

VALLEY ROAD SCHOOL

September 2011

STUDENT CODE OF CONDUCT

Philosophy

The Valley Road School community believes in creating and fostering a learning climate that ensures the health, safety, and welfare of all of its members. To that end, we strive to assist students in learning sound decision-making skills and in developing a sense of responsibility for their attitudes and actions. It is expected that students will assume their roles in meeting behavior expectations with the support of parents, school personnel, and peers.

School Community Expectations

All members of the school community are expected to act as positive role models.

Students are expected to:

1. Follow the directions of all staff members
2. Demonstrate appropriate, respectful, and courteous interactions, behaviors, and language at all times and in all areas of the school building, school grounds, and during all school-sponsored activities both on and off campus.
3. Respect the property and space of others.
4. Use peaceful and reasonable means to resolve disputes.
5. Follow established school-wide and classroom procedures, routines, and guidelines.
6. Demonstrate academic integrity by not cheating or plagiarizing.
7. Conform to reasonable standards of socially acceptable behavior.
8. Promote and support a safe and orderly learning environment.

Academic Integrity

1. Cheating is a violation of academic integrity.
2. Cheating is taking credit for any work that is not one's own and violates teacher guidelines for the production of assignments.
3. Students who cheat, including those who help others cheat will receive no credit for the activities in question.
4. Teachers may require the student to make up work for educational purposes even though the student does not receive credit.
5. Parents or guardians will be contacted by the teacher.

Code of Conduct for Computer Use

1. Computers are a tool for all students to use.
2. Users may not modify hardware/software in any way, nor tamper with or alter any system settings or administrator accounts.
3. Game playing and/or the installation of a game is not permitted on any computer, unless it is part of a class assignment.
4. Food or drink should not be consumed while working on a computer.
5. Inappropriate comments, pictures, etc. on Facebook, MySpace, Twitter, etc., may result in referral to the Police for further actions.

If any problem with a computer is discovered, it must be reported to a teacher immediately.

Any act, which makes computer hardware or software inoperative in any way, will be considered vandalism.

Copying software and/or files from a school computer will be considered stealing and will be reported to the police.

Copying files created by other students for personal credit will be considered cheating.

Cyberbullying

Cyberbullying is defined as the use of electronic means to deliberately torment, threaten, harass, humiliate, embarrass or otherwise target another person. If it is reasonable to suspect that your child's interaction on any electronic communication (i.e., Texting, Facebook, Twitter, MySpace, etc.) is perceived as negatively impacting the performance of another student, has the potential to cause disruption to the school environment, or presents a health/safety risk, the administration will take appropriate disciplinary action.

Other Behavior Guidelines

1. Gum chewing is not permitted in the building unless specified in a legal document.
2. Food and drink must be purchased and consumed only in designated areas and at designated times. Students may not carry bottles in the building.
3. Skateboards cannot be used on school property.
4. A class cut will be issued to students who are absent without permission from scheduled periods including classes, lunch, or activities such as assemblies.

Electronic Devices

Electronic games, laser pointers, and DVD players are not permitted in school. Although strongly discouraged, if cell phones and music players are brought into the building, they must be turned off and kept in backpacks.

The school will not assume responsibility if electronic items are lost, stolen or damaged. Students violating the rules for their use will have the items confiscated and will receive disciplinary action as stated in the discipline code. Confiscated items may only be picked up by a parent.

Dress Code

Appropriate choice of clothing and good grooming are expected. Clothing that disrupts or inhibits education or endangers

the safety of the individual or the safety of others is not permitted.

The types of clothing listed below are considered not proper for school and will not be permitted in school.

- Outdoor clothing (hats, coats, gloves, heavy jackets, etc.) unless climatic conditions warrant exceptions
- Spaghetti straps and tank tops, as well as no off-the-shoulder, halter, or strapless shirts. Shirts must have shoulder straps that are at least two inches in width
- Clothing that is designed especially for highly physical or out-of-school activities (leotards, headbands, bandanas, swimwear, pajamas, etc.) unless required for an activity
- Bare feet, unsafe footwear, cleated shoes and footwear intended for the beach (flip-flops)
- See-through clothing without undergarments or clothing that obviously displays undergarments
- Clothing that exposes any part of the midriff (belly shirts, shrinks, halters, bra tops, etc.) or is inappropriately revealing
- Clothing with offensive/inappropriately suggestive writing, symbols, or illustrations
- Apparel that draws attention to illegal substances, violence, and weapons
- Accessories with chains, spikes or protruding studs
- Any apparel or item which interferes with the identification of a student, i.e., sunglasses, hoods, etc.
- Gang affiliated apparel, colors, or accessories
- Clothing that is likely to create a material and substantial disruption to the school environment

Breaking the Code of Conduct

When students exhibit unacceptable behavior or when they make poor decisions, it becomes necessary for them to accept responsibility for their actions. In some situations, the classroom teacher will

address the unacceptable behavior; however, other situations are more serious in nature and require the attention of an administrator. Administrative consequences may take many forms. Both the student and circumstances will be considered when determining the most effective and appropriate course of action. Administrators will use their professional judgment in each situation and will make every effort to treat each student fairly and consistently.

An administrator has the right to impose a consequence on a pupil for conduct away from school grounds pursuant to N.J.A.C. 6A:16-7.6. This authority shall be exercised only when it is reasonably necessary for the pupil's physical or emotional safety, security, and well-being or for reasons relating to the safety, security, and well-being of other pupils, staff, or school grounds, pursuant to N.J.S.A. 18A:25-2 and 18A:37-2 or when the conduct which is the subject of the proposed consequence materially and substantially interferes with the requirements of appropriate discipline in the operation of the school.

Types of Remediation/Consequences

- Behavioral Contracts
- Administrative Warning (Admonishment)
- Removal from class
- Parental Contact
- Conflict Resolution
- Referral to Guidance/Special Services
- Administrative Detention (Lunch, P.M.)
- Restitution/Restoration
- Suspension
- Loss of building privileges and/or extra-curricular activities inclusive of end-of-the-year activities
- Police Notification
- Expulsion

Out-of-School Suspension

Out-of-school suspension will be used for serious violations of school rules or

accumulations of several minor offenses. Students suspended from school are permitted the opportunity to make up assignments or tests missed while suspended from school. A reasonable amount of time for make-up work will be provided. Students suspended from school may not participate in or attend school activities, nor may they be on school property during the time of suspension. Students and their parents will be required to attend a re-entry conference before the student is permitted to return to school.

Due Process

In all areas of discipline, students are accorded the rights of due process. Students must be informed of the behavior for which they are being punished and be advised of the rule that has been abused. However, social events and class trips may be denied to any pupil without the due process of notice and an opportunity to be heard. A pupil who demonstrates disregard for school rules may summarily be denied participation in social events and class trips.

Police in School

Police may enter the school if asked by school officials, if they suspect a crime has been committed, or have a warrant for search or arrest. If a student who is suspected of committing a crime is questioned by the police, school authorities must see that all questioning takes place privately, in the presence of an administrator and a parent must also be present at the questioning. A student is not required to answer any questions other than those concerning one's name, age, address, or business in the school until a parent or lawyer is present. A student has the right to be informed of his/her legal rights, to be protected from unnecessary force, and to remain silent, just as one would if one were out of school. Any student in grades 4-8 who is questioned as a witness and is not suspected of committing a crime may be questioned by police without a parent

present provided that such questioning take place privately and in the presence of an administrator. Students in K-3 may only be questioned if a parent is present.

Unacceptable Behaviors

Listed below are examples of unacceptable behavior for which school staff are expected to take preventative and/or corrective action. Repeated violations or a pattern of inappropriate conduct will result in greater consequences. Behavior contracts and/or referral to counseling may be requested for any student infractions during the course of the school year.

For each unacceptable (Grades 4-8) behavior the minimum consequence is provided at the end in **bold lettering, Note** that:

Adm. Det. = Administrative Detention
ISD = In-School Detention
OSS = Out-of-School Suspension

Administrative discretion shall be used for students in grade K-3.

Pupils shall not:

- Persistently refuse to complete homework and other assignments; **Teacher discretion** as set forth in classroom rules.
- Be insubordinate to teachers or other school staff members or disregard their instructions or demonstrate lack of respect for their authority; (examples: disrespectful behavior, defiance of authority, failure to report to administrative detention) **Adm. Det.**
- Exhibit continued and willful disobedience: A repeated pattern of failing to abide by school rules **1 day OSS**
- Create disorder or disruptions on school premises; (examples: attire, vocal expressions) **Adm. Det.**
- Act so recklessly as to endanger the safety of others (example: food throwing) **Adm. Det.**
- Engage in inappropriate behavior that violates established school-

wide and classroom procedures, routines, and guidelines **Adm. Det. ; 1-3 day ISD or OSS**

- Engage in inappropriate contact that does not conform to reasonable standards of socially acceptable behavior **Adm. Det.; 1-3 day ISD or OSS**
- Use foul, abusive, derogatory, or demeaning language, including racial and ethnic remarks **Adm. Det.; 1-3 day ISD or OSS**
- Use profanity directed toward a staff member **1 day OSS**
- Steal, damage, or deface the property of other pupils, staff members, or the district; (examples: theft of tests or other teacher property **1-4 days OSS**; items from dining hall **1 day OSS**; possessing stolen property **1-4 days OSS**
- Threaten, intimidate or incite the use of physical force against other pupils, staff members, or visitors to the school **1-4 days OSS**
- Procure the property of others by threat or intimidation (extortion) **1 day OSS**
- Engage in the sexual and/or other harassment, intimidation, bullying, or hazing of pupils or staff members **1-4 days OSS**; inappropriate touching **4 days OSS**; assault **5-10 days OSS with Police notification**
- Cyberbullying **Adm. Det.; OSS; Police Notification, as warranted**
- Engage in illegal gambling (any activity or “game” in which the object is the winning of money, favors, or other valuables) **Adm. Det.**
- Possess pornographic material **Adm. Det.**
- Use electronic devices such as iPods, cell phones, other electronic games, laser pointers during school hours **Confiscation; Parental Notification, 2nd offense**
- Possess or use weapons or any implement intended to harm others; (and look-alikes) **5-10 days OSS** and **Police notification**
- Convey information about other pupils or staff members known to be false (examples: rumors, slander,

- etc.) **Adm. Det.**
- Be truant from school or cut class (example: in school truancy) **Adm. Det. - No credit for missed work**
 - Leave the building without permission of administration or school nurse **Adm. Det.**
 - Enter school premises or any specific portion of the premises without permission and without authority **Adm. Det.**
 - Vandalize school property, real or personal; (destruction, marring, defacing, or rendering permanently or temporarily unusable school or personal property) **1-4 days OSS, restitution and Police notification**
 - Modify computer hardware or software in any way, change/tamper with any computer system settings and/or administrator accounts; **4 days OSS, restitution, and Police notification**
 - Install games or applications on any school computer or laptop; **Adm. Det.**
 - Log onto unauthorized computer Web sites; **Adm. Det.**
 - Create litter on school property; **Adm. Det.**
 - Cheat or otherwise engage in academic dishonesty ;(see academic integrity for more information) **Adm. Det.**
 - Falsify an excuse (Parental notes, hall passes, etc.) **Adm. Det.**
 - Smoke (tobacco products) on school property **Adm. Det.** ; 2nd offense – **1- 3 days OSS and court fine**
 - Possess tobacco, lighters, pipes, etc. **Confiscation; 2nd offense – Adm. Det.**
 - Set fire to or cause a fire in any way on school premises **10 days OSS and Police notification**
 - Possess or explode a firecracker or other explosive device on school premises **4 days OSS and Police notification**
 - Sound or cause to be sounded a false alarm for fire, bomb, or other condition or circumstance hazardous to others (terroristic threats) **5-10 days OSS, Referral to CSA for further disciplinary action and Police notification**
 - Possess or use, (including look-alikes) a controlled dangerous substance, including but not limited to alcohol/drugs,
 - 4 days OSS and Police notification; With intent to distribute 10 days OSS, referral to CSA for further disciplinary action and police notification; 2nd offense - 10 days OSS, referral to CSA for further disciplinary action and Police notification, expulsion hearing**
 - **Gang Behavior:** A group or association of three or more persons who may have a common identifying sign, symbol, or name and who individually or collectively engage in, or have engaged in, criminal activity which creates an atmosphere of fear and intimidation. Criminal activity includes juvenile acts that if committed by an adult would be a crime. Actions by students that are designated to promote gang behavior or membership, loyalty, and/or activity are prohibited. Any person who solicits or recruits another to join or participate in a gang will be subject to school disciplinary action and possible criminal charges. Actions which are prohibited include but are not limited to, using gang hand signs, wearing gang affiliated apparel, colors or accessories, using gang slang and/or terminology, and/or producing gang graffiti on school district property. Taking pictures on school property and posting them on “myspace” or other internet sites in a fashion that suggests gang affiliation is detrimental to the safety and security of students and staff and is prohibited. **Adm. Det., Parental Conference, Police notification**
 - **Gang like actions:** Any activity, in

which more than one person verbally or physically harms, threatens or intimidates another or others. **1-4 days OSS and Police notification**

- **Bias/hate actions:** Any unprovoked behavior designed to intimidate a person or a group via spoken/written language or gestures. NJ law defines bias/hate crimes as those involving race, ethnicity, religion or sexual orientation. **1-4 days OSS**

Fighting/Assault

The Board of Education directs staff to encourage students to learn to resolve differences without resorting to force. Students are urged to employ conflict resolution, peace-making, and other non-violent strategies at all levels of schooling. However, when students choose to ignore our teachings and resort to violence, the Board of Education is obligated to remove offenders in order to provide a safe environment for other students. Any person who commits a violent act on school grounds or during a school activity shall be subject to discipline and/or criminal charges under this policy as follows:

1. **Assault** – Any student who harms, injures, or recklessly strikes with intent to cause harm, or intends to harm or injure any person on school grounds or during a school activity shall be considered to have committed an assault. **3-5 days OSS**
2. **Fighting** - Any student who engages in a physical confrontation with another party on school grounds or during a school activity in which both parties harm, injure, or strike with the intent to harm another, but in which instance both parties have substantial culpability for the physical confrontation, shall be considered to have committed an act of fighting.

First Offense: Any student who commits an act of fighting shall be **suspended** from school for a **period of 2-3 school days**.

Second Offense: Any student who commits a second act of fighting shall be **suspended** from school for a **period of 3-5 days**.

Third Offense: Any student who commits a third act of fighting shall be **immediately suspended** from school and shall be brought to the Board of Ed. for an expulsion hearing.

3. **Inappropriate Use of Physical Force** - Any middle school student who engages in reckless pushing or shoving with another student, thereby posing a substantial danger to self and others, in which both parties have substantial culpability, but in which neither party harms nor intends to harm the other, shall have committed an act of inappropriate use of physical force.

First Offense: Any student who engages in an inappropriate use of physical force shall be **suspended** from school for a **period of not less than one (1) and not more than three (3) days**.

Second Offense: Any student who engages in a second instance of inappropriate use of physical force shall be **suspended** from school for a **period of three (3) days**.

Third Offense: Any student who engages in a third or more instance of inappropriate use of physical force shall be **suspended** from school for a **period of not less than four (4) and not more than ten (10) days**.

4. **Self Defense** - A student who employs physical force only as a last resort, only after having been struck by another party without immediate and clear provocation, who had good reason to believe he or she was in danger of serious physical harm, and who ceases to strike, or harm,

or otherwise employ physical force at the first opportunity, shall be considered to have acted in self defense.

A student who is judged by the principal to have acted in self-defense under this strict definition of the term shall not be subject to punishment. A student who fails to meet any part of this definition shall be considered to have committed an act of fighting and shall be disciplined as stated above.

In order for a school administrator to render a decision of self-defense, it must be obvious that:

1. time was a factor in the incident
2. the person was in imminent danger of injury
3. the only option for the person was to physically protect himself/herself with the minimum amount of force appropriate to the situation until assistance could be obtained.
4. The individual attempted to get away from the aggressor.
5. The individual called for assistance from adults and/or students.
6. Witnesses, if any, verify that the individual made obvious efforts to remove him/herself from a potentially violent encounter.
7. It should be obvious to all that the individual reluctantly engaged in force as an act of self defense after steps 1-8 were attempted.
8. The individual stopped using physical force at the first opportunity.

5. Assault or Fighting By Party Other Than Student - Any person other than a student of the Stanhope School District who engages in an act of assault or fighting on school grounds or during a school activity shall be subject to criminal prosecution. The CSA of the school shall file charges of disorderly conduct and/or any other criminal offense committed by such a person.

Substance Abuse

The Board prohibits the use, possession, and/or distribution of a substance on school

premises, at any event away from the school premises that is sponsored by this Board, and on any transportation vehicle provided by this Board.

For the purpose of this policy, the term "**Substance**" will mean:

- alcoholic beverages;
- controlled and dangerous substances as defined at N.J.S.A. 18A:40A-9;
- anabolic steroids;
- any chemical or chemical compound that releases vapors or fumes causing a condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system including, but not limited to, glue containing a solvent having the property of releasing toxic vapors or fumes (N.J.S.A. 18A:40A-9).

For the purpose of this policy, the term "**Substance Abuse**" will mean:

- the consumption or use of any substance for the purposes other than for the treatment of sickness or injury as prescribed or administered by a person duly authorized by law to treat sick and injured human beings.

For the purpose of this policy, the term "**Prescription Drug**" will mean:

- a drug authorized by a medical prescription from a licensed physician and shall not be considered a violation of this policy when to that effect, or a prescription label is presented;
- all prescription medication must be registered and consumed in the health office.

For the purpose of this policy, the term "**Possession**" will mean any alcohol or other drug found:

- on the student's person;
- in the student's personal effects or belongings, e.g. purse, etc;
- in any object or area within the control of the student, e.g. locker, desk, etc; **AND**
- that the student either knowingly procured or received;
- that the student was aware of his/her control thereof for a sufficient period to have been able to terminate his/her possession.

Any student taking part in school sponsored field trips, shall along with his/her parent(s)/guardian(s), sign an agreement indicating their understanding of the district's substance abuse policy.

For the purpose of this policy, the term "**School Property**" will mean:

- All public buildings, premises, and property owned, rented and/or operated by the board, and all spaces within them.

Students Consuming or Under the Influence of any Substance

Whenever it shall appear to any teaching staff member, school nurse or other district personnel that a student may be under the influence of alcohol or other drugs, he/she shall report the matter as soon as possible to the building principal or his/her designee, to the substance awareness coordinator, and to either the school nurse or medical inspector.

School administrators, as mandated by the State Commissioner of Education, have no discretion in deciding when a student is to be examined if a teacher or other staff member suspects alcohol or other drug uses. Therefore, the Stanhope School District must order an immediate medical examination and drug and/or alcohol screening of any student suspected to be under the influence of alcohol or other drugs during the regular school day or at any time while on school property or at school sponsored activities. This examination shall be performed within one hour by a physician selected by the parent/guardian. If such a physician can not assure completion of such examination within one hour, the school shall make a referral to a designated medical examiner or the emergency room of the nearest hospital.

An examination conducted, at parental request, by a physician other than the school medical inspector shall not be at district expense. Treatment will not be at Board expense.

A student, who undergoes an examination including alcohol and/or drug screening

tests, may not return to school until the principal has received the physician's verification form provided by the district, which verifies that the student is physically and mentally able to return to school. If the exam results are positive, a suspension of up to 10 days may be assigned.

The student shall not resume attendance at the school until he/she submits to the principal a written report from a physician certifying that he/she is physically and mentally able to return, and a drug and alcohol screening has been conducted. The physician who conducted the initial examination shall prepare such report. If the physician's report states that the substance test has been tampered/altered, the student will be suspended a minimum of five days out-of-school suspension.

In the event of a refusal or failure by a parent to comply with the above procedure in reference to the provision of N.J.S.A 18a:40a-12 shall be deemed a violation to the compulsory education (N.J.S.A. 18a:38-25 and 18a:38-31) and/or child neglect (N.J.S.A. 9:6-1) laws and shall be reported to the Division of Youth and Family Services.

At the conclusion of the suspension period, the student and parent(s)/guardian(s) will meet with the CSA and guidance counselor prior to being readmitted to school. At this meeting, the following will occur:

- the student will be placed on probation for the remainder of the school year. This probation will include close supervision by school authorities and will include exclusion for all school social and extra-curricular activities for a 30 calendar days;
- the Guidance Counselor will schedule the student for a minimum of five appointments;

The student shall be interviewed by the counselor or another qualified health professional for the purpose of determining the extent of the pupil's involvement with the substances and possible need for treatment. If it is determined that the pupil's involvement with and use of these substances represents a danger to the pupil's health and well-being, the

pupil shall be referred to an appropriate treatment program which has been approved by the Commissioner of Health.

- the student and parent(s)/guardian(s), when warranted, will be advised as to the appropriate community agencies through which they can receive assistance. The school's nurse will provide appropriate information upon request;
- in cases when the student may require treatment from outside agencies or placement in short-term residence programs, the counselor will contact the treatment agency to determine if it provides an educational program;
- if appropriate, in severe or repeated cases, the student will be referred to the Child Study Team for a complete evaluation.

If a student is found to be under the influence of a substance for a second offense, a ten day out of school suspension will begin immediately; a one semester suspension of school activities, re-entry conference, and a minimum of five appointment with the substance awareness coordinator

Subsequent offense(s) will be referred to the Superintendent for further action which may result in referral to the Board of Education to consider expulsion procedures.

Students Possessing, Selling, or Distributing Substances

When a reasonable suspicion exists that a student is selling or providing others with alcohol or drugs/substances or look-alikes on or within 1000 feet of school property, in a school building, or at any time when the student is accountable to the school for his/her conduct, that student shall be reported to an administrator. The administrator will investigate the report. If the student is found to be selling/has sold or distributed substances, the principal or designee will then:

- Inform the parent(s)/guardian(s) of the student.

- Inform the police.

The student shall be either released to the custody of the county prosecutor's law enforcement designee who will contact the parent(s)/guardian(s) or released to the custody of the parent(s)/guardian(s) if the designee so directs.

Juvenile charges will be signed against the individual as determined by the memorandum of understanding and after consulting with the law enforcement designee.

The student will be suspended from school for at least ten (10) school days and referral to the Superintendent which may lead to expulsion proceedings; suspension from all school related activities for the school year.

Harassment/Intimidation/Bullying/Hazing

The Board of Education has also adopted **Policy 5512** which prohibits pupils from engaging in **acts of harassment, intimidation, bullying or hazing**. The policy also prohibits active or passive support of any of these prohibited acts.

In **Policy 5512**, the terms "harassment," "intimidation," "bullying" and "hazing" are defined as follows:

"Harassment, intimidation or bullying"

means any gesture or written, verbal or physical act that takes place on school property, at any school-sponsored function or on a school bus and that:

- a. is motivated (1) by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability, or (2) by any other distinguishing characteristic; and
- b. (1) a reasonable person should know, under the circumstances, that the act(s) will have the effect of harming a student or damaging the student's property, or (2) has the effect of insulting or demeaning any student or group of students in such a way

as to cause substantial disruption in, or substantial interference with, the orderly operation of the school.

“Bullying” also means any repeated and intentional, aggressive physical, verbal or psychological act(s) that involves an imbalance of power of one student over another (not necessarily based on physical size), which occurs on school property, at any school-sponsored activity or on a school bus, including such actions as insulting, abusing verbally or physically, threatening, intimidating, humiliating or harassing, and that a reasonable person should know, under the circumstances, will have the effect of harming another student or damaging another student’s property or has the effect of insulting or demeaning another student or group of students in such a way as to cause a substantial disruption in, or substantial interference with the orderly operation of the school.

“Hazing” means performing on or off school property any act, coercing another or attempting to coerce another to perform any act of initiation into any school class, school athletic team or any school organization that causes or creates a substantial risk of causing mental or physical harm. Permission, consent or assumption of risk by an individual subject to hazing shall not lessen the prohibitions contained in this policy.

In **Board Policy 5751, Sexual Harassment**, the Board of Education directs the CSA to maintain an academic environment that protects pupils from sexual harassment. Accordingly, the Board of Education shall not tolerate sexual harassment of pupils by staff members, other pupils or other individuals on school premises, school buses or at any school-sponsored activity. Sexual harassment is a form of prohibited sex discrimination.

Pupils who believe that they have been subjected to sexual harassment may file a

formal complaint. The Affirmative Action Officer shall receive such complaints and carry out a prompt and thorough investigation. The Affirmative Action Officer shall protect the rights of both the person making the complaint and the alleged harasser. The CSA and his/her designee shall develop a regulation setting forth the procedure for the filing and processing of complaints of sexual harassment and ensure that appropriate training is provided to those staff members who have the responsibility for investigating complaints of sexual harassment.

Any staff member or pupil who is found to have engaged in sexual harassment shall be subject to appropriate discipline. Law enforcement shall be contacted when appropriate.

The CSA shall submit an annual report to the Board of Education on the effectiveness of this policy.

Definitions of Sexual Harassment

1. Quid Pro Quo sexual harassment occurs when a staff member explicitly or implicitly conditions a pupil’s participation in an education program or activity or bases an educational decision on the pupil’s submission to sexual advances, requests for sexual favors, or other verbal, nonverbal or physical conduct of a sexual nature. Quid pro quo sexual harassment occurs whether or not the pupil submits to the threatened harmful conduct.
2. Hostile environment sexual harassment occurs when unwelcome sexual advances, requests for sexual favors, or other verbal, nonverbal or physical conduct of a sexual nature by a staff member, other pupil(s) or other individual(s) that is sufficiently severe or pervasive to have reasonably resulted in a limitation of the pupil’s ability to participate in or benefit from an educational program

or activity. For purposes of this policy, any of the aforementioned conduct by a staff member directed toward a pupil shall be considered "unwelcome."

The following are examples of conduct that can constitute sexual harassment:

1. Slurs, epithets, threats, verbal abuse, derogatory comments, degrading descriptions or practical jokes of a sexual nature or about gender specific traits;
2. Graphic verbal comments about an individual's body;
3. Sexual jokes, stories, drawings, pictures or gestures;
4. Spreading of sexual rumors;
5. Teasing or sexual remarks about a student enrolled in predominately single sex class;
6. Touching of an individual's body or clothes in a sexual way;
7. Nonverbal movements of a sexual nature;
8. Displaying sexually suggestive objects or materials;
9. Pressure or coercion involving proposed sexual activity; and
10. Leering, staring, overly personal conversation, sexual flirtations or sexual propositions that are repeated after the unwelcome nature of same are communicated to the individual committing the act.

Instigation and Response to Complaints

1. The administration will: a) inform all staff, pupils, and parents that sexual harassment is prohibited in the educational setting. b) identify a process to respond to the concerns of students and/or staff.
2. All concerns or complaints will be referred to the CSA and the building Affirmative Action Officer.
3. If the individual or complainant is not satisfied with the building administrative decision, a formal

grievance may be filed with the Board of Education.

4. Filing a complaint or otherwise reporting sexual harassment will not reflect upon the individual's status, nor affect future grades or class assignment.
5. The complaint procedure shall be made available for pupils, parent/guardian, and/or staff member protesting alleged discriminatory or sexually or other harassing action. An immediate report of the allegation should be made to the Affirmative Action Officer or the CSA.
6. The Affirmative Action Officer will initiate a thorough investigation and will protect the rights of both the pupil or staff member making the complaint and the alleged harasser.

Due process rights will be respected during any investigation activity. Appropriate confidentiality shall be maintained throughout the investigative process.

Use of Computers

The following uses of the district system are considered acceptable:

1. Personal Safety (restrictions are for students only)
 - a. Users will not post personal contact information about themselves or other people. Personal contact information includes address, telephone, school address, work address, etc.
 - b. Users will not agree to meet with someone they have met on-line without their parent's approval and participation.
 - c. Users will promptly disclose to their teacher or other school employee any message they receive that is inappropriate or makes them feel uncomfortable

2. Prohibited Activities

- a. Users will not attempt to engage in “hacking” or otherwise seek to gain unauthorized access to the District system or to any other computer system through the District system or go beyond their authorized access. This includes attempting to log in through another person’s account or access another person’s files. These actions are illegal, even if only for the purpose of “browsing.”
 - b. Users will not make deliberate attempts to disrupt the computer system performance or destroy data by spreading computer viruses or by any other means. These actions are illegal.
 - c. Users will not use the District system to engage in any other illegal act, such as arranging for a drug sale or the purchase of alcohol, engaging in criminal gang activity, threatening the safety of person, etc.
3. Inappropriate Language or Graphics
- a. Restrictions against inappropriate language or graphics apply to public messages, private messages, and materials posted on Web pages.
 - b. Users will not use obscene, profane, lewd, vulgar, rude, inflammatory, threatening, or disrespectful language.
 - c. Users will not post information that, if acted upon, could cause damage or a danger of disruption.
 - d. Users will not engage in personal attacks, including prejudicial or discriminatory attacks.
 - e. Users will not harass another person. Harassment is persistently acting in a manner that distresses or annoys another person. If a user is told by a person to stop sending messages, they must stop.
 - f. Users will not knowingly or recklessly post false or defamatory information about a person or organization.
4. Respect for Privacy
- a. Users will not re-post a message that was sent to them privately without permission of the person who sent them the message.
 - b. Users will not post private information about another person.
5. Respecting Resource Limits
- a. Users will use the system only for educational and professional or career development activities (no time limit), and limited, high quality, self-discovery activities.
 - b. Users will not download large files unless absolutely necessary. If necessary, users will download the file at a time when the system is not being heavily used and immediately remove the file from the system computer to their personal computer.
 - c. Users will not pose chain letters or engage in “spamming”. Spamming is sending an annoying or unnecessary message to a large number of people.
6. Plagiarism and Copyright Infringement
- a. Users will not plagiarize works that they find on the Internet. Plagiarism is taking the ideas or writings of others and presenting them as if they were original to the user.
 - b. Users will respect the rights of copyright owners. Copyright infringement occurs when an individual inappropriately reproduces a work that is protected by a copyright. If a work contains language that specifies acceptable use of that work, the user should follow the expressed requirements. If the user is unsure whether or not they can use a work, they should request permission from the copyright owner.

7. Inappropriate Access to Materials
 - a. Users will not use the District system to access material that is profane or obscene (pornography), that advocates illegal acts or that advocates violence or discrimination towards other people (hate literature). For students a special exception may be made for hate literature if the purpose of such access is to conduct research, and access is approved by both the teacher and the parent. District employees may access the above material only in the context of legitimate research.
 - b. The district will install and maintain filtering agents or other technical measures designed to block access to sites that contain visual depictions that are obscene, pornographic harmful to minors.
 - c. If a user inadvertently accesses such information, they should immediately disclose the inadvertent access in a manner specified by their school. This will protect users against an allegation that they have intentionally violated the Acceptable Use Policy.

District Limitation of Liability

The District makes no warranties of any kind, either express or implied, that the functions or the services provided by or through the district system will be error-free or without defect. The District will not be responsible for any damage users may suffer, including but not limited to, loss of data or interruptions of services. The District is not responsible for the accuracy or quality of the information obtained through or stored on the system.

Due Process

1. The District will cooperate fully with local, state, or federal officials in any

- reasonable investigation concerning or relating to any illegal activities conducted through the district system.
2. All students suspected or accused of violating the District's Acceptable Use Regulation shall be provided with due process appropriate to the infraction and to the penalty for same, all in accordance with the District's disciplinary code.
3. Disciplinary actions will be tailored to meet specific concerns related to the violation and to assist the student in gaining the self-discipline necessary to behave appropriately on an electronic network.

If the alleged violation also involves a violation of other provisions of the disciplinary code, the violation will be handled in accordance with the applicable provision of the disciplinary code.

Rights of Access Files and E-mail

Privacy Issues

Access to the District's Communication and Internet system is intended for educational purposes consistent in accordance with the terms of this policy and regulation. In order to insure that the policy and regulation are being complied with, the district retains the right to search and access all computer files created or stored on District owned computers. The Board directs authorized personnel to monitor network activity, in any manner necessary, to maintain the integrity of the system and to insure proper use thereof. All other users, however, shall respect the rights of others and shall not attempt to access files of others not intended to be for public or district wide inspection.

Academic Freedom

Selection of Material

Student Rights to Free Speech

When using the Internet for class activities, teachers will select materials that are

appropriate in light of the age of the students and that are relevant to the course objectives. Teachers will preview any materials and sites they specifically require or recommend students access to determine the appropriateness of the material contained on the website. Teachers will provide guidelines to assist their students in channeling their research activities effectively and properly.

District Website

www.stanhopeschools.org

The District established a Web site and will develop Web pages that will present

information about the district. The Superintendent will designate the Webmaster responsible for maintaining the District Web site.

School or Class Web Pages

Schools and classes may establish Web pages that present information about the school or class activities. The building principal will designate an individual to be responsible for managing the school Web site.