplinary change in placement, including a change in placement to an IAES for misconduct involving weapons, illegal drugs or controlled substances.

If subsequently, a student with a disability who has a behavioral intervention plan and who has been suspended or removed from his or her current educational placement for more than 10 school days in a school year is subjected to a suspension or removal that does not constitute a disciplinary change in placement, the members of the CSE shall review the behavioral intervention plan and its implementation to determine if modifications are necessary.

If one or more members of the CSE believe that modifications are needed, the School District shall convene a meeting of the CSE to modify such plan and its implementation, to the extent the committee determines necessary.

- b. Conduct a manifestation determination review of the relationship between the student's disability and the behavior subject to disciplinary action within 10 school days of the date a decision is made to place a student in an IAES either for misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in his current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension that constitutes a disciplinary change in placement.
2. The parents of a student who is facing disciplinary action, but who has not been determined to be eligible for services under IDEA and Article 89 at the time of misconduct, shall have the right to invoke applicable procedural safeguards set forth in federal and state law and regulations if, in accordance with federal and state statutory and regulatory criteria, the School District is deemed to have had knowledge that their child was a student with a disability before the behavior precipitating disciplinary action occurred. If the District is deemed to have had such knowledge, the student will be considered a student presumed to have a disability for discipline purposes.
    - a. The Superintendent, building principal or other school official imposing a suspension or removal shall be responsible for determining whether the student is a student presumed to have a disability.
    - b. A student will not be considered a student presumed to have a disability for discipline purposes if, upon receipt of information supporting a claim that the District had knowledge the student was a student with a disability, the District either:
      - 1) conducted an individual evaluation and determined that the student is not a student with a disability, or
      - 2) the parent of the student has refused services; or
      - 3) the parent of the student has not allowed an evaluation of the student pursuant to Section 200.4 of the Commissioner's Regulations.

If there is no basis for knowledge that the student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as any other non-disabled student who engaged in comparable behaviors.

However, if a request for an individual evaluation is made while such non-disabled student is subjected to a disciplinary removal, an expedited evaluation shall be conducted and completed in the manner prescribed by applicable federal and state law and regulations. Until the expedited evaluation is completed, the non-disabled student who is not a student presumed to have a disability for discipline purposes shall remain in the educational placement determined by the District, which can include suspension.

3. The District shall provide parents with notice of disciplinary removal no later than the date on which a decision is made to change the placement of a student with a disability to an IAES for either misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in his/her current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension or removal that constitutes a disciplinary change in placement. The procedural safeguards notice prescribed by the Commissioner shall accompany the notice of disciplinary removal.
4. The parents of a student with disabilities subject to a suspension of five consecutive school days or less shall be provided with the same opportunity for an informal conference available to parents of non-disabled students under the Education Law.
5. Superintendent hearings on disciplinary charges against students with disabilities subject to a suspension of more than five school days shall be bifurcated into a guilt phase and a penalty phase in accordance with the procedures set forth in the Commissioner's regulations incorporated into this Code.
6. The removal of a student with disabilities other than a suspension or placement in an IAES shall be conducted in accordance with the due process procedures applicable to such removals of non-disabled students, except that school personnel may not impose such removal for more than 10 total days or for a period that would result in a disciplinary change in placement, unless the CSE has determined that the behavior is not a manifestation of the student's disability.
7. During any period of suspension or removal, including placement in an IAES, students with disabilities shall be provided services as required by the Commissioner's regulations incorporated into this code.

#### **D. Expedited Due Process Hearings**

1. An expedited due process hearing shall be conducted in the manner specified by the Commissioner's regulations incorporated into this Code, if:
  - a. The District requests such a hearing to obtain an order of an impartial hearing officer placing a student with a disability in an IAES where school personnel maintain that it is dangerous for the student to be in his or her current educational placement, or during the pendency of due process hearings where school personnel maintain that it is dangerous for the student to be in his or her current educational placement during such proceedings.
  - b. The parent requests such a hearing from a determination that the student's behavior was not a manifestation of the student's disability, or relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES.

- c. During the pendency of an expedited due process hearing or appeal regarding the placement of a student in an IAES for behavior involving weapons, illegal drugs or controlled substances, or on grounds of dangerousness, or regarding a determination that the behavior is not a manifestation of the student's disability for a student who has been placed in an IAES, the student shall remain in the IAES pending the decision of the impartial hearing officer or until expiration of the IAES placement, whichever occurs first, unless the parents and the district agree otherwise.
  - d. If school personnel propose to change the student's placement after expiration of an IAES placement, during the pendency of any proceeding to challenge the proposed change in placement, the student shall remain in the placement prior to removal to the IAES, except where the student is again placed in an IAES.
2. An expedited due process hearing shall be completed within 15 business days of receipt of the request for a hearing. Although the impartial hearing officer may grant specific extensions of such time period, he or she must mail a written decision to the District and the parents within five business days after the last hearing date, and in no event later than 45 calendar days after receipt of the request for a hearing, without exceptions or extensions.

#### **E. Referral to law enforcement and judicial authorities**

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

1. The District may report a crime committed by a child with a disability to appropriate authorities, and such action will not constitute a change of the student's placement.
2. The Superintendent shall provide copies of the special education and disciplinary records of a student with disabilities for consideration to the appropriate authorities to whom a crime is reported, to the extent consistent with the Federal Educational Rights and Privacy Act.

## **XII. Standards and Procedures to Assure Security and Safety of Students and School Personnel**

The Board of Education has adopted District-wide and building-level school safety plans designed to assure security and safety of students and school personnel. These plans include:

- Policies and procedures for the safe evacuation of students, teachers, other school personnel, and visitors to the school in the event of a serious violent incident or other emergency that may occur before, during, or after school hours, which shall include evacuation routes and shelter sites and procedures for addressing medical needs, transportation, and emergency notification to persons in parental relation to a student;
- Designation of an emergency District Safety Team, Jr./Sr. High School Safety Team, and Elementary Safety Team.
- Procedures for assuring that crisis response fire and law enforcement officials have access to floor plans, blueprint, schematics, or other maps of the school interior, school grounds, and road maps of the immediate surrounding area;
- Establishment of internal and external communication systems in emergencies;

- Definition of the chain of command in a manner consistent with national interagency incident management system (NIMS) /incident command system (ICS);
- Coordination of the school safety plan with the state-wide plan for disaster mental health services to assure that the school has access to federal, state, and local mental health resources in the event of a violent incident;
- Procedures for annual review and the conduct of drills and other exercises to test components of the emergency response plan, including the use of tabletop exercises, in coordination with local and county emergency responders and preparedness of officials; and,
- Policies and procedures for securing and restricting access to the crime scene in order to preserve evidence in cases of violent crimes on school property.

### **XIII. Acceptable and Unacceptable Conduct, Dress and Language on School Property for Staff and Visitors**

#### **A. Appropriate Attire for Employees**

In the interest of maintaining a professional atmosphere and in serving as a role model for students; district employees will dress in an appropriate, professional manner, which sets a good example to the school community. Some examples of professional attire may include dress pants, khaki style slacks, collared shirts, or sweaters for men; skirts, slacks, blouses, or sweaters for women. More casual attire is appropriate for some school related activities such as field trips, school spirit days, or special days such as Friday charity days.

#### **B. Language Deemed Appropriate For Employees**

1. The Naples Central School Community believes that staff will demonstrate the use of appropriate and acceptable language at all times toward fellow staff, parents, visitors, and students. Appropriate language includes words that are courteous, non-offensive, non-confrontational, and without malice.
2. The School Board adopts the following language as unacceptable and inappropriate:
  - a. Verbal harassment on the basis of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, gender (including gender identity is one's self-conception as being male or female, as distinguished from actual biological sex or sex assigned at birth and gender expression is the manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice or mannerisms).
  - b. Profane or obscene words.
  - c. Verbal assault (the use of demeaning, derogatory, offensive, threatening, or abusive language)

#### **C. Violations of School Code for Employees**

The appropriate supervisor-in-charge will assess any violation of the Code for staff in accordance to collective bargaining unit agreements and applicable set forth policy. All incidents that violate criminal or civil law will result in the referral to the proper law enforcement agencies. Periodic in-service programs and compliance with the Code will be developed and presented by the District to the staff.

#### **D. Visitors' Responsibilities Unacceptable and Inappropriate Behavior**

Unacceptable and inappropriate behavior is defined as anyone on school property using equipment or participating in school sponsored activities that is not acting in a responsible manner, or is in any violation of the law. The Board adopts the following as examples of prohibited conduct including but not limited to:

1. Willful physical injury of any person, or the threat to use force that would result in such injury
2. Discrimination, harassment or retaliation against any person
3. Sexual harassment
4. Willful damage to, destruction of, or theft of property
5. Conduct that is disorderly, i.e., intentionally causing public inconvenience, annoyance or alarm, or recklessly creating a risk thereof by:
  - a. Fighting or engaging in violent behavior;
  - b. Making unreasonable noise;
  - c. Using abusive or obscene language or gestures;
  - d. Disturbing any lawful assembly or meeting of persons;
  - e. Obstructing vehicular or pedestrian traffic; or
  - f. Creating a hazardous or physically offensive condition by any act that serves no legitimate purpose.
6. Entry of any school building or any portion of the school premises unless such entry is made in connection with official business with the District or to attend an authorized activity or function
7. Remaining in or on District property after being ordered to leave.
8. Willful interference with the lawful and authorized activities of others.
9. Possession, consumption, sale, or exchange of alcoholic beverages, unauthorized drugs, drug paraphernalia, narcotics or herbal/chemical products designed to mimic the effects of marijuana (also known as synthetic cannabinoids, including but not limited to such brand names as "K2", "Spice", etc..).
10. Possession or use of a weapon, or use of any object that reasonably can be considered a weapon, or possession of a bomb or fireworks, etc. on property of the School District.
11. Violation of any federal or state statute, local ordinance, or Board policy.
12. Insubordination, i.e., failing to comply with the reasonable directions of a teacher, school administrator or other school employees.
13. Distribution, transfer, or sale of any item in or on the property of the District in such a way that is disruptive to the educational process.
14. Violation of rules and regulations when using school transportation. Any form of school transportation is considered school property, and anyone using it must adhere to District rules and regulations.
15. Unauthorized use of school transportation is forbidden. Anyone using school transportation must be engaged in an authorized school function.
16. Use of buses to which they are not assigned without following the procedure established for their school building.
17. The use of cigarettes or any other tobacco products (except as examples in curriculum based instruction) or herbal/chemical products or electronic devices designed to mimic the effects of tobacco products including but not limited to electronic cigarettes.
18. Inappropriate public displays of affection.

### **E. Acceptable Appropriate Attire for Visitors**

Acceptable and appropriate attire may be defined as clothing or accessories that are suitable and not distracting to the educational environment or school sponsored events. Any outfit that is deemed to be unfit for school or school sponsored events may result in the visitor being asked to change, cover up or leave the premises.

Unacceptable and inappropriate attire may include the following:

1. Clothing that may be construed as disruptive or distracting (such as midriffs, see-through garments, short shorts).
2. Clothing or accessories that may include offensive images or slogans of sex, drugs, violence, or discrimination on the basis of race, color, religion, religious practices, creed, national origin, ethnic origin, ethnic group, weight, disability, gender (including gender identity and expression), or sexual orientation.
3. Clothing or accessories that may be considered gang related.

### **F. Language Deemed Appropriate and Acceptable for Visitors**

The Naples Central School Community believes that visitors will demonstrate respectful behavior by using appropriate and acceptable language toward teachers, administrators, and staff. Appropriate language includes words that are courteous, non-offensive and without malice.

The School Board adopts the following language as unacceptable and inappropriate:

1. Verbal harassment on the basis of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, gender (including gender identity is one's self-conception as being male or female, as distinguished from actual biological sex or sex assigned at birth and gender expression is the manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice or mannerisms).
2. Profane or obscene words.
3. Verbal assault (the use of demeaning, derogatory, offensive, threatening or abusive language) towards staff or students.
4. Excessive arguing with a teacher, administrator or staff.

### **G. Reporting of Incidents**

If a violation in the school visitors' Code does occur, the following procedure is followed:

1. Notification to administrator in charge in a timely manner.
2. Administrator assesses situation and then:
  - a. Will deal with situation internally
  - b. Will inform police in violations that constitute a crime.

#### **XIV. Dissemination of Code of Conduct**

The Board will work to assure that the community is aware of this Code of Conduct by:

1. Providing copies of a summary of the Code to all students
2. A summary of the Code of Conduct will be made available annually to all parents of District students and will also be available later upon request.
3. Providing all current teachers and other staff members with a copy of the Code and a copy of any amendments to the Code as soon as practicable after adoption.
4. Providing all new employees with a copy of the current Code of conduct when they are first hired.
5. Making copies of the Code available for review by students, parents and other community members.

The District will provide in-service education programs for all District staff members to ensure the effective implementation of this Code, to promote a safe and supportive school climate while discouraging, among other things, discrimination and harassment against students by students and/or school employees and to include safe and supportive school climate concepts in the curriculum and classroom management. The Superintendent may solicit the recommendations of the District staff, particularly teachers and administrators, regarding in-service programs pertaining to the management and discipline of students.

The 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 district and building level; (2) Superintendent's workshop days; and (3) faculty meetings.

The Board of Education will review this Code of Conduct every year and update it as necessary. In conducting the review, the Board will consider how effective the Code's provisions have been and whether the code has been applied fairly and consistently.

The Board may appoint an advisory committee to assist in reviewing the code and the district's response to Code of Conduct violations. The committee will be made up of representatives of student, teacher, administrator, and parent organizations, school safety personnel and other school personnel.

Before adopting any revisions to the Code, the Board will hold at least one public hearing at which school personnel, parents, students and any other interested party may participate.

The Code of Conduct and any amendments to it will be filed with the Commissioner no later than 30 days after adoption.

**MEMORANDUM OF AGREEMENT BETWEEN THE  
BLOOMFIELD CENTRAL SCHOOL DISTRICT  
AND  
NAPLES CENTRAL SCHOOL DISTRICT  
FOR THE SHARING OF OPPORTUNITIES AND RESOURCES  
OF INTERSCHOLASTIC CROSS COUNTRY**

1. Objective

To provide student athletes at Bloomfield Central School District (“Bloomfield”) and Naples Central School District (“Naples”) continued opportunities for interscholastic participation in cross country at the Varsity and Modified level.

2. Fiscal Responsibilities

- a. Bloomfield will pay Naples a per athlete cost to participate on the combined team. This amount will be determined by the percent of Bloomfield student athletes on the team multiplied by the entire cost of running the program (excluding coaches and transportation). This payment will be made by Bloomfield to Naples on or before **January 2nd of each academic year**.
- b. The Naples Business office will bill the Bloomfield Business office the total cost for each season based on the final roster of student athletes participating, at the rate determined by the formula described above.

3. Uniforms and Equipment

Bloomfield and Naples have entered into an agreement to provide uniforms for the cross-country program based on a 5-year uniform replacement schedule. (Last purchase was 2021)

4. Supervisory Staff

Naples will provide all supervisory staff at contests at Naples. Bloomfield has the option to provide additional game supervisors at their own cost. When contests are at Bloomfield, all supervisory staff will be provided by Bloomfield. Naples has the option to provide additional game supervisors at their own cost.

5. Transportation

- a. Each district is responsible for their own transportation.
- b. The District that buses are used for transportation is the insured entity during transportation.

6. Cancellations

In the event that there is a school closing at one or both schools, practices and contests will be canceled.

7. Code of Conduct

Student athletes will be held to the board approved Code of Conduct of his/her home district.

8. Athletic Eligibility

Student athletes will be held to the Academic Eligibility Policy of his/her home district

9. Coaches

Cross Country coaches shall be employees of Bloomfield Central School District and receive compensation per the Bloomfield Professional Education Association Agreement and Naples Central School District and receive compensation per the Naples Teachers Association agreement. Each District will provide at least one coach at the varsity level.

10. Section V Approval

The Naples Bloomfield Cross Country program will compete in the Section V and the Wayne Finger Lakes League and will be subject to approval by the Section V Committee to combine in lacrosse annually. This Memorandum of Agreements is subject to the approval of Section V each year.

11. Term

This Memorandum of Agreement is for (1) year term, commencing on July 1, 2025 and ending on June 30, 2026. However, if emergency conditions so dictate, e.g., extreme financial distress, either District can terminate the Memorandum of Agreement anytime by providing written notice to the other District's Superintendent of Schools.

12. Modification of Memorandum of Understanding

This Memorandum of Understanding may be modified only by mutual agreement through resolutions by the Bloomfield Board of Education and Naples Board of Education.

**Naples Central School District**

**Bloomfield Central School District**

\_\_\_\_\_  
**Board President**

\_\_\_\_\_  
**Board President**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Date**

**MEMORANDUM OF AGREEMENT  
BETWEEN THE NAPLES CENTRAL SCHOOL DISTRICT  
AND THE NAPLES TEACHERS' ASSOCIATION**

**WHEREAS**, the Naples Central School District (hereinafter referred to as, "District") and the Naples Teachers' Association (hereinafter referred to as, "Association") have agreed to a Collective Bargaining Agreement (hereinafter referred to as, "CBA") that will be effective from July 1, 2024 through June 30, 2028; and

**WHEREAS**, the CBA discusses payment for extra duties, including Activity positions "Cross Country, Varsity" and "Cross Country, Modified" in an Extra Duty Pay Schedule; and

**WHEREAS**, due to student enrollment and/or interest, there may be a need for one (1) coach for "Cross Country, Boys Varsity" and one (1) coach for "Cross Country, Girls Varsity."

**WHEREAS**, the District and the Association have met and discussed the issue and believe the following is in the best interests of the Parties.

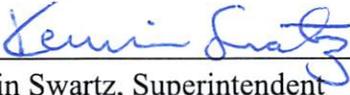
**THEREFORE**, the parties agree to the following:

1. If the District determines that there is adequate enrollment to support two full competing teams, there will be one (1) coach for "Cross Country, Boys Varsity" and one (1) coach for "Cross Country, Girls Varsity" during the 2025-2026 season. Each coach shall be paid Points Value 8, 9, 10 for the season.
2. If the District determines that there is not sufficient enrollment to support two varsity cross country coaches, there shall be one coach for "Cross Country, Varsity."
3. This change will be for the 2025-2026 season only, unless the Parties agree to continue this Agreement, in writing.
4. This Memorandum of Agreement shall represent the full and complete agreement between the parties and no other claims, actions or proceedings of any kind whatsoever will be commenced by any of the parties hereto.
5. This Memorandum of Agreement does not establish a precedent or constitute a past practice between the parties, unless stated herein.
6. Both parties enter this Memorandum of Agreement, knowingly, freely without coercion.
7. Signatures below indicate all parties being duly authorized have read the foregoing and enter into this Memorandum of Agreement.
8. Should any provisions of this Memorandum of Agreement be declared or determined by any court or reviewing officer or entity to be illegal or invalid, the validity of the remaining provisions shall not be affected thereby and the illegal or invalid provision shall be severed from

this Memorandum of Agreement, provided severance of the invalid or illegal provision does not defeat the intent of the parties as reflected in this Memorandum of Agreement.

**Naples Central School District**

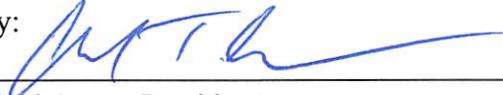
By:

  
\_\_\_\_\_  
Kevin Swartz, Superintendent

8-8-25  
\_\_\_\_\_  
Date

**Naples Teachers' Association**

By:

  
\_\_\_\_\_  
Chad Ayers, President

8-8-25  
\_\_\_\_\_  
Date

**NAPLES CENTRAL SCHOOL DISTRICT**  
***Timeline for Preparation of the 2026-2027 Budget***

September 24, 2025	Budget Committee Meeting 4:30 p.m. Regular Board Meeting at High School Library 6:00 p.m.
January 21, 2026	Budget Committee Meeting 4:30 p.m. Budget workshop #1 Regular Board Meeting at High School Library 6:00 p.m.
February 25, 2026	Regular Board Meeting at High School Library 6:00 p.m.
March 11, 2026	Budget Committee Meeting 4:30 p.m. Budget Workshop #2 Regular Board Meeting at High School Library 6:00 p.m.
April 3, 2026	Publication of First Legal Notice of District Budget Hearing, Vote, and Election
April 8, 2026	Budget Committee Meeting 4:30 p.m. Budget Workshop #3 Regular Board Meeting at High School Library 6:00 p.m. <b>Tentative 2025-2026 Budget Adoption</b>
April 9, 2026	Property Tax Report Card submission due date
April 28, 2026	Copies of the proposed budget are available at all district buildings (Legal obligation – 14 days before the vote)
May 1, 2026	Budget Brochure mailed to all District Residents
May 6, 2026	District Budget Hearing at Naples High School Library, 6:00 p.m.
May 7, 2026	Publish and mail Budget Notice to all District Residents
May 19, 2026	<b>Community Vote on budget and members of the Board of Education</b>

# POLICY

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Students

**SUBJECT: ACCEPTABLE AND RESPONSIBLE TECHNOLOGY USE ~~STUDENT USE OF COMPUTERIZED INFORMATION RESOURCES~~**

~~(ACCEPTABLE USE POLICY)~~

The Board of Education will provide access to various computerized information resources through the District's Information Technology Systems (DITS) consisting of software, hardware, computer networks, wireless networks/access and electronic communication systems. This may include access to on and offsite servers, student information system, cloud storage, email, on/offsite Internet access, and more. It may also include the opportunity for staff to have independent access to the DITS from their home or other remote locations. All use of the DITS and the wireless network, including independent use off school premises and use on personal devices, shall be subject to this policy and accompanying regulations.

One purpose of this policy is to provide notice to students and parents/guardians that, unlike most traditional instructional or library media materials, the DITS will allow student access to external computer networks not controlled by the School District where it is impossible for the District to screen or review all of the available materials. Some of the available materials may be deemed unsuitable by parents/guardians for student use or access. This policy is intended to establish general guidelines for acceptable student use. However, despite the existence of such District policy and accompanying guidelines and regulations, it will not be possible to completely prevent access to computerized information that is inappropriate for students. Furthermore, students may have the ability to access such information from their home or other locations off school premises. Parents/guardians of students must be willing to set and convey standards for appropriate and acceptable use to their children when using the DITS or any other electronic media or communications.

~~The Board of Education will provide access to various computerized information resources through the District's computer system ("DCS" hereafter) consisting of software, hardware, computer networks and electronic communications systems. This may include access to electronic mail, so-called "on line services" and the "Internet." It may include the opportunity for some students to have independent access to the DCS from their home or other remote locations. All use of the DCS, including independent use off school premises, shall be subject to this policy and accompanying regulations. Further, all such use must be in support of education and/or research and consistent with the goals and purposes of the School District.~~

~~One purpose of this policy is to provide notice to students and parents/guardians that, unlike most traditional instructional or library media materials, the DCS will allow student access to external computer networks not controlled by the School District where it is impossible for the District to screen or review all of the available materials. Some of the available materials may be deemed unsuitable by parents/guardians for student use or access. This policy is intended to establish general guidelines for acceptable student use. However, despite the existence of such District policy and accompanying guidelines and regulations, it will not be possible to completely prevent access to computerized information that is inappropriate for students. Furthermore, students may have the ability to access such information from their home or other locations off school premises. Parents/guardians of students must be willing to set and convey standards for appropriate and acceptable use to their children when using the DCS or any other electronic media or communications.~~

## Standards of Acceptable Use

Generally, the same standards of acceptable student conduct which apply to any school activity shall apply to use of the DITS. This policy does not attempt to articulate all required and/or acceptable uses of the DITS; nor is it the intention of this policy to define all inappropriate usage. Administrative regulations will further define general guidelines of appropriate student conduct and use as well as proscribed behavior.

District students shall also adhere to the laws, policies and rules governing computers including, but not limited to, copyright laws, rights of software publishers, license agreements, and student rights of privacy created by federal and state law.

Students who engage in unacceptable use may lose access to the DITS in accordance with applicable due process procedures, and may be subject to further discipline under the District's school conduct and discipline policy and the District Code of Conduct. The District reserves the right to pursue legal action against a student who willfully, maliciously or unlawfully damages or destroys property of the District. Further, the District may bring suit in civil court against the parents/guardians of any student who willfully, maliciously or unlawfully damages or destroys District property pursuant to General Obligations Law Section 3-112.

Please reference current copies of the student Responsible Use Agreement & Device Contract that must be signed and returned to the school before students will be granted access to 1-to-1. Generally, the same standards of acceptable student conduct which apply to any school activity shall apply to use of the DCS. This policy does not attempt to articulate all required and/or acceptable uses of the DCS; nor is it the intention of this policy to define all inappropriate usage. Administrative regulations will further define general guidelines of appropriate student conduct and use as well as proscribed behavior.

District students shall also adhere to the laws, policies and rules governing computers including, but not limited to, copyright laws, rights of software publishers, license agreements, and student rights of privacy created by federal and state law.

Students who engage in unacceptable use may lose access to the DCS in accordance with applicable due process procedures, and may be subject to further discipline under the District's school conduct and discipline policy and the District Code of Conduct. The District reserves the right to pursue legal action against a student who willfully, maliciously or unlawfully damages or destroys property of the District. Further, the District may bring suit in civil court against the parents/guardians of any student who willfully, maliciously or unlawfully damages or destroys District property pursuant to General Obligations Law Section 3-112.

(Continued)

# POLICY

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Students

**SUBJECT: ACCEPTABLE AND RESPONSIBLE TECHNOLOGY USE (Cont'd) STUDENT USE OF COMPUTERIZED INFORMATION RESOURCES**

devices and network/internet access. This policy document and the Responsible Use Agreement & Device Contract shall be posted on the "Technology" page of the NCSD website, under the heading "Technology Documents."

~~————(ACCEPTABLE USE POLICY) (Cont'd.)~~

~~Student data files and other digital storage areas will be treated like school lockers. This means that such areas shall be considered to be School District property subject to control and inspection. The Technology Coordinator and/or school and BOCES administration may access all such files and communications without prior notice to ensure system integrity and that users are complying with the requirements of this policy and accompanying school and state/federal regulations and laws. Students should NOT expect data created and stored on school devices and systems will be private.~~  
~~Student data files and other electronic storage areas will be treated like school lockers. This means that such areas shall be considered to be School District property subject to control and inspection. The Computer Coordinator may access all such files and communications without prior notice to ensure system integrity and that users are complying with the requirements of this policy and accompanying regulations. Students should NOT expect that information stored on the DCS will be private.~~

**Notification/Authorization**

~~————The District's Acceptable and Responsible Use Policy, and student Responsible Use Agreement and Device Contract will be disseminated to parents and students in order to provide notice of the school's requirements, expectations, and students' obligations when accessing Naples CSD digital devices and resources.~~

~~"Affirmative Consent" (opt-in) student use of the District's Information Technology Systems is conditioned upon written agreement by all students and their parents/guardians that students use of the District's Information Technology Systems will conform to the requirements of this policy and any regulations adopted to ensure acceptable use of the District's Information Technology Systems. All such agreements shall be kept on file in the Main Office.~~

~~The District's Acceptable Use Policy and Regulations will be disseminated to parents and students in order to provide notice of the school's requirements, expectations, and students' obligations when accessing the DCS.~~

~~"Affirmative Consent" (Opt in) Student use of the DCS is conditioned upon written agreement by all students and their parents/guardians that student use of the DCS will conform to the requirements of this policy and any regulations adopted to ensure acceptable use of the DCS. All such agreements shall be kept on file in the District Office.~~

~~Regulations will be established as necessary to implement the terms of this policy.~~

NOTE: Refer also to:

Refer also to:

Policy 7315A- Naples CSD Student Responsible Use Agreement & Device Contract  
Policy #8271—~~Children's Internet Protection Act: Internet Content Filtering/Safety Policy~~

~~Policy #7315A Internet Access at Naples Central School District Student Copy:  
Application for Account and Terms and Conditions for Use of LakeNet  
At Naples Central School District~~

Adopted: 06/27/2007  
Revised: 02/24/2010  
Revised: [7/21/2025](#)



**NAPLES ELEMENTARY SCHOOL**

2 Academy Street  
Naples, New York 14512

*Handwritten signature*  
7-9-25

Katherine Piedici, Elementary Principal

Tel.: 585-374-7950 Fax: 585-374-1823

Email: [Kpiedici@naplescscsd.org](mailto:Kpiedici@naplescscsd.org)

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July 8, 2025

Dear Mr. Swartz,

Please accept this letter as an official request to discard the following items.

- Broken Bass Xylophone

Please do not hesitate to contact me with any questions or concerns. Thank you!

Sincerely,

Katherine Piedici  
Elementary School Principal  
585-374-7951  
[kpiedici@naplescscsd.org](mailto:kpiedici@naplescscsd.org)