

# **STUDENT RIGHTS AND RESPONSIBILITIES**

As student-citizens of the Patchogue-Medford High School, children are entitled to certain rights and are also bound to certain responsibilities. The school community extends some of the rights freely and others are guaranteed constitutionally. Students of Patchogue-Medford High School enjoy the following four basic rights:

1. To be educated to the extent of their capacity and willingness to learn
2. To participate in student government and extracurricular activities, including intramural and interscholastic sports
3. To exercise their right of free speech in a manner that is not disruptive or offensive
4. To have an opportunity to defend themselves if accused of wrongdoing

Students of Patchogue-Medford High School have the following two basic responsibilities:

1. To apply themselves as students to the best of their ability
2. To obey the regulations of the school

## **Rules And Regulations Of The Board Of Education For Maintenance Of Public Order on School Property**

In accordance with Section 2801 of the New York State Education Law requiring the Board of Education to promulgate rules and regulations governing conduct of students, teachers, other staff, visitors, licensees and invitees on school property, the Board of Education adopts the following regulations to maintain public order on school property:

### **Section 1. Statement Of Purpose**

The following rules are adopted in compliance with Article 55 of New York State Education Law enacted as Chapter 740 of the Laws of 1972.

Nothing contained in these rules is intended, nor should it be construed, to limit or restrict freedom of speech or peaceful assembly, or to curtail the right of students, teachers and other staff members to be heard in accordance with existing law with respect to any matter affecting them in their relations with the Board of Education. The purpose of these rules is to make clear what type of conduct will not be permitted on school property, and to provide further for certain penalties in addition to those which might otherwise be applicable by reason of the breach of any other statutory provisions.

Schools have been established as places where learning can take place. It is the purpose of these rules to maintain the degree of public order that is appropriate to a learning environment.

### **Section 2. Application Of Rules**

The rules hereby adopted shall govern the conduct of students, faculty and other staff, members of the Board of Education, licensees, invitees and all other persons, whether or not their presence is authorized, upon the property of the school district, and also upon or with respect to any other

premises or property under the control of the district and used in its teaching program and activities, and its administrative, cultural, entertainment, recreational, athletic and other programs and activities.

### **Section 3. Conduct Prohibited By These Rules**

This section is designed to provide general guidelines for behavior and attitudes. Students are expected to respect these rules. Specific rules, regulations and consequences are distributed each year by the principal. Parents and students are required to review and sign this document in the beginning of the school year. Note that the items included in this handbook and on the yearly list of rules, regulations and consequences are designed to ensure the safety of all students. No person, either singly or in concert with others, shall:

- a. willfully cause physical injury to any other person, nor threaten to do so, for the purpose of compelling or inducing such other person to refrain from any act which that person has a lawful right to do or to do any act which that person has a lawful right not to do; Any student actively engaged in fighting will be suspended for a minimum of 3 to 5 days. Local authorities could be contacted and additional days of suspension may be assigned after a superintendent's hearing.
- b. willfully damage, misuse, or destroy property of the district or under its jurisdiction, nor remove or use such property without authorization can be suspended. The pupil's parents will be expected to pay the school district for the damaged property.
- c. without permission, expressed or implied, enter into any posted area or private office of an administrative officer, member of the faculty or staff member;
- d. enter upon and remain in any building or facility for such purpose other than its authorized uses or in such manner as to obstruct its authorized use by others;
- e. without authorization, remain in any building or facility after it is normally closed;
- f. refuse to leave any building or facility after being required to do so by an authorized administrative officer, member of the faculty or staff member;
- g. obstruct the free movement of authorized persons and vehicles in any place to which these rules apply;
- h. deliberately disrupt or prevent the peaceful and orderly conduct of classes lectures and meetings or deliberately interfere with the freedom of any persons to express their views, including invited speakers; students must not disrupt classes or detract from the right of others to pursue instructional activities;
- i. obey posted traffic and parking signs and other vehicular traffic control devices;

- j. knowingly have in their possession upon any premises to which these rules apply, any rifle, shotgun, pistol, revolver, fireworks, or other firearm or weapon of any kind or nature, or drugs/drug paraphernalia or alcohol, without authorization of the chief administrative officer, expressed or implied, whether or not a license to possess the same has been issued to such person; weapons or instruments which are capable of doing bodily harm will be taken from students who carry them on the school grounds. A student who brings a weapon to school will be suspended a minimum of five days and will face a Superintendent's hearing regarding expulsion from school. Parents will be notified and the police will be called;
- k. fail to conform to fire drill or bomb threat procedures; or willfully incite others to commit any of the acts herein prohibited with specific intent to procure them to do so; false alarms and arson – Any student who sets off a false alarm or causes a fire will be suspended immediately and referred to legal authorities;
- l. Suffolk County laws state that no one is permitted to smoke in the building or on the school grounds. Therefore, smoking is prohibited on school buses, in school buildings, and on grounds in the vicinity of the school. Students should be aware of the scientific facts and statistical evidence on the dangers of smoking. Cigarette smoking interferes with the respiratory and circulatory systems, and it may produce cancer or emphysema.

The use of tobacco in any form is prohibited in any Patchogue-Medford school building and on all Patchogue-Medford school grounds by any student at any time. Students who violate this policy will be subject to the following:

Items taken away, detention, parental contact, and/or suspension and the names of offenders will be sent to the Suffolk County Health Department where fines will be imposed.

- m. extortion or stealing – any student who takes the property of any member of the school community or from a visitor to the school, will reimburse that person and will be subject to further disciplinary action. The school is not responsible for students' personal property, and it will not reimburse students who have personal possessions stolen or damaged while in school. Suspensions will be imposed on students who are caught stealing. Students should not bring valuable property such as cell phones or DVDs to school unless it is related to a specific school learning experience. In such instances, prior approval from the principal should be obtained and security measures taken jointly by the school and the student;
- n. students may not gamble. Cards, dice or any other items used for gambling not directly related to a n. student's course work may not be brought to school. If a student is caught gambling or in possession of these items, appropriate disciplinary action will be taken;
- o. fireworks – possession of any type of explosive will result in immediate suspension and

referral to legal authorities when appropriate;

- p. students must dress appropriately for prevailing climate and in a manner, which is not disruptive to classes or to the supervision of students; no exposed undergarments or inappropriate attire will be tolerated. No beach attire is acceptable (athletic type shorts, halter tops, strapless tops, mesh shirts, crop tops, or clothing that expose the midriff, low cut tops, slippers, or offensive or inappropriately worded clothing. Students are not permitted to wear any “gang related” clothing such as bandanas, flags, beads, “do-rags”, or actively recruit, intimidate, or threaten other students for the benefit of the gang; to promote safety, security and an environment conducive to learning, students may not wear any type of headgear in the school building. Items worn will be taken and returned to a parent;
- q. students are responsible for materials or books issued to them and materials borrowed from the library. Textbooks are furnished free of charge. These books are a loan and must be returned at the end of the academic year. Any student who misplaces or mistreats these books will have to pay a fine for them. Students are requested to cover all books. Lost or damaged books or other school property must be paid for by the students. Accidental damage to school property should be reported to the main office immediately. Severe penalties will be imposed upon students who willfully damage school property;
- r. students are required to report to each class, study hall, or lunch period on time;
- s. pupils must obtain written permission (pass) from their teacher and/or supervisor to leave the area to which they are assigned;
- t. students caught on the roof of the school will be suspended;
- u. drug and alcohol abuse: students enrolled in Patchogue-Medford Schools who possess, use, dispense, or sell drugs/drug paraphernalia or alcohol on school district property, or are under the influence of, while otherwise under the jurisdiction of the school district will, upon evidence that is satisfactory to the school principal, be immediately suspended by the school principal for a period of not less than five days duration. Additionally, a superintendent’s hearing will be held, which could result in an additional suspension and local authorities could be contacted. During the suspension period, a plan of action to deal with the student’s problem will be developed. Persons acting in parental authority and the student will be invited to participate with school personnel in the formulation of an effective action plan; if a student is apprehended a second time for possessing, using, dispensing, or selling drugs/drug paraphernalia or alcohol on school district property, or while under the jurisdiction of the school district, that student, upon evidence that is satisfactory to the school principal, second offenders will not be readmitted to the regular school program until the school principal receives satisfactory evidence that psychiatric, psychological, or other appropriate counseling which includes an after-care component has been received by the suspended student. The school principal will require a

recommendation from the counselor that the student should be returned to a regular school program.

#### **Section 4. Penalties And Procedures**

A person who shall violate any of the provisions of these rules and regulations may be subject to the following penalties and procedures:

- a. A licensee or invitee may have their authorization to remain upon the property withdrawn, and they may be directed to leave the premises. In the event to their failure or refusal to do so, they shall be subject to ejection.
- b. A trespasser or visitor without specific license, or invitation, shall be subject to ejection and or an arrest.
- c. Students may be subject to ejection and may further be subject to suspension, expulsion, probation, or other appropriated disciplinary action. In the case of such person, the conduct prohibited by these rules and regulations shall be deemed also to be prohibited by Section 3214.3a(1) of the New York State Education Law, and, except for ejection, the penalties shall be such as are permitted by Section 3214 of the New York State Education Law, and the procedures for invoking and enforcing penalties shall also be as set forth therein.

#### **Section 5. Enforcement**

When invoked, the penalty of ejection shall be invoked by the chief administrative officer or designee, who shall first direct the violator to leave the school building, or school grounds, or other property of the school district.

In the event of the violator's failure or refusal to do so, such officer shall cause ejection from such building, grounds, or property. If, in the opinion of the school official, ejection by use of police officers is required, school officials shall have complete authority and power to call upon police forces for this purpose. Further, they may request the school district's attorney to apply to any court of appropriate jurisdiction for any injunction to restrain the violation or threatened violation of such rules and regulations.

#### **Section 6. Conduct Prohibited By Law**

The rules set forth above and the remedies and penalties provided for their enforcement are in addition to all rules, regulations and requirements of all other federal and state statutes, all ordinances, and all rules and regulations, having the force of law, and are in no way intended as substitution therefore. Nothing contained in these rules and regulations shall be deemed to detract from the rights of the school district or any person to invoke the sanctions of any such statutes, ordinances or regulations, nor shall they bar action hereunder against any offender regardless of whether or not proceedings have been commenced pursuant to any other statutes, ordinances or regulations and regardless of whether acquittal shall have previously been had in any such case.

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#### **Section 7. Amendment**

These rules and regulations may be amended or modified from time to time by majority action of

the Board of Education taken at a regularly scheduled meeting.

## **Section 8. Access To School Building And Grounds**

All persons other than a pupil enrolled in a building or authorized member of the building staff shall, immediately upon entering any school building, present photo identification for admittance. However, this regulation shall not apply to entertainment, sporting events, or public meetings held after regular school hours.

## **Section 9. Loitering On School Property**

The Board of Education prohibits loitering on school property. A person is considered a loiterer when entering or remaining in or on school grounds without any specific legitimate reason for being there and without having written permission from someone authorized to grant it. Persons not requiring written permission are students; staff members; public officials; school board members; legitimate visitors, and invitees and licensees; the latter having obtained approval to use school facilities in accordance with Policy 1330.

If a school district representative determines that a person is loitering on school grounds, said official representative shall direct that the person leave the premises. The request shall be personally communicated to the individual determined to be loitering. The school district representative shall exercise discretion in those situations which involve a parent, a person who is not an employee, an employee not assigned to the facility involved, a student not assigned to the facility involved and a stranger. School district representatives shall exercise discretion in their actions, taking into account the scene of the visit, the possibility of violence, or the involvement of the use of drugs or alcohol.

If the situation is one, which, in the representative's discretion, does not require forceful action, the school district representative shall advise the person to leave the premises. Police may be called if there is a refusal to leave the premises or if the situation is one, which, in the request to leave the premises in the event of anticipated or actual turmoil or breach of law requiring immediate help.

The Board of Education authorizes unilateral action by police, including arrest, if any person is apprehended on school property and found to have entered or remained unlawfully during times when school is not in session, or if any of the following conditions exist:

1. The person refuses to leave the premises.
2. There is evidence of damage to school district property or theft of property.
3. The person is involved in an act of violence.
4. There is evidence of the use of an alcoholic substance or an illicit narcotic substance.
5. The person possesses a dangerous weapon.
6. The person is apprehended in an area barred to public admittance such as:
  - a. Vehicle or equipment compounds
  - b. The interior of building
  - c. Field houses
  - d. Fire escapes

e. Rooftops

7. The person is in violation of activities or actions prohibited in Section 1340.2 of this policy.

## **Section 10. Conflict**

Nothing in these rules and regulations is intended to conflict with any provision of collective bargaining contracts entered into with appropriate employee units.

Policy Adopted: November 16, 1964

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