STUDENT DISCIPLINE/CODE OF CONDUCT

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A. Purpose

The purpose of these regulations is to achieve the following:

1. Foster the health, safety, social, and emotional well-being of students;

2. Support the establishment and maintenance of civil, safe, secure, supportive, and disciplined school environments conducive to learning;

3. Promote achievement of high academic standards;

4. Prevent the occurrence of problem behaviors;

5. Establish parameters for the intervention and remediation of student problem behaviors at all stages of identification; and

6. Establish parameters for school responses to violations of the student discipline/code of conduct that take into account, at a minimum, the severity of the offenses, the developmental ages of the student offenders, and students' histories of inappropriate behaviors.

B. Rules of Conduct

1. All students are bound by law, policies of the Board of Education, and the administrative regulations of this school district.

2. In addition, students shall not:

   a. Be insubordinate to teachers or other school staff members or disregard their instructions or demonstrate lack of respect for their authority;

   b. Create disorder or disruptions on school premises;

   c. Use, threaten, or incite the use of physical force against other students, staff members, or visitors to the school;

d. Steal, damage, or deface the property of other students, staff members, or the district;

e. Engage in the sexual and/or other harassment of students or staff members;

f. Violate codes of conduct adopted for organizations of students;

g. Possess or use weapons or any implement intended to harm others;

h. Use foul, abusive, derogatory, or demeaning language, including racial and ethnic remarks;

i. Convey information about other students or staff members known to be false;

j. Act so recklessly as to endanger the safety of others;

k. Procure the property of others by threat or intimidation;

l. Enter school premises or any specific portion of the premises without permission and without authority;

m. Vandalize school property, real or personal;

n. Create litter on school property;

o. Be truant from school or class;

p. Cheat or otherwise engage in academic dishonesty;

q. Persistently refuse to complete homework and other assignments;

r. Engage in illegal gambling;

s. Smoke on school property;

t. Falsify an excuse or any school document;

u. Set fire to or cause a fire in any way on school premises;

v. Possess or explode a firecracker or other explosive device on school premises;

w. Sound or cause to be sounded a false alarm for fire, bomb, or other condition or circumstance hazardous to others;

x. Possess, use, or distribute a substance in violation of Policy No. 5530;

y. Join a secret society prohibited by law;

z. Commit an act of harassment, intimidation, or bullying; or

aa. Engage in any other activity expressly prohibited by a school staff member in authority.

3. Students assigned to a school bus must obey all school rules, and

a. Show respect for the driver at all times;

b. Enter and leave the bus in an orderly manner;

c. Ride only the bus to which they have been assigned;

d. Be and remain seated while the bus is in motion;

e. Avoid reckless and boisterous activity at all times, including during waits at pickup points;

f. Talk in a reasonable tone of voice and avoid loud noises;

g. Extend no portion of the body or other object out a bus window;

h. Keep aisles clear at all times;

i. Refrain from bringing animals or bulky, unmanageable projects onto the school bus;

j. Refrain from smoking, eating, and drinking on the bus; and

k. Not possess, use, or distribute any substance in violation of Policy No. 5530.

4. The Building Principal or designee has the right to impose a consequence on a student 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 student's physical or emotional safety, security, and well-being or for reasons relating to the safety, security, and well-being of other students, 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. Consequences shall be handled in accordance with Policy and Regulation 5600, pursuant to N.J.A.C. 6A:16-7.1, and as appropriate, in accordance with N.J.A.C. 6A:16-7-2, 6A:16-7.3, or 6A:16-7.5.

C. Disciplinary Measures

The following disciplinary measures may be applied as appropriate to the student's violation of school rules. The measures are sequential and are organized in order of severity.

1. Admonishment

A school staff member in authority may admonish the student for his/her unacceptable conduct and warn the student that additional misconduct may warrant a more severe penalty.

2. Temporary Removal from Classroom

a. The classroom teacher may direct the student to report to the office of the administrator in charge of student discipline.

b. The teacher will complete a form that indicates the student's name, homeroom, and the conduct that has caused the student's removal from the room.

c. The administrator in charge of discipline will interview the student and determine which, if any, additional disciplinary steps are indicated.

3. Deprivation of Privileges

The student may be deprived of the privilege of:

a. Moving freely about the school building,

b. Participation in co-curricular or inter/intrascholastic activities,

c. Attendance at a school-related social or sports activity,

d. Participation in a graduation ceremony,

e. Transportation by school bus, or

f. Any other privilege the Building Principal or designee determines may be appropriate and consistent with Policy 5600 and N.J.A.C. 6A:16-7.1 et seq.

4. Detention

a. The student may be required to report before or after the school day to a detention room for a period of supervised study.

b. Transportation will be the responsibility of the student's parent(s) or legal guardian(s).

c. The student may be excused from detention only for an unavoidable commitment previously made; any such excused detention must be made up on another day.

5. Grading

A student who has cheated on a test or assignment, plagiarized material, falsified sources, refused to submit assignments, or otherwise indulged in academic dishonesty or negligence (paragraph B.2.p. and paragraph B.2.q.) may suffer a reduced grade by virtue of the disqualified work. In no other instance may a student's grade be lowered as a direct penalty for misconduct.

6. In-School Suspension

a. The student may be removed from his/her regular classes and required to report to an in-school suspension program for supervised study.

b. In-school suspension is a deprivation of the student's right to a thorough and efficient education and will not be imposed without the due process set forth in Policy and Regulation 5610.

7. Suspension from School

a. The student may be denied the right to attend school for a period of time pursuant to N.J.S.A. 18A:37-2, N.J.A.C. 6A:16-7.2, and 6A:16-7.3, and Policy 5610.

b. Suspension from school is a deprivation of the student's right to a thorough and efficient education and will not be imposed without the due process set forth in Policy and Regulation 5610.

8. Expulsion

a. The Board may expel a general education student from school, pursuant to N.J.S.A. 18A:37-2, N.J.A.C. 6A:16-7.5, and Policy 5620.

b. Expulsion is an extremely serious disciplinary measure; it deprives the student of his/her right to a thorough and efficient education and will not be imposed without the due process set forth in Policies 5610 and 5620.

D. Remedial Measures

The following remedial measures may be taken to aid in correcting student conduct and to ensure that the student is properly placed in an appropriate educational environment and is not in need of special education and/or related services.

1. Restitution and Restoration

a. The student may be required to:

(1) Make restitution, in kind or cost or labor, for any loss he/she has caused; or

(2) Restore to its former condition, by his/her own labor, any property the student has damaged or defaced.

b. A student who refuses to make restitution or restoration as directed may be disciplined by one or more of the measures included in section C.

2. Counseling

a. The student may be required to consult with school guidance counselors to determine the cause(s) of his/her misconduct and to assess the need for a change in educational placement.

b. The counselor will explain:

(1) Why the student's conduct is unacceptable to the school and damaging to the student,

(2) What the consequences of continued misconduct are likely to be, and

(3) Appropriate alternate behaviors.

c. The counselor may refer the student, as appropriate, for additional counseling, evaluation, intervention, treatment, or therapy. Referrals may be made to:

(1) The Child Study Team,

(2) Intervention and Referral Team,

(3) A public or private social agency, or

(4) A legal agency.

3. Parent Conferences

The student may be required to attend a meeting with his/her parent(s) and appropriate staff members to discuss the causes of the student's behavior, possible remediation, potential disciplinary measures, and alternative conduct.

4. Alternate Educational Program

The student may be assigned to an alternate educational program as recommended by the student's guidance counselor, classroom teacher, Child Study Team, and/or Superintendent.

E. Consequences and Remedial Measures for Acts of Harassment, Intimidation, or Bullying

1. Consequences

Consequences for a student who commits an act of harassment, intimidation, or bullying shall be varied and graded according to the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and performance.

a. The consequences may include, but are not limited to, the examples listed below:

(1) Admonishment;

(2) Temporary removal from the classroom;

(3) Deprivation of privileges;

(4) Classroom or administrative detention;

(5) Referral to disciplinarian;

(6) In-school suspension during the school week or the weekend;

(7) After-school programs;

(8) Out-of-school suspension (short-term or long-term);

(9) Reports to law enforcement;

(10) Expulsion; and

(11) Participating in school district-sponsored programs.

2. Remedial Measures

Remedial measures shall be designed to correct the problem behavior; prevent another occurrence of the problem; protect and provide support for the victim of the act; and take corrective action for documented systemic problems related to harassment, intimidation, or bullying.

F. Student Behaviors Subject to Discipline

Below is a listing of student behaviors that are subject to student discipline including suspension or expulsion pursuant to N.J.S.A. 18A:37-2. The behaviors include, but are not limited to: Insubordination, Disruption, Use of Force, Theft, Damage, Sexual Harassment, Code Violation, Weapon Possession, Language Misuse, Falsifications, Recklessness, Extortion, Wrongful Entry, Vandalism, Fighting, Littering, Truancy, Cheating, Non-cooperation, Gambling, Smoking, Cutting Detention, Forgery, Arson, Exploding Devices,

Falsifying Alarm, Substance Abuse, Secret Membership, Disobedience, and Misuse of Computer Networks/Computers.

G. Disciplinary Procedures

1. The Student Discipline/Code of Conduct Policy and Regulation 5600 shall be disseminated annually to all school staff, students, and parent(s). Principals will distribute these documents to all students on the first day of each school year and to transferring students on the first day of their enrollment in this district.

2. Teachers and administrators in charge of student discipline shall make every effort to administer these rules consistently and fairly.

3. The staff member who disciplines a student for conduct shall, however minimal the offense or the discipline,

   a. Orally inform the student of the conduct for which he/she is being disciplined; and

   b. Offer the student an opportunity to deny the charge or to present extenuating circumstances.

4. Where the discipline is greater than an admonishment, the student's parent(s) or legal guardian(s) will be notified of the offense and of the discipline imposed and will be offered an opportunity to confer with the building administrator.

5. Where the offense is serious and the discipline greater than detention, every effort will be made to notify the parent(s) prior to the informal hearing conducted in accordance with paragraph G3.

6. An in-school suspension, suspension from school, or expulsion will be conducted in strict accordance with law and Policies 5610 and 5620.

7. Violations of the rules regarding student conduct on school buses will be handled as follows.

   a. The driver will report the offensive conduct to the Principal of the school in which the student is enrolled by submission of a completed written form that includes the name of the student, the school, and the specific offensive conduct.

   b. The parent(s) or legal guardian(s) will be notified, by copy of the form, of the student's

conduct.

c. The Principal or designee will determine the discipline to be administered, in accordance with the severity of the infraction.

(1) When the misconduct is not severe, the student may be counseled and the parents called. If the misconduct continues, the student may receive a detention, may be temporarily suspended from the bus, and a parent conference held.

(2) When the misconduct is severe, the student may be summarily suspended from the bus pending a conference with the parent(s) or legal guardian(s) and further disciplinary action.

H. Students with Disabilities

For students with disabilities, subject to Individualized Education Programs in accordance with 20 U.S.C. § 1400 et seq., the Individuals with Disabilities Educational Improvement Act, and accommodation plans under 29 U.S.C. §§ 794 and 705(20), student discipline and the code of conduct shall be implemented in accordance with the components of the applicable plans.

I. Student Rights

Students subject to the consequences of the Student Discipline/Code of Conduct Policy and Regulation shall be informed of their rights, pursuant to N.J.A.C. 6A:16-7.1(c)3.i. through vii., that include:

1. Advance notice of behaviors that will result in suspensions and expulsions that have been identified under authority of N.J.S.A. 18A:37-2;

2. Education that supports students' development into productive citizens;

3. Attendance in safe and secure school environments;

4. Attendance at school irrespective of students' marriage, pregnancy, or parenthood;

5. Due process and appeal procedures, pursuant to N.J.A.C. 6A:3-1.3 through 1.17, N.J.A.C. 6A:4 and, where applicable, N.J.A.C. 6A:14-2.7 and 2.8;

6. Parent notification consistent with the policies and procedures established pursuant to N.J.A.C. 6A:16-6.2(b)3; and

7. Protections pursuant to 20 U.S.C. § 1232g and 34 CFR Part 99, Family Educational Rights and Privacy Act; 20 U.S.C. § 1232h and 34 CFR Part 98, Protection of Student Rights Amendment; N.J.A.C. 6:3-6, Student Records; 45 CFR § 160, Health Insurance Portability and Accountability Act; 20 U.S.C. § 6301, Title IV(A)IV § 4155 of the Elementary and Secondary Education Act as reauthorized under the No Child Left Behind Act; 42 CFR Part 2, Confidentiality of Alcohol and Drug Abuse Patient Records; N.J.S.A. 18A:40A-7.1, School-based drug and alcohol abuse counseling; information from participants; disclosure; N.J.A.C. 6A:16-3.2, Confidentiality of student alcohol and other drug information; N.J.S.A. 18A:36-19, Creation; Student Records: Maintenance and Retention, Security and Access; Regulations; Non-Liability; N.J.A.C. 6A:14-2.9, Student Records; as well as other existing Federal and State laws pertaining to student protections.

J. Records

1. Instances of student discipline will be recorded in the student's file in strict compliance with N.J.A.C. 6A:32-7.1 et seq. and Policy No. 8330.

2. When a student transfers to a public school district from another public school district, all information in the student's record related to disciplinary actions taken against the student by the school district and any information the school district has obtained pursuant to N.J.S.A. 2A:4A-60, disclosure of juvenile information; penalties for disclosure, shall be provided to the receiving public school district, in accordance with the provisions of N.J.S.A. 18A:36-19(a), N.J.A.C. 6A:32-7.5(e)10.iv., and N.J.A.C. 6A:16-7.10.

   a. The record shall be provided within two weeks of the date that the student enrolls in the receiving district.

   b. Written consent of the parent or adult student shall not be required as a condition of the transfer of this information, however, written notice of the transfer shall be provided to the parent or the adult student.

   c. When a student transfers to a private school, which includes all sectarian or nonsectarian nonprofit institutional day or residential schools that provide education for students placed by their parents and that are controlled by other than public authority, all student disciplinary records, with respect to suspensions or expulsions, shall be provided by the

public school district of residence to the private school upon written request from the private school, in the same manner as such records would be provided by a public school district of residence to another public school district, pursuant to N.J.A.C. 6A:16-7.10(b).

d. The Board shall not use a student's past offenses on record to discriminate against that student.

e. All student disciplinary records maintained in the district shall conform with the requirements set forth in N.J.A.C. 6A:16-7.10(d).

K. Annual Report

The Superintendent of Schools shall report annually on the implementation of the Student Discipline/Code of Conduct Policy to the Board at a public meeting. The annual summary shall contain, at a minimum:

1. A numerical inventory of all violations of the student behavioral expectations in the Student Discipline/Code of Conduct Policy and Regulation;

2. Associated school responses to the violations of the student behavioral expectations;

3. An explanation and evidence of the effectiveness of the Student Discipline/Code of Conduct Policy and Regulation. The explanation and evidence, at a minimum, shall address:

   a. The degree of effectiveness of the school district's activities in achieving the purposes of the Student Discipline/Code of Conduct Policy and Regulation, pursuant to the purposes as outlined in A. above; and

   b. The degree and effectiveness of the implementation of the contents of the Student Discipline/Code of Conduct Policy and Regulation.

4. Any proposed changes to the school district's current policies, procedures, programs or initiatives, based on the annual report.

Date Adopted: 5/24/07

Date Revised: 7/21/11