

# Marlboro HIGH SCHOOL

## STUDENT DISCIPLINE/INFRACTION CODE

(Pursuant to New York State Education Law Section 2801)

**The following is an excerpt from  
Marlboro SCHOOL DISTRICT CODE OF CONDUCT  
"Safe Schools Against Violence in Education" (p.2)**

*"The Marlboro Central School District is committed to establishing and maintaining a safe and orderly environment. Good discipline is essential to the school program, without good discipline, the Marlboro Central School District cannot discharge its primary responsibility in the development of citizenship. In maintaining appropriate behavior, teachers must be able to proceed with the assurance that support will be forthcoming from the administration and Board of Education." ....The best discipline is self-imposed, and students must learn to assume and accept responsibility for their own behavior, as well as the consequences of their misbehavior.*

*The board recognizes the need to make its expectations for student conduct while on school property or engaged in a school function specific and clear. The rules of conduct are intended to do that and to focus on safety and respect for the rights and property of others. Students who will not accept responsibility for their own behavior and who violate school rules will be required to accept the penalties for their misconduct."*

### DETENTION PROCEDURE

- Faculty member observes a student disobeying a classroom rule, building-wide or district rule.
- Faculty member explains which rule was disobeyed and how the misbehavior broke the rule.
- Faculty member writes a discipline referral.
- Faculty member notifies the student's parents of the referral and why it was written.
- Assistant Principal will assign appropriate consequence.
- Student must report to Detention on the assigned day.
- Students who fail to report will meet with the Assistant Principal.
- Teachers are encouraged to assign their own detention when warranted.

### DISCIPLINARY LEGEND

DET= Detention, Parent Phone Call	MPC= Mandatory Parent Conference
ISS= In-School Suspension, Parent notified via US Mail	SH= Superintendent's Hearing
OSS= Out of School Suspension, Letter to Parent via Certified Mail; Conference with Administrator	##= Police contact may be warranted
	** Parent or guardian request for a Due Process hearing with the principal pursuant to any disciplinary action

## Table I – DISORDERLY CONDUCT

Conduct likely to lead to a disturbance of the public peace, offends public decency, or interrupts instruction in some way. Disciplinary action is at the discretion of the administrator.

<u>Disciplinary Offense</u>	<u>Recommended range of Disciplinary Action</u>		
	<u>1<sup>st</sup> Report</u>	<u>2<sup>nd</sup> Report</u>	<u>Subsequent Reports</u>
Obscenity, Profanity, Vulgarity: Abusive, obscene, vulgar or disrespectful language/gestures to another person (applicable to classroom, lunchroom, assemblies, and any and all school functions)	Detention (DET)	2+ Days DET, In School Suspension (ISS)	Out of School Suspension (OSS), Mandatory Parent Conference (MPC), **
Engaging in lewd, profane, vulgar, or abusive behavior towards faculty, staff or peers	ISS, MPC	OSS, MPC	2-5 Days OSS, MPC, ** or Superintendent's Hearing (SH)
Willful Damage of School Property: intentional destruction or school property – graffiti, vandalism (students and their parents shall be financially responsible for all damages)	OSS, MPC	2+ Days OSS, MPC	2-5 Days OSS, MPC, **, ##,SH
Trespassing	May result in Police contact (##) and involvement , OSS, MPC	May result in Police contact and involvement, 2-5 days OSS, MPC	Will result in police contact and involvement (&&) , 5+ Days OSS, MPC, **, SH,
Littering: School and/or personal (private) property	DET	ISS	OSS, MPC, **
Violation of MCSD "Acceptable Use Policy" for Technology/Computers/Network	Temporary Loss of computer privilege	DET, Temp loss of computer privileges, MPC	OSS, MPC or SH, Loss of computer privilege for remainder or academic year, **
Presence in an unauthorized area	DET	ISS	OSS, MPC, **
Bus Referral and misconduct while riding a school bus includes but not limited to the following – excessive noise, pushing, shoving, fighting	ISS, MPC	OSS, MPC	2-5 Days OSS, MPC, **
Running in hallway, excessive noise	DET	2+ DET's	DET, ISS, **
Disrespect, Excessive noise, loitering, smoking, vandalism	##, Conference with Student and parent, DET, ISS	##, Infraction becomes insubordination, ISS, MPC	##, OSS for insubordination, MPC, **
Gambling	ISS, MPC	OSS, MPC,	2-5 days OSS, MPC, **
Misuse of HALLWAY PASS (Using another student's planner, or an unofficial pass), or NO PASS	DET	ISS	1-5 Days ISS, **

- \*\* Due Process allows parents or guardians to request a principal's hearing pursuant to any disciplinary action.

## Table 2 – INSUBORDINATION

Any Conduct that is regarded as disobedient, noncompliant, or resistant to established authority, disciplinary action is at the discretion of the administrator

<u>Disciplinary Offense</u>	<u>Disciplinary Action</u>		
	<u>1<sup>st</sup> Report</u>	<u>2<sup>nd</sup> Report</u>	<u>Subsequent Reports</u>
Dress Code Violation – Willful refusal to comply with the dress code outlined in Code of Conduct, and/or obscene, profane, vulgar printing or imaging on clothing	Conference with student, removal/replacement of offensive clothing	ISS, removal of offensive clothing	OSS, Removal of offensive clothing, MPC, **
Failure to stay for assigned detention	2+ DET	ISS	OSS, MPC, **
Lateness to Class	Warning	DET, Parental notification	Referral to Administration
Insubordination: Willful refusal to follow given direction, and/or willful refusal to express oneself in a way that is respectful and appropriate	DET	ISS	OSS, MPC, **
Cutting Class: Unexcused class absences (cutting, absent without permission or parental knowledge)	DET	ISS	OSS, MPC, **
Truancy: Excessive absence from school for the entire school day	MPC, Attendance notification Letter, referral to MMS Social Worker	MPC, PH, Attendance notification Letter, Referral to MMS Social Worker ##	MPH, PH, Attendance Notification Letter, Referral to MMS Social Worker, CPS notification reference “PINS” referral by parent or guardian, **
Leaving school without permission	DET	ISS/OSS, MPC	2-4 Days OSS, MPC, **, SH,
Leaving class without permission	ISS	1-5 Days ISS	OSS, MPC, SH, **
Forgery of parental notes, signatures, or passes from school personnel	ISS	OSS, MPC	2-5 Days OSS, MPC, **, SH

## Table 3 – DISRUPTIVE CONDUCT

Students have a right to a safe, healthy, orderly, and civil school environment. Any conduct that interferes with such an environment is considered disruptive. Any disciplinary action is at the discretion of the administrator.

<u>Disciplinary Offense</u>	<u>Disciplinary Action</u>		
	<u>1<sup>st</sup> Report</u>	<u>2<sup>nd</sup> Report</u>	<u>Subsequent Reports</u>
Disruptive behavior	DET	ISS	OSS, MPC, **, SH
Inappropriate public displays of affection	DET	ISS	OSS, MPC, **
Visible or audible cell phones in classroom or hallway between periods	Confiscation until end of school day, parent notification	DET, confiscation until parent picks up the device	ISS, confiscation, parent notification, parent pickup, **

## Table 4 – VIOLENT CONDUCT

Exerting physical force with the intent to violate, injure, harm, damage, intimidate, or abuse another person or one's self. Any disciplinary action is at the discretion of the administrator.

<u>Disciplinary Offense</u>	<u>Disciplinary Action</u>		
	<u>1<sup>st</sup> Offense</u>	<u>2<sup>nd</sup> Offense</u>	<u>Subsequent</u>
Committing an act of violence (such as hitting, kicking, punching, scratching, pulling hair, etc) upon any school district employee OR attempting to do so	##, 5+ Days OSS, MPC, **, SH,		
Committing an act of violence (such as hitting, kicking, punching, scratching, pulling hair, etc) upon another student or any other person lawfully on school property OR attempting to do so	##, 5 Days OSS, MPC,	##, 5+ Days OSS, ** SH	
Possessing a weapon or firearm	##, 5 days OSS, MPC, SH		
Displaying what appears to be a weapon	##, OSS, MPC	##, 5+ Days OSS, MPC, **, SH	
Threatening to use a weapon	##, OSS, MPC	##, 5+ Days OSS, MPC, SH	
Intentionally damaging or destroying the personal property of a student, teacher, administrator, other District employee, or any person lawfully on school property	##, 5 Days OSS, MPC	##, 5+ Days OSS, MPC, **, SH	
Intentionally damaging or destroying school district property	##, 1-5 Days OSS, MPC	##, 5+ days OSS, MPC, **, SH	
Fighting: two or more parties <u>contributing</u> to a situation by physical action	##, 1-5 Days OSS, MPC	##, 5 Days OSS, MPC, SH	##, 5 + Days OSS, MPC, **, SH
Inciting Violence/Menacing: verbally or otherwise encouraging someone else to participate in a physical or verbal altercation	2-5 Days ISS	OSS, MPC	##, 2-5 Days OSS, MPC, *, SH

## Table 5A – ENDANGERMENT

Conduct that endangers, imperils, risks, jeopardizes, or compromises the safety, morals, health, or welfare of others. Any disciplinary action is at the discretion of the administrator.

Disciplinary Offense	Disciplinary Action		
	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	Subsequent
Threatening language/behavior toward school personnel	1-5 Days OSS, MPC	1-5 Days OSS, MPC	##, 5+ Days OSS, MPC, **, SH
Possession or release of dangerous or noxious substances (stink bombs, smoke bombs, etc.)	##, OSS, MPC	##, 2-5 Days OSS, MPC, SH	##, 5+ Days OSS, MPC, **, SH
Extortion: Obtaining property or assistance through coercion	OSS, MPC	2-5 Days OSS, MPC	##, 5+ Days OSS, MPC, **, SH
Theft: Unlawful taking of property	##, OSS, MPC	##, 2-5 Days OSS, MPC	##, 5+ Days OSS, MPC, **, SH
Alcohol/controlled substances: Possession, use, distribution, and/or under the influence (contact with police depends upon quantity)	##, 1-5 Days OSS, MPC, referral to Student Assistance Counselor	##, 1-5 Days OCC, MPC, referral to Student Assistance Counselor	##, 5+ Days OSS, MPC, ** SH
Tobacco/smoking: Use of any type of tobacco product including smokeless tobacco	ISS	OSS, MPC	2-5 Days OSS, MPC
Explosive devices: Possession and/or detonation of, or threatening to use fireworks, smoke bombs, stink bombs, snappers, or other explosive/chemical device	ISS, &&, 5+ Days OSS, MPC, **, SH		
False fire alarm/misuse of 911/bomb scare	&&, 5+ Days OSS, MPC, **, SH		
Open flames: Use of matches or a lighter on school property (unless supervised by staff member, such as use of Bunsen Burner)	1 Day ISS	OSS, MPC	5+ Days OSS, MPC, ** or SH
Arson: Deliberate setting of a fire	&&, 5+ Days OSS, MPC, SH		
Reckless driving: Driving in a way that endangers people and/or property on school grounds (speeding, weaving, burning rubber, etc.)	DET	ISS	OSS, MPC, **
Invasion of privacy: By recording/transmitting information, photographs, or video	##, ISS	##, OSS, MPC	##, 2-5 Days OSS, MPC, **, or SH

## Table 5B – BULLYING

Conduct that occurs between individuals and/or groups of people and is defined by the following components: Any disciplinary action is at the discretion of the administrator.

- 1) It is an intentional or perceived mean behavior;
- 2) It occurs repeatedly, and
- 3) It occurs in a relationship characterized by an imbalance of strength and/or power.

<u>Disciplinary Offense</u>	<u>Disciplinary Action</u>		
	<u>1<sup>st</sup> Offense</u>	<u>2<sup>nd</sup> Offense</u>	<u>Subsequent</u>
<b>PHYSICAL BULLYING</b> Hitting, pushing, shoving, slapping, kicking, spitting at, elbowing	<ul style="list-style-type: none"> <li>● Automatic ISS</li> <li>● Parental Notification</li> <li>● Meeting with DASA Coordinator to initiate inquiry or investigation</li> <li>● 3 mandated meetings with counselor and student</li> <li>● Counselor calls parent or guardian to give feedback over phone</li> <li>● Follow-up meeting with AP, social worker</li> </ul>	<ul style="list-style-type: none"> <li>● Automatic OSS</li> <li>● Parental Notification</li> <li>● Meeting with counselor to initiate an inquiry or investigation</li> <li>● 3 mandated meetings with counselor and student</li> <li>● Counselor calls feedback meeting with AP, social worker, and parents or guardian</li> <li>● Student assigned to an adult mentor</li> </ul>	<p>1-5 Days OSS, SH</p> <p>*Intervention by Guidance counselor, Dignity ACT Coordinator, MMS Social Worker, or School Psychologist</p>
<b>VERBAL BULLYING</b> Name-calling, hurtful teasing, insulting, humiliating, or threatening someone, obtaining property or assistance through coercion (i.e., "If you don't let me copy your HW, I'll hurt you.")			
<b>SOCIAL BULLYING</b> Excluding others from "the group," or activity, gossiping or spreading rumors about others, setting others up to look foolish, making sure others don't associate with someone (i.e., "the silent treatment")			
<b>ELECTRONIC BULLYING</b> Sending an email or phone text message or pictures to threaten someone or hurt their feelings; single out, embarrass, or make them look bad; or spread rumors about them electronically			
<b>GENDER BASED BULLYING</b> Leaving others out or treating them badly because they are a boy or a girl; making sexist comments or jokes			
<b>SEXUAL BULLYING</b> <ul style="list-style-type: none"> <li>● Touching, pinching, or grabbing someone in a sexual way</li> <li>● Making crude remarks or spreading rumors about someone's sexual behavior</li> <li>● Calling someone "gay" or "fag" or "lesbian" or something similar in order to upset them</li> <li>● Making sexual gestures at someone</li> </ul>			
<b>RACIAL/CULTURAL BULLYING</b> <ul style="list-style-type: none"> <li>● Treating others differently or badly because of their culture</li> <li>● Saying negative things about someone's race, culture, ethnic background, or skin color</li> <li>● Calling someone by a racially or ethnically derogatory term</li> <li>● Telling racist jokes</li> </ul>			

RELIGION BASED BULLYING Treating others differently or badly because of their religion, saying negative things about someone's religion			
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## Table 5C – HARASSMENT

Conduct that occurs between individuals and/or groups of people and is defined by the following components: Any disciplinary action is at the discretion of the administrator.

- 1) It is an intentional or perceived, mean behavior;
- 2) It occurs repeatedly, and
- 3) It occurs in a relationship characterized by an imbalance of strength and/or power.

<u>Disciplinary Offense</u>	<u>Disciplinary Action</u>		
	<u>1<sup>st</sup> Offense</u>	<u>2<sup>nd</sup> Offense</u>	<u>Subsequent</u>
<p style="text-align: center;"><b>RACIAL AND RELIGIOUS HARASSMENT</b></p> <p>The Dignity for All Students Act defines Harassment as “creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities or benefits, or mental, emotional or physical well-being.” Behavior, deliberate or perceived, otherwise, relating to race, color, ethnic or national origin, or religious affiliation, or physical characteristics that is directed at an individual or group, which is found to be offensive, objectionable, to the recipient, and which creates an intimidating, hostile, or offensive environment. Some examples include:</p> <ol style="list-style-type: none"> <li>1. Physical attack</li> <li>2. Verbal abuse, threats, derogatory name-calling, racial insults and jokes</li> <li>3. Ridicule of an individual on racial, religious, or cultural grounds (i.e., clothing, food, etc.)</li> <li>4. Exclusion from normal school interactions or social events</li> <li>5. Unfair allocation of work and/or responsibilities</li> <li>6. Racist graffiti/insignia or display of racist material</li> <li>7. Inciting others to commit any of the above</li> </ol>	<ul style="list-style-type: none"> <li>• Automatic ISS</li> <li>• Parental /Guardian Notification</li> <li>• Meeting with the DASA Coordinator to initiate an inquiry or investigation</li> <li>• 3 mandated meetings with counselor and student</li> <li>• Counselor calls parent to give feedback over phone</li> <li>• Follow-up meeting with AP, social worker</li> </ul>	<ul style="list-style-type: none"> <li>• Automatic OSS</li> <li>• Parental /Guardian Notification</li> <li>• Meeting with the DASA Coordinator to initiate an inquiry or investigation</li> <li>• 3 mandated meetings with counselor and student</li> <li>• Counselor calls feedback meeting with AP, social worker, and parents</li> <li>• Student assigned to an adult mentor</li> </ul>	<p>1-5 Days OSS, SH</p> <p>*Intervention with student by a trained counselor, MMS Social worker, Dignity Act Coordinator, or School Psychologist</p>
<p style="text-align: center;"><b>SEXUAL HARASSMENT</b></p> <p>A form of sexual discrimination and involves unwanted and unwelcome attention of a sexual nature. This may be physical or verbal or involve the denigration of an individual on sexual grounds or by sexual means. Some examples include:</p> <ol style="list-style-type: none"> <li>1. Indecent assault (i.e., pinching or smacking someone on their body in a private area or pulling someone’s clothes that would expose a private area)</li> <li>2. Deliberate physical contact to which the individual has not consented or had the opportunity to object to (i.e., fondling, kissing, hugging, etc.)</li> <li>3. Offensive or derogatory language alluding to a person’s private life, sexual behavior, or orientation by innuendo, jokes, or remarks</li> <li>4. Provocative suggestions (i.e., inappropriate in a sexual nature)</li> <li>5. Pressing an individual to accept unwelcome invitations</li> <li>6. The display of suggestive or pornographic material</li> <li>7. Unwelcome repeated telephone calls, letters, or emails</li> </ol>			

8. Behaviors directed at individuals/groups based on sexual orientation 9. ANY UNWELCOME BEHAVIOR OF A SEXUAL NATURE WHICH CREATES AN INTIMIDATING, HOSTILE, OR OFFENSIVE ENVIRONMENT FOR THE RECIPIENT MAY BE REGARDED AS SEXUAL HARASSMENT			
APPEARANCE-BASED/DISABILITY HARASSMENT Repeated comments in respect to personal traits or appearances, practical jokes or invasion of privacy, any or all of which may cause physical or psychological distress. Some examples include: 1. Making fun of someone because of his or her size, weight, height, looks 2. Making fun of someone because of a disability 3. Making fun of someone because of learning needs and/or disability, learning performance, and/or achievement			
Marlboro Central School District has in place a complaint process for anyone victimized (actual, or perceived)			District Compliance Officer (s) Investigation

### Table 5D – HAZING

Any willful or perceived action taken or situation created, alone or acting together, which recklessly, intentionally, or through coercion endangers the physical or mental health of another. The individuals may be willing or unwilling to participate. Hazing is an activity that in some way humiliates another person who lacks the power to resist because he or she wants to be admitted to the group. It can be any action taken or situation created intentionally to produce mental or physical discomfort, humiliation, harassment, or ridicule. Any disciplinary action is at the discretion of the administrator.

<u>Disciplinary Offense</u>	<u>Disciplinary Action</u>		
	<u>1<sup>st</sup> Report</u>	<u>2<sup>nd</sup> Report</u>	<u>Subsequent Reports</u>
<p style="text-align: center;"><b>PHYSICAL ENDANGERMENT</b></p> <p style="text-align: center;">Striking, bruising, maiming, or creating physically dangerous situations in order for the participants to gain approval/access into the groups and/or clubs as a rite of passage</p>	<ul style="list-style-type: none"> <li>• Automatic ISS</li> <li>• Parental / Guardian Notification</li> <li>• Meeting with counselor to complete "Bullying Survey"</li> <li>• 3 mandated meetings with counselor and student</li> </ul>	<ul style="list-style-type: none"> <li>• Automatic OS</li> <li>• Parental /Guardian Notification</li> <li>• Meeting with counselor to complete "Bullying Survey"</li> <li>• 3 mandated meetings with counselor and student</li> </ul>	<p style="text-align: center;">1-5 Days OSS, OH, **, SH</p> <p style="text-align: center;">*Intervention by Student Assistance Counselor, Dignity Act Coordinator, Guidance Counselor, Social Worker, or School Psychologist</p>
<p style="text-align: center;"><b>MENTAL ENDANGERMENT</b></p> <p style="text-align: center;">Fears, embarrassment, or intimidation to gain approval/access into groups and/or clubs as a rite of passage.</p>	<ul style="list-style-type: none"> <li>• Psychologist or Student Counselor calls parent to give feedback over phone</li> </ul>	<ul style="list-style-type: none"> <li>• Psychologist or Student Counselor calls feedback meeting with an administrator, MMS Social</li> </ul>	



	<ul style="list-style-type: none"> <li>Follow-up meeting with AP, social worker</li> </ul>	Worker, and parents  <ul style="list-style-type: none"> <li>Student assigned to an adult mentor</li> </ul>	
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**RESPONDING TO ALLEGATIONS OF BULLYING, HARASSMENT AND/OR HAZING:**

When staff or adults observe incidents or bullying, harassment, and/or hazing, the adults are mandated to respond in accordance with the Code of Conduct.

Even if the recipient of the bullying, harassment, and/or hazing behaviors requests that no action be taken or reports not being bothered by the incident, the school is obligated to follow the consequences of bullying, harassment, and/or hazing as delineated in the Marlboro Central School Code of Conduct and The Dignity for All Students Act.

**Table 6 – ACADEMIC INTEGRITY**

Academic integrity and honesty are valued in the Marlboro Central School District; this applies to all courses offered at Marlboro High School, including Regents, Honors, Bridge and Advanced Placement. Cheating and/or plagiarism in any form are unacceptable and subject to disciplinary action at the discretion of building administration.

Definition: Conduct that:

- Compromises the authenticity or originality of any academic exercise or assessment, including but not limited to, class work, homework, quizzes, exams, essays, lab reports, standardized tests, projects, and presentations.
- Violates copyright law.
- Demonstrates the intent to harm or diminish another student’s academic record for the purpose of self-advancement.

<u>Disciplinary Offense</u>	<u>Disciplinary Action</u>		
	<u>1<sup>st</sup> Offense</u>	<u>2<sup>nd</sup> Offense</u>	<u>Subsequent</u>
<u>Cheating:</u> any attempt to give or obtain assistance or unfair advantage in a formal academic exercise (e.g., cheat sheets, looking at, copying, or paraphrasing someone else’s work, using electronic or computerized technology to give or obtain information).	Parent / Guardian contacted Zero for assignment	MPC, zero for assignment	MPC, zero for assignment, **
<u>Plagiarism:</u> Plagiarism is defined as stealing and using the ideas or words of another as one’s own without crediting the source. Students will not do the following: <ul style="list-style-type: none"> <li>Copying or attempting to copy another person’s work</li> <li>Submitting another’s work as his/her own</li> <li>Giving their work to another</li> </ul>	Parent / Guardian contacted Zero for assignment	MPC, zero for assignment	MPC, zero for assignment, **

• Using cheat sheets/notes			
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**Table 7 – Student Cell Phone Use or Personal electronic Devices:**

General cell phone use and use of personal electronic devices are prohibited in school, except for designated areas during specific times as specified by the respective school building. Students are not permitted to take pictures or make videos of the school, buildings, property or other students'. If inappropriate use of personal cell phones and electronic devices is discovered, they will be confiscated by staff and contents will be reviewed by administration. Disciplinary action will result if such images are found which violates MCSD policies, state/federal laws, or substantially disrupts the educational environment. Local police will be contacted if images contain illegal or illicit activities.

Disciplinary Offence	Disciplinary Action		
	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	Subsequent Offenses
Use of cell phone or personal electronic device during testing or instructional time	Parental Notification by teacher	Det	ISS , MPC
Use of cell phone or personal electronic device to take picture of videos of the school building, property, faculty and staff or other students	Parental Notification Det 1 - 2	ISS	OSS, MPC
Use of cell phones or electronic devices to taking or distributing (sexting) a visual depiction, photograph, film , video, computer generated image, digital image, of a minor engaging in a sexually explicated conduct, nudity, obscene, lewd or vulgar images.	2-5 Day OSS, SH, ##=	5 Day OSS, SH ##=	5 Day OSS, SH, ##=