

Marlboro MIDDLE SCHOOL

Debra Clinton, Principal

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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.

<u>DISCIPLINARY LEGEND</u>	
LD = Lunch Detention	MPC= Mandatory Parent Conference
DET= Detention, Parent Phone Call/email	SH= Superintendent’s Hearing
ISS= In-School Suspension, Parent contact By Admin.	##= Police contact may be warranted
	CI = Counselor Intervention
	OSS= Out of School Suspension, Letter to ** Parent or guardian request for a Due

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>1st Report</u>	<u>2nd 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)	Lunch Detention (LD), Detention (DET)	2+ Days DET, CI, 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	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)	ISS	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	LD, DET	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	ISS, MPC or SH, Loss of computer privilege for remainder or academic year, **
Bus Referral and misconduct while riding a school bus includes but not limited to the following – excessive noise, pushing, shoving, fighting	LD, Det	LD 2+, Det, ISS	ISS, OSS 2-5 days, M PC, **
Running in hallway, excessive noise	Warning,LD,DET	2+ LD, DET	DET, ISS, **
Gambling	Det, ISS	ISS, OSS, MPC	2-5 days OSS, MPC, **

Misuse of HALLWAY PASS (Using another student's planner, or an unofficial pass), or NO PASS	LD,DET	Det 2+, ISS	1-5 Days ISS, **
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- ** 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>1st Report</u>	<u>2nd 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	Det, ISS, CI, removal of offensive clothing, parent call	ISS, OSS, Removal of offensive clothing, MPC, **
Failure to stay for assigned detention	2+ DET	ISS	OSS, MPC, **
Lateness to Class	Warning	LD, Parental notification	LD, Det, 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	Det 2+ days, ISS	OSS, MPC, **
Cutting Class: Unexcused class absences (cutting, absent without permission or parental knowledge)	LD, DET	Det 2+ days, 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, ##, Home Visit	MPH, PH, Attendance Notification Letter, Referral to MMS Social Worker, CPS notification reference "PINS" referral by parent or guardian, **
Leaving school without permission	ISS	ISS/OSS, MPC	2-4 Days OSS, MPC, **, SH,
Leaving class without permission	LD, Det	Det 2+ Days, 1-5 Days ISS	OSS, MPC, SH, **
Forgery of parental notes, signatures, or passes from school personnel	Det, ISS	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>1st Report</u>	<u>2nd Report</u>	<u>Subsequent Reports</u>
Disruptive behavior	LD, DET	2+ Det, ISS	OSS, MPC, **, SH
Inappropriate public displays of affection	LD, DET	2 + Det, ISS	OSS, MPC, **
Visible or audible cell phones in classroom or hallway between or during periods	Confiscation until end of school day, parent notification, LD	Det, confiscation until parent picks up the device	LD 2+ Days, Det, 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>1st Offense</u>	<u>2nd 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, CI, 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	##, 1-3 days OSS,	##, 3-5 days OSS, MPC, CI	##, 5+ Days OSS, **, SH, CI
Possessing a weapon or firearm	##, 5+ days OSS, CI, MPC, SH		
Displaying what appears to be a weapon	##, OSS, MPC	##, 3-5 days OSS, MPC, CI	##, 5+ Days OSS, MPC, **, SH
Threatening to use a weapon	##, OSS, MPC	##, 3-5 days OSS, MPC, CI	##, 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, CI, MPC	##, 5+ Days OSS, MPC, **, SH	
Intentionally damaging or destroying school district property	##, 1-5 Days OSS, CI, MPC	##, 3-5 Days OSS, CI, MPC	##, 5+ days OSS, MPC, **, SH
Fighting: two or more parties <u>contributing</u> to a situation by physical action	##, 3-5 Days OSS, CI, 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+ Days ISS	OSS, MPC, CI	##, 2-5 Days OSS, MPC,* *, SH
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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.

<u>Disciplinary Offense</u>	<u>Disciplinary Action</u>		
	<u>1st Offense</u>	<u>2nd Offense</u>	<u>Subsequent</u>
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
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>1st Offense</u>	<u>2nd Offense</u>	<u>Subsequent</u>
<p>PHYSICAL BULLYING Hitting, pushing, shoving, slapping, kicking, spitting at, elbowing</p>	<ul style="list-style-type: none"> ● ISS 	<ul style="list-style-type: none"> ● 1-3 OSS 	<p>1-5 Days OSS, SH, ##</p> <p>*Intervention by Guidance counselor, Dignity Act Coordinator, MMS Social Worker, or School Psychologist</p>
<p>VERBAL BULLYING 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.”)</p>	<ul style="list-style-type: none"> ● Parental Notification 	<ul style="list-style-type: none"> ● Parental Notification 	
<p>SOCIAL BULLYING 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”)</p>	<ul style="list-style-type: none"> ● Meeting with DASA Coordinator to initiate inquiry or investigation 	<ul style="list-style-type: none"> ● Meeting with DASA Coordinator to initiate an inquiry or investigation 	
<p>ELECTRONIC BULLYING 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</p>			
<p>GENDER BASED BULLYING Leaving others out or treating them badly because they are a boy or a girl; making sexist comments or jokes</p>	<ul style="list-style-type: none"> ● Mandated meeting with counselor and student 	<ul style="list-style-type: none"> ● 3 mandated meetings with counselor and student 	
<p>SEXUAL BULLYING</p> <ul style="list-style-type: none"> ● Touching, pinching, or grabbing someone in a sexual way ● Making crude remarks or spreading rumors about someone’s sexual behavior ● Calling someone “gay” or “fag” or “lesbian” or something similar in order to upset them ● Making sexual gestures at someone 	<ul style="list-style-type: none"> ● Counselor calls parent or guardian to give feedback over phone 	<ul style="list-style-type: none"> ● Counselor calls feedback meeting with AP, social worker, SRO, and parents or guardian 	
<p>RACIAL/CULTURAL BULLYING</p> <ul style="list-style-type: none"> ● Treating others differently or badly because of their culture ● Saying negative things about someone’s race, culture, ethnic background, or skin color ● Calling someone by a racially or ethnically derogatory term ● Telling racist jokes 	<ul style="list-style-type: none"> ● Follow-up meeting with AP, social worker, SRO 	<ul style="list-style-type: none"> ● Student assigned to an adult mentor 	

<p>APPEARANCE-BASED/DISABILITY HARASSMENT</p> <ul style="list-style-type: none"> ● 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: <ul style="list-style-type: none"> ○ Making fun of someone because of his or her size, weight, height, looks ○ Making fun of someone because of a disability ○ Making fun of someone because of learning needs and/or disability, learning performance, and/or achievement 			
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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:

- a. 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.
- b. Violates copyright law.
- c. 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>1st Offense</u>	<u>2nd Offense</u>	<u>Subsequent</u>
<p><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).</p>	Parent / Guardian contacted & Zero for assignment	MPC, zero for assignment	MPC, zero for assignment, **
<p><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:</p> <ul style="list-style-type: none"> ● Copying or attempting to copy another person’s work ● Submitting another’s work as his/her own ● Giving their work to another ● Using cheat sheets/notes 	Parent / Guardian contacted Zero for assignment	MPC, zero for assignment	MPC, zero for assignment, **

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 Offense	Disciplinary Action			
	1 st Offense	2 nd Offense	3 rd Offense	Subsequent Offenses
Being in possession of a cell phone or other electronic device any time during school hours w/o prior permission	Warning, Confiscation until end of school day	LD, confiscation until end of school day	LD 2+, Det, Parent notification, Confiscation until parent pickup	Det 2+ days, ISS, Parent notification, Confiscation until parent pickup
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 days	ISS	OSS, MPC, CI	OSS 2-5 days, CI, 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.	OSS, CI, ##	2-5 Days OSS, CI, SH ##	5 Day OSS, CI, SH, ##	5 Day OSS, CI, SH, ##

Updated: 7/16/18