

Disciplinary Referral Form

Building Name _____

Student Name: _____ **ID #** _____ **Grade:** _____

Date of Incident: _____ **Time:** _____ **Location:** _____

Referred by: _____ **Position:** _____ **Referral Date** _____

Infraction (see discipline guideline): _____

Description of incident: _____

Staff member action to date (if applicable): _____

Parent contact: date _____ **phone #** _____

Administrative action: Detention ___ **ISS** ___ **OSS** ___ **Supt. Hearing** ___ **Other** ___

Number of Days: _____ **Dates:** _____

Administrator comments: _____

Administrator signature

Date

<i>*Administrative Use Only</i>	
Date Received: _____	VADIR reportable? _____ VADIR Code _____
Additional offenders (if applicable) _____	
Victim(s) (if applicable) _____	
Comments: _____	
<i>*To print on administrator's copy only</i>	

**Discipline Guideline:
Rules and Guidelines for Student Conduct
Enlarged City School District of Middletown, New York**

These are guidelines only; individual interventions and penalties may vary based upon the individual circumstances.

- * Multiple infractions may result in increased specific school actions at the discretion of the administrator.
- ** Students who are found to have violated the district's Code of Conduct may be subject to any of the listed actions, either alone or in combination with one another.
- *** When it may be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior, students with disabilities may enjoy certain procedural protections when school authorities intend to impose discipline upon them. The Board is committed to ensuring that procedures followed for suspending, removing or otherwise disciplining students with disabilities are consistent with procedural safeguards required by applicable laws and regulations.

Penalties: The Board of Education may condition a student's early return to school from suspension on the pupil's voluntary participation in counseling or specified classes, including anger management or dispute resolution.

The District reserves the right to discipline for "off campus" behavior where such behavior by a student;

- a. constitutes a threat to the health, safety, or welfare to staff, students, or volunteers within the school district, or which can be reasonably be understood as urging violent conduct against such persons; or
- b. results in school administrators' reasonable belief that the off-campus behavior creates a foreseeable risk of substantial disruption within the school setting.

Offense	Procedures	Administrative Action**
<p>A. <u>Engage in conduct that is disorderly</u>; EXAMPLES:</p> <ol style="list-style-type: none"> 1. Running in hallways. 2. Making unreasonable noise. 3. Using language or gestures that are profane, lewd, vulgar, or abusive. 4. Engaging in any willful act that disrupts the normal operation of the school community. 5. Trespassing. Students are not permitted in any school building, other than the one they regularly attend, without permission from the administrator in charge of the building. 6. Loitering on school or private property. 7. Parking in unauthorized areas. 8. Obstructing vehicular traffic. 9. Obstructing pedestrian traffic. 	<p>Prior to submitting a referral, there is the expectation that the referring staff member will have done <i>two or more</i> of the following (when possible and appropriate):</p> <ul style="list-style-type: none"> • Verbal warning or discussion with student • Parental contact • Temporary (one period or less) removal of student from classroom • Teacher detention and/or withdrawal of classroom privileges • Consult with support personnel • Other teacher/staff intervention <p><i>Upon receipt of a referral, the administrator will determine specific school action based on a consideration of the student's age, the specific circumstances, frequency of occurrence, prior incidents and interventions, information from other sources, extenuating circumstances, etc. ***</i></p>	<ul style="list-style-type: none"> • Refer to support personnel • Loss of privilege(s) • Loss of parking permit • Detention • Parental notification, written or verbal, and/or conference • Suspension from extra-curricular activities • Suspension from transportation services • In-school suspension • Short-term suspension (five days or less) out of school • Superintendent's hearing • Long-term suspension (more than five days) out of school by Superintendent, Board of Education*** • Permanent suspension from school by Superintendent, Board of Education • Police notification

**** The numbered items under each infraction are examples and NOT an inclusive list

Offense	Procedures	Administrative Action**
<p>B. Engage in conduct that is <u>insubordinate</u>.* <u>EXAMPLES:</u></p> <ol style="list-style-type: none"> 1. Lateness to class. 2. Lateness for school. 3. Class cutting. 4. Skipping detention. 5. Presence in unauthorized area. 6. Leaving school without permission.. 7. Truancy. 8. Possession and or use of contraband. 9. Failure to comply with the dress code or any other school policy 10. Failing to comply with the lawful and reasonable directions of any staff member. 11. Defiance of a staff member's lawful and reasonable directive. 12. Demonstrating disrespect towards any staff member. 	<p>Prior to submitting a referral, there is the expectation that the referring staff member will have done two or more of the following (when possible and appropriate):</p> <ul style="list-style-type: none"> • Verbal warning or discussion with student • Parental contact • Temporary (one period or less) removal of student from classroom • Teacher detention and/or withdrawal of classroom privileges • Consult with support personnel • Other teacher/staff intervention <p><i>Upon receipt of a referral, the administrator will determine specific school action based on a consideration of the student's age, the specific circumstances, frequency of occurrence, prior incidents and interventions, information from other sources, extenuating circumstances, etc. ***</i></p>	<p>Administrative Action**</p> <ul style="list-style-type: none"> • Refer to support personnel • Confiscation of contraband item • Loss of privilege(s) • Detention • Parental notification, written or verbal, and/or conference • Suspension from extra-curricular activities • Suspension from transportation services • In-school suspension • Short-term suspension (five days or less) out of school • Superintendent's hearing • Long-term suspension (more than five days) out of school by Superintendent, Board of Education *** • Permanent suspension from school by Superintendent, Board of Education • Police notification

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<p>C. Engage in conduct that is violent:* EXAMPLES:</p> <ol style="list-style-type: none"> 1. Willfully damaging, defacing, or destroying the personal property of any individual lawfully on school property. 2. Willfully damaging, defacing, or destroying school district property. 3. Committing an act of violence (such as but not limited to hitting, kicking, spitting, punching, scratching, and/or threatening) upon any person lawfully on school property. 4. Possessing a weapon on school property or at a school sponsored event. "Weapon" (see Annotated Code of Conduct) means any dangerous instrument that can cause physical injury or death. 5. Displaying what appears to be a weapon. 6. Threatening to use violence, a weapon or any other instrument for a violent purpose. 7. Complicity to commit arson. 8. Sexual assault. 9. Use of a weapon or any other instrument for a violent purpose. 	<p>Immediately contact an administrator.</p> <hr/> <p><i>The administrator will:</i></p> <p><i>Investigate the circumstances and impact of the behavior.</i></p> <p><i>Retrieve potentially dangerous item(s) from student.</i></p> <p><i>Interview student, referring staff member, and witnesses.</i></p> <p><i>Contact law enforcement if violation of penal law is suspected.</i></p> <p><i>Where applicable, contact Superintendent. ***</i></p>	<ul style="list-style-type: none"> • Restitution for damages • District may pursue legal action to obtain restitution for damages • Refer to student support personnel • Mediation • Confiscation of weapon or instrument • Administrator referral and intervention • Parental notification, written or verbal, and/or conference • Suspension from extra-curricular activities • Suspension from transportation services • In-school suspension • Short-term suspension (five days or less) out of school • Superintendent's hearing • Long-term suspension (more than five days) out of school by Superintendent, Board of Education*** • Permanent suspension from school by Superintendent, Board of Education • Contact law enforcement if violation of penal law is suspected.

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<p>D. <u>Engage in conduct that endangers the safety, morals, health or welfare of others.*</u> <u>Off Campus Behavior – Threats/Foreseeable Risk of Substantial Disruption (See Page 1 box)</u> <u>EXAMPLES:</u></p> <ol style="list-style-type: none"> 1. Misleading and/or lying to school personnel. 2. Stealing school property and/or the property of others. 3. Defamation. 4. Discrimination. 5. Harassment. 6. Bullying, intimidation, or coercion. 7. Hazing. 8. Act of sexual harassment as defined in the district's sexual harassment policy. 9. Intentional use of vulgar or abusive language directed at any person lawfully on school property or at any school-sanctioned event. 10. Possession, exchanging, distribution, selling or use of lewd and/or obscene material. 11. Smoking a cigarette, cigar, pipe or using chewing or smokeless tobacco. 12. Possession, exchanging, distributing, selling, or use of alcoholic beverages, illegal substances, or paraphernalia (see Code). 13. Inappropriately using, sharing, or selling over the counter or prescription drugs. 14. Gambling and/or the use of gambling for money, services, or other materials as a means of exploitation. (see Code) 15. Indecent exposure. 16. Initiating a false report or misusing safety equipment (see code) 17. Creating an unsafe situation. 18. Inciting a riot. 19. Open flame – unauthorized use of a lighter, match, etc. 20. Possession, exchanging, distribution, selling, or use of fireworks or other incendiary items on school property or at school functions. 21. Use or possession of counterfeit items. 	<p>Prior to submitting a referral, there is the expectation that the referring staff member will have done <i>one or more</i> of the following (when possible and appropriate):</p> <ul style="list-style-type: none"> • Verbal warning or discussion with student • Parental contact • Consult with support personnel • Other teacher/staff intervention • Contact an administrator. <p><i>Upon receipt of a referral, the administrator will determine specific school action based on a consideration of the student's age, the specific circumstances, frequency of occurrence, prior incidents and interventions, information from other sources, extenuating circumstances, etc. ***</i></p>	<ul style="list-style-type: none"> • Investigate the circumstances and impact of the behavior. • Retrieve potentially dangerous item(s) from student. • Interview student, referring staff member, and witnesses. • Where applicable, contact Superintendent. • Refer to student support personnel • Mediation • Loss of privilege(s) • Detention • Parental notification, written or verbal, and/or conference • Suspension from extra-curricular activities • Suspension from transportation services • In-school suspension • Short-term suspension (five days or less) out of school • Superintendent's hearing • Long-term suspension (more than five days) out of school by Superintendent, Board of Education*** • Permanent suspension from school by Superintendent, Board of Education • Contact law enforcement if violation of penal law is suspected.

Offense	Procedures	Administrative Action**
<p>E. Engage in misconduct while on a school bus:*</p> <ol style="list-style-type: none"> 1. Excessive noise, rude, annoying conduct 2. Improper boarding or departure procedures 3. Foul language or gesture 4. Spitting, littering 5. Eating, drinking 6. Hanging out of window 7. Failure to remain seated 8. Pushing, tripping, fighting 9. Any action deemed to interfere with the orderly operation and safety of the bus by the driver or other supervisor 10. Misbehavior while waiting for or after exiting a bus when not on school property 11. Any action that distracts the driver 12. All other appropriate offenses identified in this document 13. Throwing objects inside or outside of a bus 14. Insubordination/refusing to obey the driver 15. Lighting matches/smoking on the bus 16. Destruction of property 17. Tampering with bus equipment 	<p>The bus driver will notify an administrator in writing using the appropriate form, and/or will immediately report any incident to a building administrator or school security staff member.</p> <p><i>Upon receipt of a referral, the administrator will determine specific school action based on a consideration of the student's age, the specific circumstances, frequency of occurrence, prior incidents and interventions, information from other sources, extenuating circumstances, etc.***</i></p>	<ul style="list-style-type: none"> • Student may be subject to any disciplinary administrative action previously identified in this document pending the severity of the misbehavior*** • Student may lose bus riding privileges

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<p>F. <u>Engage in any form of academic misconduct</u>:* EXAMPLES:</p> <ol style="list-style-type: none"> 1. Plagiarism 2. Cheating 3. Body language or gestures to communicate responses 4. Wrongful possession or use of academic material 5. Forgery or alteration of academic material 6. Theft and/or destruction of academic material or records 	<p>Prior to submitting a referral, there is the expectation that the referring staff member will have discussed the matter with the student and contacted the parent. The staff member may also:</p> <ul style="list-style-type: none"> • Provide a verbal warning to the student • Consult with support personnel • Solicit other teacher/staff intervention • Contact an administrator. <p><i>Upon receipt of a referral, the administrator will determine specific school action based on a consideration of the student's age, the specific circumstances, frequency of occurrence, prior incidents and interventions, information from other sources, extenuating circumstances, etc. ***</i></p>	<ul style="list-style-type: none"> • Removal of privileges • Detention • In school suspension • Out of school suspension • Grade reduction • Course failure • Removal from course***

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<p>Offense</p> <p><u>G. Engage in any conduct that violates the use of electronic equipment or the District computer policy;*</u> EXAMPLES:</p> <ol style="list-style-type: none"> Policy 7314: Student Use of Computerized Information Resources (Acceptable Use Policy). Policy 8271: The Children's Internet Protection Act; Internet Content Filtering/Safety Policy. <th data-bbox="82 814 1161 1392"> <p>Procedures</p> <p>“Students who engage in unacceptable use may lose access to the District computer system in accordance with applicable due process procedures, and may be subject to further discipline under the district’s school conduct and discipline policy and the Student Code of Conduct.”</p> <p>“Student data files and other electronic storage areas will be treated like school lockers. Such areas shall be considered School district property subject to control and inspection.” (Policy 7314).</p> <p>“In compliance with this Internet Safety Policy as well as the District’s Acceptable Use Policy, unauthorized access (including so-called “hacking”) and other unlawful activities by minors are prohibited by the District; and student violations of such policies may result in disciplinary action.”</p> <p>“The determination of what is “inappropriate” for minors shall be determined by the District and /or designated school official(s).” (Policy 8271).</p> <p><i>Upon receipt of a referral, the administrator will determine specific school action based on a consideration of the student’s age, the specific circumstances, frequency of occurrence, prior incidents and interventions, information from other sources, extenuating circumstances, etc.***</i></p> <th data-bbox="82 231 1161 814"> <p>Administrative Action**</p> <p>Students who are found to have violated the district’s Policy 7314 or Policy 8271 may be subject to any of the previously listed school actions, either alone or in combination with one another.***</p> <p>“The District reserves the right to pursue legal action against a student who willfully, maliciously, or unlawfully damages or destroys property of the District.”</p> <p>“The District may bring suit in civil court against the parents/guardians of any student who willfully, maliciously, or unlawfully damages or destroys District property pursuant to General Obligations Law Section 3-112.” (Policy 7314).</p> </th></th>	<p>Procedures</p> <p>“Students who engage in unacceptable use may lose access to the District computer system in accordance with applicable due process procedures, and may be subject to further discipline under the district’s school conduct and discipline policy and the Student Code of Conduct.”</p> <p>“Student data files and other electronic storage areas will be treated like school lockers. Such areas shall be considered School district property subject to control and inspection.” (Policy 7314).</p> <p>“In compliance with this Internet Safety Policy as well as the District’s Acceptable Use Policy, unauthorized access (including so-called “hacking”) and other unlawful activities by minors are prohibited by the District; and student violations of such policies may result in disciplinary action.”</p> <p>“The determination of what is “inappropriate” for minors shall be determined by the District and /or designated school official(s).” (Policy 8271).</p> <p><i>Upon receipt of a referral, the administrator will determine specific school action based on a consideration of the student’s age, the specific circumstances, frequency of occurrence, prior incidents and interventions, information from other sources, extenuating circumstances, etc.***</i></p> <th data-bbox="82 231 1161 814"> <p>Administrative Action**</p> <p>Students who are found to have violated the district’s Policy 7314 or Policy 8271 may be subject to any of the previously listed school actions, either alone or in combination with one another.***</p> <p>“The District reserves the right to pursue legal action against a student who willfully, maliciously, or unlawfully damages or destroys property of the District.”</p> <p>“The District may bring suit in civil court against the parents/guardians of any student who willfully, maliciously, or unlawfully damages or destroys District property pursuant to General Obligations Law Section 3-112.” (Policy 7314).</p> </th>	<p>Administrative Action**</p> <p>Students who are found to have violated the district’s Policy 7314 or Policy 8271 may be subject to any of the previously listed school actions, either alone or in combination with one another.***</p> <p>“The District reserves the right to pursue legal action against a student who willfully, maliciously, or unlawfully damages or destroys property of the District.”</p> <p>“The District may bring suit in civil court against the parents/guardians of any student who willfully, maliciously, or unlawfully damages or destroys District property pursuant to General Obligations Law Section 3-112.” (Policy 7314).</p>

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