

R 5600 **STUDENT PUPIL** DISCIPLINE/CODE OF CONDUCT (M)

A. Overview

Good **student pupil** discipline is essential to the success of school programs. Without good discipline, a school cannot meet its goals to develop citizenship, and **students pupils** lose opportunities to realize their potential for growth. In maintaining discipline, teachers must be assured they will receive support from the school administration and the Board of Education. To that end, the Board establishes the following guidelines:

1. Good discipline is constructive and positive rather than destructive and negative in nature.
2. Disciplinary action should be administered in such a way that **students pupils** are not embarrassed before their social groups. Teachers should neither make denigrating remarks to **students pupils** about other **students pupils** nor should they engage in classroom interactions, which will cause or reflect discredit upon **students pupils** before their peers.
3. Teachers must hold conferences with parent(s)/guardian(s) in an effort to improve a **student's pupil's** behavior. Teachers may assign after school detention as a disciplinary measure provided transportation home is arranged when needed. Teacher detentions should be used to meet with the **student pupil** to discuss appropriate classroom behavior.
4. After ordinary and usual well-documented methods of behavior modification prove ineffective and a **student's pupil's** behavior interferes with teaching and learning, a teacher may remove the **student pupil** from that situation for the rest of that period by sending the **student pupil** to the Vice-Principal. A brief written report, which states the problem, must accompany the **student pupil**. Teachers must follow up such incidents with continued individual efforts to modify that **student's pupil's** behavior.
5. School administrators may establish after-school detention and/or Full Day Detention (FDD) supervised by teachers. Only Vice-Principals and Principals may assign **students pupils** to administrative detention. (See Policy 5600).



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6. The school Principal or his/her designee shall be authorized to suspend **students** ~~pupils~~ out of school for specific periods as provided in this and other Board policies or pending a parent/guardian conference. In accordance with statute, the Principal shall report all out of school suspensions in writing to the Superintendent.

7. ~~The following behavior incidents must be referred to the Office of the Vice Principal in writing, in accordance with procedures established by the Building Principal.~~
 - a. ~~Smoking~~
 - b. ~~Fighting or any violence directed at another pupil or a member of the staff, including carrying a weapon of any type.~~
 - c. ~~Commit an act of harassment, intimidation, or bullying.~~
 - d. ~~Possession of a weapon of any kind.~~
 - e. ~~Teacher / pupil bullying, harassment, and/or intimidation~~
 - f. ~~Possession/use of alcohol/drugs, including steroids~~
 - g. ~~Truancy, which also includes cutting or excessive lateness to class or school~~
 - h. ~~Cutting class or detention~~
 - i. ~~Insubordination (lack of obedience) and/or profanity~~
 - j. ~~Theft / extortion~~
 - k. ~~Damage to school property or the property of others~~
 - l. ~~Frequent or excessive absence or tardiness~~
 - m. ~~Removal from class for major disciplinary reasons~~
 - n. ~~Setting off a fire alarm or making a bomb threat~~



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o. Dress code violation

p. Sexual harassment

q. Other matters, which a teacher believes, should come to the attention of supervisors or administrators but which are not minor in nature.

8. Remedial Measures

The following remedial measures may be taken to aid in correcting pupil conduct and to ensure that the pupil 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 pupil 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 pupil has damaged or defaced.

b. A pupil who refuses to make restitution or restoration as directed may be disciplined by one or more of the measures included at paragraph C.

2. Counseling

a. The pupil may be required to consult with school counselors to determine the causes of his/her misconduct and to assess the need for a change in educational placement.

b. The counselor will explain:

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

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



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(3) Appropriate alternate behaviors.

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

4. Alternate Educational Program

The pupil may be assigned to an alternate educational program as recommended by the pupil's school counselor, Child Study Team, Principal, and/or Superintendent.

B. Purpose

The Student Code of Conduct and this Regulation are established to achieve the following purposes:

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 problem student behaviors at all stages of identification; and
6. Establish parameters for school responses to violations of the code of student conduct that take into account, at a minimum, the severity of the offenses, the developmental ages of student offenders and students' histories of inappropriate behaviors in accordance with N.J.A.C. 6A:16-7.2 through 7.8, as appropriate.

C. Expectations for Academic Achievement, Behavior, and Attendance

All students have a responsibility to comply with State statutes and administrative codes for academic achievement, behavior, and attendance, pursuant to N.J.A.C. 6A:32-8 and 13.1.

D. Behaviors That May Result in Suspension or Expulsion

In accordance with the provisions of N.J.S.A. 18A:37-2, any student who is guilty of continued and willful disobedience, open defiance of the authority of any teacher or person having authority over the student, the habitual use of profanity or of obscene language, or who shall cut, deface or otherwise injure any school property, shall be liable to punishment and to suspension or expulsion from school. Conduct which shall constitute good cause for suspension or expulsion of a student guilty of such conduct shall include, but not be limited to, any of the following:

1. Continued and willful disobedience;
2. Open defiance of the authority of any teacher or person, having authority over the student;
3. Conduct of such character as to constitute a continuing danger to the physical well-being of other students;
4. Physical assault upon another student;



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5. Taking, or attempting to take, personal property or money from another student, or from the student's presence, by means of force or fear;
6. Willfully causing, or attempting to cause, substantial damage to school property, and/or the property of another student or staff member;
7. Participation in an unauthorized occupancy by any group of students or others of any part of any school or other building owned by any school district, and failure to leave such school or other facility promptly after having been directed to do so by the Principal or other person then in charge of such building or facility;
8. Incitement which is intended to and does result in unauthorized occupation by any group of students or others of any part of a school or other facility owned by any school district;
9. Incitement which is intended to and does result in truancy by other students;
10. Knowing possession or knowing consumption without legal authority of alcoholic beverages or controlled dangerous substances on school premises, or being under the influence of intoxicating liquor or controlled dangerous substances while on school premises; and
11. Harassment, intimidation, or bullying.
12. Students shall also be suspended from school for assault upon a school staff member in accordance with the provisions of N.J.S.A. 18A:37-2.1 and 2.2.;
13. Smoking;
14. Possession of a weapon of any kind;
15. Fighting or any violence directed at another student or a member of the staff;



16. Setting off a fire alarm or making a bomb threat;

E. Students' 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, and N.J.A.C. 6A:16-7.2 through 7.5;
6. Parent notification consistent with the policies and procedures established pursuant to N.J.A.C. 6A:16-6.2(b)3 and N.J.A.C. 6A:16-7.1 through 7.8; and
7. Protections pursuant to 20 U.S.C. § 1232g, Family Educational Rights and Privacy Act; 34 CFR Part 99, Family Educational Rights and Privacy; 20 U.S.C. § 1232h, Protection of Pupil Rights; 34 CFR Part 98, Student Rights in Research, Experimental Programs and Testing; P.L. 104-191, Health Insurance Portability and Accountability Act; 45 CFR Part 160, General Administrative Requirements; 20 U.S.C. § 7165, Transfer of school disciplinary records; 42 CFR Part 2, Confidentiality of Alcohol and Drug Abuse Patient Records; N.J.S.A. 18A:40A-7.1, Confidentiality of certain information provided by pupils, exceptions; N.J.A.C. 6A:16-3.2, Confidentiality of student alcohol and other drug



information; N.J.S.A. 18A:36-19, Pupil records, creation, maintenance and retention, security and access, regulations, nonliability; N.J.S.A. 2A:4A-60, Disclosure of juvenile information, penalties for disclosure; N.J.A.C. 6A:32-7, Student Records; N.J.A.C. 6A:14-2.9, Student records, as well as other existing Federal and State laws and rules pertaining to student protections.

F. Comprehensive Behavioral Supports

Below are behavioral supports that promote positive student development and the students' abilities to fulfill the behavioral expectations established by the Board. These behavioral supports may include, but are not limited to, the following:

1. Positive Reinforcement for Good Conduct and Academic Success

A student will be provided positive reinforcement for good conduct and academic success which may include, but are not limited to:

- a. verbal praise and encouragement;
- b. tangible reinforcers, as applicable;
- c. specific social privileges, as applicable

2. Supportive Interventions and Referral Services

A student may be referred to the school's Intervention and Referral Services Team in accordance with the provisions of N.J.A.C. 6A:16-8.1 and 8.2 and Policy and Regulation 2417.



3. Remediation of Problem Behavior

The following actions may be taken to remediate problem behavior. These actions will take into account the behavior's nature, the students' developmental ages, and the students' histories of problem behaviors and performance.

a. Restitution and Restoration

- (1) A student may be required to make restitution for any loss resulting from the student's conduct; or
- (2) A student may be required, at the discretion of the school district and when appropriate, to restore to its former condition any damaged or defaced property resulting from the student's conduct.

b. Counseling

- (1) A student may be required to consult with school guidance counselors or Child Study Team members.
- (2) The counselor will explain why the student's conduct is unacceptable to the school and damaging to the student, what the consequences of continued misconduct are likely to be, and appropriate alternative behaviors.
- (3) The counselor may refer the student, as appropriate, for additional counseling, evaluation, intervention, treatment, or therapy. Referrals may be made to the Child Study Team, the school's Intervention and Referral Services Team, a public or private social agency, a legal agency, or any other referral service that may assist the student.

c. Parent Conferences

- (1) Students may be required to attend a meeting with their parent and appropriate school staff members to discuss the causes of the student's behavior,



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possible remediation, potential disciplinary measures, and alternative conduct.

d. Alternate Educational Program

- (1) Students may be assigned to an alternate educational program as recommended by the school principal, and agreed upon by the Superintendent and/or his/her designee.

4. Students with Disabilities

For students with disabilities, the remedial measures and behavioral interventions and supports shall be determined and provided pursuant to N.J.A.C. 6A:14.

G. School Responses to Violations of Behavioral Expectations

1. In accordance with the provisions of N.J.A.C. 6A:16-7.1(c)5, the Student Code of Conduct shall include a description of school responses to violations of behavioral expectations established by the Board of Education that, at a minimum are graded according to the severity of the offenses, and consider the developmental ages of the student offenders and their histories of inappropriate behavior that shall:
 - a. Include a continuum of actions designed to remediate and, where necessary or required by law, to impose sanctions;
 - b. Be consistent with other responses, pursuant to N.J.A.C. 6A:16-5.5;
 - c. Provide for equitable application of the Code of Student Conduct without regard to race; color; religion; ancestry; national origin; nationality; sex; gender; sexual orientation; gender identity or expression; marital, domestic-partnership, or civil union; mental, physical, or sensory



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disability; or any other distinguishing characteristic, pursuant to N.J.S.A. 10:5-1 et seq. and

- d. Be consistent with provisions of N.J.S.A. 18A:6-1, Corporal Punishment of Students.

H. Description of School Responses

School responses to violations of behavioral expectations are listed below:

1. Admonishment/Reprimand

- a. A school staff member in authority may admonish or reprimand a student's 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 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 and the conduct that has caused the student's removal from the teacher's room.
- c. The administrator in charge of discipline will interview the student and determine which, if any, additional consequences shall be imposed.

3. Meeting with School Administration and Parent

- a. The student's parent may be required to attend a meeting with the Principal or designee and the student to discuss the student's conduct and to ensure the parent and the student understand school rules and expectations.



4. Deprivation of Privileges

a. Students may be deprived privileges as disciplinary sanctions when designed to maintain the order and integrity of the school environment. These privileges may include, but are not limited to:

(1) Moving freely about the school building;

(2) Participation in co-curricular or inter/intrascholastic activities;

(3) Attendance at a school-related social or sports activity;

(4) Participation in a graduation ceremony;

(5) Transportation to and from school on a school bus;
or

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

5. Detention

a. A student may be required to report before or after the school day to detention. This detention may be assigned by the teacher or the Principal or designee.

b. Transportation to detention before school or from detention after school will be the responsibility of the parent.

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

6. Grade Adjustment

a. A student who has cheated on a test or assignment, plagiarized material, falsified sources, refused to submit



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assignments, or otherwise indulged in academic dishonesty or negligence 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.

7. In-school Suspension

- a. If the school operates an in-school suspension program, a student may be removed from his/her regular classes and required to report to the in-school suspension program.
- b. In-school suspension will not be imposed without the due process procedures set forth in Policy and Regulation 5610.

8. Suspension from School

- a. A 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 will not be imposed without the due process procedures set forth in Policy and Regulation 5610.

9. 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:16-7.4, and Policy 5620.
- b. Expulsion is an extremely serious disciplinary measure and will not be imposed without the due process set forth in Policy and Regulation 5610 and Policy 5620.

I. Specific Incidents and Responses

1. When a **student** ~~pupil~~ is referred to a Vice-Principal for the listed infractions, action will be taken in accordance with the following provisions of this



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regulation and/or other governing policies/regulations of the Board and the school and shall be documented at each step.

- a. The first instance of cutting a class will result in a conference with the **student pupil** and an administrative detention. The second and subsequent offenses shall result in additional detentions and/or Full Day Detention (FDD) pending parental conferences. (See **Student Pupil** Discipline grid contained in this regulation)
- b. In a case where a student does not attend an administrative detention, which was reassigned, the student could be referred to the school's resource officer for potential charges of violations of municipal ordinances relative to curfew hour violations, if applicable.
- c. **Students Pupils** found to have violated the substance use policy shall be treated in accordance with that policy. (See Regulation 5530)
- d. **Students Pupils** found to have violated the tobacco use and possession policy shall be treated in accordance with that policy. (See Regulation 5530)
- e. **Students Pupils** referred for major infractions could be suspended out-of-school pending a parental conference and could be assigned to remain out of school for a period of time as punishment. (See Policy 5600) In accordance with New Jersey law, a suspension may not continue beyond the second Board meeting following the first day of suspension. Out-of-school suspensions must be reported to the Superintendent in accordance with New Jersey statutes.
- f. **Students Pupils** involved in fights, or other forms of violence, will not be permitted to return to school until assurances exist that further violence will not result. (See section on Fighting contained in this Regulation).



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An initial act of violence, or any subsequent incidence of violence, could result in an expulsion hearing before the Board of Education. (See Policy 5620)

- g. Major infractions also could result in probation of **students pupils**. (See section on Probation of **Students Pupils** contained in this regulation).
- h. Major infractions, and an accumulation of minor infractions, can result in the assignment of FDD at the discretion of school administrators. (See Policy 5600)
- i. Vice-Principals may refer a **student pupil** to the Principal for a meeting with parents for major infractions or an accumulation of minor incidents. The Principal may invoke any of the disciplinary measures described herein and any others deemed appropriate.
- j. When a **student pupil** is experiencing unusual disciplinary problems in a given course, or with a given teacher, the Principal may alter the educational program of that **student pupil**, including a reduction of the school day, to resolve those problems.
- k. When all efforts at behavior modification prove ineffective; if a disciplinary matter of significant consequence occurs indicating the **student pupil** presents a danger to himself/herself, to other **students pupils**, or to school personnel; or the **student's pupil's** chronic behavior is disruptive to the educational process; a Principal may request a Superintendent's/designee level conference with the parents and **student pupil**. A copy of all documents showing disciplinary problems and attempted remedies must accompany such a request. A **student pupil** may be suspended out-of-school pending such a conference. The Superintendent/designee may utilize any of the disciplinary measures described herein or others that are deemed appropriate. If the Superintendent/designee believes the **student pupil** is exhibiting behavior, which could be linked to learning problems, he/she may order an immediate Child Study Team evaluation.
- l. If efforts at the level of the Superintendent do not result in appropriate and sufficient behavior modification, a referral to the



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Child Study Team does not result in classification, and the **student pupil** has not previously been classified, the Superintendent may bring the matter to the Board of Education in the form of a recommendation for expulsion. A written statement of reasons and grounds for the recommendation, including a copy of the **student's pupil's** entire disciplinary file, shall be served upon the **student pupil** and parents/guardians at least five calendar days prior to the Board's contemplated action on the Superintendent's recommendation. The Board will honor any request of parents/guardians and/or their representatives to meet with the Board in closed session before the Board acts upon the Superintendent's recommendation.

- m. Any **student pupil** who damages school property shall be expected to compensate the Board for the cost of replacement and/or repairs. (See Policy 9260) The Principal also may file a complaint with the local police department and bring charges in such matters.
- n. Parents/guardians may be required to bring proper attire to school for **students pupils** who are not dressed properly to finish the day. Failure to comply could result in assignment of the **student pupil** to detention and/or suspension.

240. At all levels, the due process rights of **students pupils** and parents/guardians shall be preserved. Appeals to higher levels of administration shall be honored.

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

- a. **Consequences** Consequences for a **student pupil** 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 pupil**, and the **student's pupil's** history of problem behaviors and performance. The consequences may include, but are not limited to, the examples listed below:

- (1) Admonishment;



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- (2) Temporary removal from the classroom;
- (3) Deprivation of privileges;
- (4) Classroom or administrative detention;
- (5) Referral to disciplinarian;
- (6) In-school suspension or full-day detention 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 or other legal action;
- (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.~~

4. Acts or Incidents of Dating Violence At School

- a. Consequences and remedial measures specific to acts or incidents of dating violence at school shall be used to address that act or incident and to serve as remediation, intervention, education, and prevention for all individuals involved. Responses shall be tiered with consideration given to the seriousness and number of previous occurrences of acts or incidents in which the victim and aggressor have been involved. **Consequences may include, but not be limited to:**

1. Consequences

- a. ~~Consequences may include, but not be limited to, the following:~~



- i. Admonishment;
- ii. Temporary removal from the classroom;
- iii. Classroom or administrative detention;
- iv. Full Day Detention;
- v. Out-of-school suspension;
- vi. Reports to law enforcement; and/or
- vii. Expulsion.

2. Remedial Measures/Interventions

a. Remedial measures/interventions may include, but are not limited to, the following:

- i. Parent conference;
- ii. Pupil counseling (all pupils involved in the act or incident)
- iii. Peer support groups;
- iv. Corrective instruction or other relevant learning or service experiences;
- v. Supportive pupil intervention (Intervention and Referral Services - I&RS)
- vi. Behavioral management plan; and/or
- vii. Alternative placements.

5. School Threat

The school threat policy continues to be "zero tolerance." However, "zero tolerance" does not mean that every child must be charged under every circumstance that could be perceived as a school threat. "Zero tolerance" means that law enforcement will not tolerate the disruption caused by these school threats. Under this school threat policy, all schools are required to and shall immediately report to local law enforcement all incidents of school threats. In addition, local law enforcement will then immediately report all incidents of school threats to the Juvenile Unit of the Camden County Prosecutor's Office, by direct communication with a Juvenile Unit investigator at (856) 225-8400 or after hours through Central Communications at (856) 783-1333. Furthermore, every allegation of a school threat will be fully investigated and when appropriate charges will be filed. The decision to charge is to be a joint decision between local law enforcement and the Camden County Prosecutor's Office at the conclusion of a full investigation.



For purposes of this policy, a school threat is defined as, but is not limited, to any one of the following acts being committed on or off school property when the event has a direct impact on the safety and well-being of anyone in any school:

- a. A bomb threat - a threat to deploy an explosive and/or incendiary device;
- b. A hit list - a written or verbal pronouncement to do harm to one or more persons;
- c. A direct threat - a threat to commit an act of violence against an individual or group; OR
- d. An indirect threat - being in possession of a firearm or ammunition or any other dangerous weapon while on school property.

An example of a direct threat would be a student stating at any time at any place "I am going to bring a gun to school." An example of an indirect threat would be a student being in possession of a firearm, ammunition or other dangerous weapon while on school property. School property includes, but is not limited to, all actual physical school buildings and surrounding grounds, all school buses and transportation vehicles, all school bus stops and all school sponsored events.

6. Fighting

In addition to the disruption of the educational process caused by **students** **pupils** fighting in school, a significant risk exists for injury to occur to the **students** **pupils** who are fighting, to spectators and to staff members who must intervene. **Students** **Pupils** need to understand that resorting to violence seldom resolves differences. To protect our staff and **students** **pupils** and to discourage fighting in the school setting, the Board establishes the following procedure.

- a1. In an effort to prevent **student** **pupil** fights, the Board encourages school administrators to develop conflict resolution avenues and methods for **students** **pupils**. Community and school resources should be employed in this effort. These measures should include a way for **students** **pupils** or parents/guardians to warn school officials of a possible conflict so that conflict resolution can be attempted to prevent a potential fight or assault.
- b2. On every occasion in which two or more **students** **pupils** are involved in a fight or one or more **students** **pupils** commit an assault upon another **student** **pupil**, member of the staff or any person on school property; on a



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school bus, at a bus stop, or at a school-sponsored event held off school premises; the police will be called in to arrest the combatants or assailants and remove them from the scene. Where a fight or scuffle occurs by mutual consent of the participants, school officials shall bring petty disorderly offense charges against the combatants. Where deemed appropriate and applicable under the law, school officials shall bring simple assault or aggravated assault charges.

ia. A copy of an agenda book will be given to each **student pupil** outlining the discipline policy and regulation.

iib. Copies of the agenda book shall be kept in the Guidance Office where a copy shall be given to each **student pupil** enrolled.

c3. Instances of intentional or accidental assault on a staff member growing out of a **student pupil** fight situation or use of a weapon by a **student pupil** in a fight or assault, shall be subject to the provisions of Policy 5610.1; Suspension and Expulsion. School officials also shall bring aggravated assault charges against any **student pupil** who displays or uses a weapon in a fight or assault situation.

On the first occasion a **student pupil** who is determined to have participated in a fight will be assessed a three to four days out of school suspension. The purpose of this suspension is to provide a cooling off period and to conduct a meeting with the parties and their respective parents/guardians to resolve what differences exist and to determine when a return to school will not create a risk for others. If the circumstances surrounding the fight were considered unusually violent, the **student pupil** may be referred to the Superintendent for consideration of expulsion.

Depending upon the circumstances surrounding the fight, the Principal also may place the **student pupil** on Principal's probation.

d 4. If a **student pupil** participates in a second fight, the **student pupil** will be suspended out of school for a minimum of ten days. Depending upon the circumstances surrounding the fight, the Principal also may place the **student pupil** on Principal's probation.

e5. Any additional fights shall result in a mandatory suspension period pending a meeting with the Superintendent/designee and a possible



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expulsion hearing before the Board of Education. If the **student pupil** is or was ever classified, the Superintendent shall direct an immediate child study evaluation to determine if the fighting behavior is the manifestation of a learning disability. A Child Study Team evaluation for **students pupils** who are not and have never been classified is optional. If parents/guardians or an adult **student pupil** denies approval for the evaluation, or if the team determines the fighting behavior is not a manifestation of the **student's pupil's** classification, the Superintendent shall bring the matter before the Board for a hearing.

f. Classified **students pupils** shall be treated in the manner prescribed by applying New Jersey and Federal statutes and code.

g. Injured parties and staff members may bring charges and lawsuits for damages against fight participants. Under no circumstances will action by the Board be subject to or delayed by those separate actions.

h. In situations where a Vice Principal or Principal believes one **student pupil** assaulted another **student pupil** and the victim of that assault only defended himself or herself, the victim may not be suspended or subject to discipline. When two or more parties appear at a prearranged location, self-defense cannot be considered to be a mitigating circumstance.

7. Probation of **Students Pupils**

The process of probation shall be employed as a disciplinary punishment measure for serious or continued infractions of school rules by **students pupils**. Only the Principal, Superintendent/designee or the Board of Education may invoke probation.

If a student has disciplinary infractions that exceed a total of 100 points, the student will be placed on **Principal's Administrative** Probation for 30 days or for an amount of days determined by the Principal. During **Principal's Administrative** Probation, students may not participate in extra-curricular, co-curricular, and/or athletic events, contests, practices, and/or meetings. In addition, a student on **Principal's Administrative** Probation may not attend events like proms, senior trips, and other privileges extended to **students pupils**. The period of probation shall be at the discretion of the Principal, Superintendent/designee or Board of Education. Including cases of drug or alcohol use, probation shall be as described in this regulation.



During a probationary period, a **student** ~~pupil~~:

- a1. Must attend school on time. A day will be added to the assessed period of probation for each unexcused absence from and/or tardiness to school.
- b2. Who commits any further disciplinary infractions may be suspended.
- c3. May be declared ineligible to participate in any extracurricular activity including but not limited to athletics, clubs, dances, athletic events, student government, service organizations, band, and dramatics; but not class related field trips on school time unless specifically directed by the Principal.
- d4. May be removed from any club, class and/or student government office. When applicable, the local chapter of the National Honor Society will determine if removal from that organization also should occur.

The conditions of probation shall remain in effect during an appeal process unless specifically lifted by the Superintendent/designee. To prevent possible harm to an innocent **student** ~~pupil~~, the appeal process shall be moved along quickly.

In cases where a **student** ~~pupil~~ has violated Policy 5530 Substance Abuse (See Regulation 5530), on the first occasion the period of probation shall be a minimum of 30 days and a maximum of 120 days, at the discretion of the Principal. For a second offense the probationary period shall be a minimum of 180 days with a maximum to be determined by the Principal, Superintendent/designee or Board of Education. A third offense shall result in a permanent exclusion from school activities and athletics.

In addition, the following shall apply to all **students** ~~pupils~~, including those who have violated the Substance Abuse policy:

1. The period of probation shall continue from one school year to the next. The days school is not in session during summer months shall not count in the number of days probation is assigned.
2. The period of probation assigned could cause an athlete to remain ineligible for the season in progress at the time of the infraction and one additional athletic season. For the first probation assignment, the Principal shall be certain the period does not extend into a third athletic season.



3. At the end of a probation period, a **student** ~~pupil~~ will be reinstated into an activity, sport, or organization but may not be returned to an office or leadership position held at the time of the infraction.
4. A period of probation may not run beyond the date of graduation but will include nonparticipation in graduation and related events. To ensure **students** ~~pupils~~ and parent/guardians understand the possible adverse effect of misbehavior on the Senior Trip, a statement of possible penalties shall be distributed and signed by **students** ~~pupils~~ and parent/guardians. A student who violates this discipline code on the Senior Trip will not participate in the graduation ceremony. A similar statement shall be developed and signed by the same parties with respect to alcohol use and abuse during the prom.

In light of the possible drastic consequences of the probation concept, except as described for drug and alcohol offenses, it should be invoked for relatively short periods of time for initial offenses. The period should be increased with each assignment of probation.

Students with Disabilities

~~Classified pupils are subject to the same disciplinary procedures as nondisabled pupils and may be disciplined in accordance with their IEP. However, before disciplining a classified pupil, it must be determined that:~~

~~1. The pupil's behavior is not primarily caused by his/her educational disability;~~

~~2. The program that is being provided meets the pupil's needs.~~

~~Staff shall comply with state and federal law and the regulations of the New Jersey administrative code in dealing with discipline and/or suspension of all pupils with disabilities.~~

8. Administrative Probation Carry-Over into the Next Year



Students who end the year with 200 points will be placed on administrative probation for 30 days at the start of the new school year. They will be ineligible to participate in interscholastic sports or other co-curricular programs, activities and social events. However, these points would not be carried over to the student's new school year discipline record.

If the student completes the first 30—days of school (Sept. 1 through 30) without any discipline referrals, the student would then be eligible for sports, co-curricular participation and/or school social events with no points on their record.

Any disciplinary infractions that generate a referral during the probationary period would result in the assignment of points relative to the reported infraction. The probation would extend a minimum of 30 days from the point of the infraction. As the educational leader of the school, the Principal retains the right of discretion in applying the consequences as outlined in the student code of conduct relative to Principal's probation.

Implementation

The Chief School Administrator shall insure that the rules for these procedures are applied consistently and uniformly, and that all disciplinary sanctions are carried out with necessary due process.

The Board shall review all related policies and regulations on a regular basis.

The need for flexibility in handling **student** ~~pupil~~ discipline must be recognized. This grid is an effort to preserve the integrity of the school's authority while at the same time maintain fairness and appropriateness in dealing with **students** ~~pupils~~. With respect to type and duration, building administrators reserve the right to exercise their judgment and prerogatives in the assignment of consequences. Administration will subtract 30 points every 30 days a student goes without a referral.

J. Chart of Discipline

1. Below is a Chart of Student Discipline listing school responses to violations of behavioral expectations. These behavioral expectations and school responses include, but are not limited to:



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[Note – The school district may have separate sections of school responses for various grade levels such as K-5, 6-8, and 9-12]

<i>Offense</i>	<i>First Offense</i>	<i>Second Offense</i>	<i>Third Offense</i>	<i>Fourth Offense</i>	<i>Fifth Offense</i>
1. Chronic Lateness to Class	TD	TD + TC	AD double +5 pts	AD double +10 pts	AD double +15 pts
2. Lateness to School (per semester)	AW	AD – single	AD – single	AD double +5 pts	AD double +10 pts
3a. Cutting HR/Class/ Lunch	AD – double +5 pts	AD – double +5 pts	AD – double +10 pts	FDD +20 pts	FDD + 20 pts
3b. Leaving school without permission	1 FDD + 20 pts <div style="border: 1px solid black; padding: 5px; width: fit-content;">Consequences may include, but not be limited to: FDD, AC, PC, LB, CP, 20 pts.</div> AC				
4. Truancy	Refer to Policy and Regulation #5200 +CM				
5a. Smoking	AC + \$25.00 + SACM	AC + \$50.00 + SACM	PM + \$100.00 + SACM	1FDD + \$100.00 + 20pts + AC	2FDD + \$100.00 + 20 pts + AC
5b. Possession of tobacco or paraphernalia	AC + \$10.00	AC + AD+\$20.00 + SACM + 20 pts	1 FDD+ PM + AC+AD+ \$30.00 + 20 pts	1 FDD + \$30.00 + 20pts + AC	2 FDD + \$30.00 + 40pts + AC
6a. Cutting Teacher Detention	TD + TC	AD Double +5pts	AD Double +5pts	AD Double +10pts	FDD + 20pts
6b. Cutting Administrative Detention	AD Double + 5 pts + AC	AD Double / FDD + 10 pts +AC +CM + AC +LB	1 FDD + 20 pts + PC+LB	2 FDD + 20 pts + AC +PM+AC+LB	OSS + 20 pts + AC+LB

<i>Offense</i>	<i>First Offense</i>	<i>Second Offense</i>	<i>Third Offense</i>	<i>Fourth Offense</i>	<i>Fifth Offense</i>
7. Insubordination,	Consequences may include but not be limited to AD, AW, CST*, FDD, OSS, PB, PC, PM,				



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Verbal assault, inappropriate, obscene or abusive language, uncooperative behavior.	RS, SP, TC, CP, TWI, 10-50 pts.				
7a. Bullying, Harassment, or Intimidation	Consequences may include but not be limited to AD, AW, CST*, SACM,CM, EX, FDD, OSS, PB, PC, PM, RS, SP, TC, CP, TWI, 10-50 pts. Refer to HIB Policy and Regulation #5512.01 & 5512.02				
8. Fighting or inciting to fight	OSS(3-4)+PC+PB +CP+PM +CM + 100 pts	OSS(5-10) +PM+PB+CP + 100pts	OSS(10) + SP + PB + CST + EX + PM + TWI + 100 pts.		
9. Assault/ Battery to staff	Consequences may include, but not be limited to OSS + SP+ CP + CST* + TWI+EX + PM+ 200 pts				
10. Threatening a staff member	OSS(3-4) +PC+CP +PM +100 pts	OSS(5-10)+PC +CP + 125 pts	OSS(10) + SP + CP + CST* + EX + TWI + 150 pts		
11. Stealing/ Theft	OSS(1)+PM +RR+CP +CM +25 pts	OSS(2+PM +RR +CP+CM+ +PB+ 50pts	OSS(3)+RR+CP+CM+PM+PB + 100 pts		
12. Destroying or defacing school property, buildings or grounds	Consequences may include but not be limited to AD, AW, CST*, EX, FDD, OSS, PB, PC, PM, RR, SP, TC, CP, TWI (10-50 pts)				
13. Possession of fireworks/ smoke bombs	Consequences may include but not be limited to AD, AW, CST*, EX, FDD, OSS, PB, PC, PM, RR, SP, TC, CP, TWI (10-50 pts)				

<i>Offense</i>	<i>First Offense</i>	<i>Second Offense</i>	<i>Third Offense</i>	<i>Fourth Offense</i>	<i>Fifth Offense</i>
14. Setting off fire alarm or calling in a	Consequences may include but not be limited to OSS+CP+CST*+EX+PM + TWI + 100 pts				



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bomb scare		
15. General misconduct in class/ detention, school activities/ honor code violations; AUP Violations	Consequences may include but not be limited to AD, AW, CST*, FDD, OSS, PB, PC, PM, RS, SP, TC, CP (10-50 pts)	
16. Violation of dress code	Consequences may include but not be limited to AD, AW, FDD, OSS, PB, PC, PM,, TC, CP, CM (10-50 pts)	
17. Unauthorized use of tape recorder, radio or pager, cell phone, CD player, I-Pods, and/or <i>Electronic devices</i>	Consequences may also include but not be limited to AD, AW, CST*, EX, FDD, OSS, PB, PC, PM, RS, SP, TC, CP, TWI (10-100 pts). Refusal to turn over your cell phone or electronic device to a staff member will result in two days full day detentions.	
18. Failure to honor a pass or being out of class without a pass	Consequences may include but not be limited to AD, AW, FDD, OSS, PB, PC, PM, RS, TC, CP, CM (10--50pts)	
19. Possession or sale of alcohol or other controlled dangerous substance	Policy & Regulation #5530; Consequences may also include but not be limited to EX, FDD, OSS, PB, PC, PM, RS, SP, TC, CP, TWI + 150 pts	
20. Possession of a weapon	OSS+PM+CP or OSS+SP+CP+CST*+EX+TWI + 150 pts	* <i>Zero tolerance for Guns Act 18A:37-7</i> Short Title adopted. L. 1995, c. 127, s2 effective June 22, 1995
21. Under the Influence	SACM +AC+ PM+ PB + (50-150pts) + Refer to Policy & Regulation #5530	
22. School Threat	Consequences may also include but not be limited to AD, AW, CST*, EX, FDD, OSS, PB, PC, PM, RS, SP, TC, CP, TWI (10-100 pts)	
* For students pupils who have never been classified, a Child Study Team evaluation is optional		

Point Reduction/Accelerated Point Reduction:



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- Students will have 30 points removed from their discipline record for each 30-days of good behavior (no discipline referrals, including lateness).
- Students may elect to accelerate their point(s) reduction by doing one or more of the following:
 - Attend extra help sessions with a teacher(s) with resulting improvement in grades and behavior -10 to 30 points may be deducted at the discretion of the vice-principal in consultation with the teacher(s).
 - Provide community service as approved by the principal or vice-principal; 10 to 30 points may be deducted at the discretion of the vice-principal after reviewing the scope and extent of the community service provided. The vice-principal will be responsible for monitoring the point reduction(s), community service involvement, extra-help attendance, and developing a mechanism/form for students and staff to use relative to recording extra-help and community service hours. All community service will be assigned with certified staff members.

KEY:

AC	Administrative Call		FDD	Full Day Detention/No extracurricular activities; 7:30am-3:30pm		RR	Restitution required
AD	Administrative after school detention		LB	Referral to Twp/Borough, if applicable		RS	Referral to Supervisor
AW	Administrative Warning		OSS	Out of School Suspension		SP	Superintendent's Parent Conference
CC	Complaint sent to court		PB	Administrative Probation		TC	Telephone call to parents by teacher
CP	Complaint filed with police		PC	Parental Conference required		TD	Teacher Detention
CST	Child Study Team referral		PM	Principal's meeting with		TWI	Consideration of Twilight Program Placement
EX	Expulsion hearing before Board			parents plus Possible referral to Superintendent/BOE		SACM	Student Assistance Coordinator Meeting
CM	Counselor Meeting						



Records

1. Instances of pupil discipline will be recorded in the pupil's file in strict compliance with N.J.A.C. 6A:32-7.1 et seq. and Policy No. 8330.
2. When a pupil transfers to a public school district from another public school district, all information in the pupil's record related to disciplinary actions taken against the pupil 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 pupil enrolls in the receiving district.
 - b. Written consent of the parent or adult pupil 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 pupil.
 - c. When a pupil transfers to a private school, which includes all sectarian or nonsectarian nonprofit institutional day or residential schools that provide education for pupils placed by their parents and that are controlled by other than public authority, all pupil 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 pupil's past offenses on record to discriminate against that pupil.



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

2. The school responses to violations of behavioral expectations that are subject to student discipline including suspension or expulsion pursuant to N.J.S.A. 18A:37-2 outlined in a Chart of Student Discipline shall be consistent with the Board's policies and regulations/procedures on attendance, pursuant to N.J.A.C. 6A:16-7.6 and harassment, intimidation, and bullying, pursuant to N.J.A.C. 6A:16-7.7.
3. The Principal or designee will maintain a list of community-based health and social service provider agencies available to support a student and a student's family, as appropriate, and a list of legal resources available to serve the community.
4. The Board of Education may deny participation in extra-curricular activities, school functions, sports, graduation exercises, or other privileges as disciplinary sanctions when designed to maintain the order and integrity of the school environment.
5. Nothing in Policy and Regulation 5600 shall prevent the school administration from imposing a consequence for unacceptable student conduct not listed or included in a Chart of Student Discipline.

K. Student Conduct Away from School Grounds

1. The Building Principal or designee has the right to impose a consequence on a student for conduct away from school grounds that is consistent with the Board's Code of Student Conduct, pursuant to N.J.A.C. 6A:16-7.1.
 - a. 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



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school grounds, pursuant to N.J.S.A. 18A:25-2 and 18A:37-2.

- b. This authority shall be exercised only when the conduct that is the subject of the proposed consequence materially and substantially interferes with the requirements of appropriate discipline in the operation of the school.
- c. Consequences for conduct away from school grounds shall be handled in accordance with the Board approved Code of Student Conduct, pursuant to N.J.A.C. 6A:16-7.1, Policy and Regulation 5600, and as appropriate, in accordance with N.J.A.C. 6A:16-7-2, 7.3, or 7.4.

2. School authorities shall respond to harassment, intimidation, or bullying that occurs off school grounds, pursuant to N.J.S.A. 18A:37-14 and 15.3 and N.J.A.C. 6A:16-1.3, 7.1, and 7.7.

L. School Bus Conduct

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

1. The bus driver will report unacceptable conduct to the Principal of the school in which the student is enrolled by submission of a completed written report that includes the name of the student, the school, and the student's conduct.
2. The Principal or designee will investigate the matter, which may include meeting with the bus driver, bus aide, other students on the school bus, and the student who was reported by the bus driver.
3. The parent will be notified of the student's reported conduct.
4. The Principal or designee will make a determination if the student violated behavioral expectations and the discipline to be administered in accordance with the Code of Student Conduct.
5. If it is determined the misconduct is severe, the student may be suspended from the bus pending a conference with the parent.



M. 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, N.J.A.C. 6A:14, and accommodation plans under 29 U.S.C. §§ 794 and 705(20), student discipline and the Code of Student Conduct shall be implemented in accordance with the components of the applicable plans.

N. 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 and Regulation 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), and N.J.A.C. 6A:32-7.5.
 - 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 record transfer; however, written notice of the transfer shall be provided to the parent or the adult student.
3. 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



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same manner the records would be provided to a public school, pursuant to 20 U.S.C. § 6301, Title IV § 4155 of the Elementary and Secondary Education Act.

4. The Board shall not use a student's past offenses on record to discriminate against the student.
5. All student disciplinary records pursuant to N.J.A.C. 6A:16-7 shall conform with the requirements set forth in N.J.A.C. 6A:16-7.8(d).

O. Annual Review

The Superintendent will designate a school staff member to coordinate an annual review and update of Policy and Regulation 5600. The Superintendent's designee will:

1. Compile an annual summary report of violations of the student behavioral expectations and the associated school responses to the violations in the Student Discipline/Code of Conduct Policy and Regulation.
2. Convene a Student Discipline/Code of Conduct Committee comprised of parents, students, and community members that represent the composition of the district's schools and community to review the annual summary report and to develop recommendations, if any, to improve and update the Student Discipline/Code of Conduct Policy and Regulation.
3. The Superintendent's designee shall submit the Committee's recommendations, if any, to improve or update the Student Discipline/Code of Conduct Policy and Regulation.
4. The Superintendent will review the Committee's report with school administrators and will determine if the Student Discipline/Code of Conduct Policy and Regulation should be updated.
5. The Superintendent will recommend to the Board revisions to the Student Discipline/Code of Conduct Policy, if needed.



P. Policy and Regulation Publication and Distribution

The Student Discipline/Code of Conduct Policy and Regulation 5600, including the Chart of Student Discipline shall be disseminated annually to all school staff, students, and parents. These documents may be disseminated in handbooks, electronically, or in hard copy form. Principals will ensure these documents are made available to all students on or before the first day of each school year and to transferring students on the first day of their enrollment in this district.

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