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District Policy

5600- STUDENT DISCIPLINE/CODE OF CONDUCT (M)

Section: Students
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5600

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The Board of Education adopts this **Student Discipline/Code of Conduct** Policy to establish standards, policies, and procedures for positive **student** development and **student** behavioral expectations on school grounds and, as appropriate, for **conduct** away from school grounds. Every **student** enrolled in this district shall observe promulgated rules and regulations and the discipline imposed for infraction of those rules.

The Superintendent of Schools will establish a process for the annual review and update of the district's **Student Discipline/Code of Conduct** Policy and Regulation that may involve a committee of parents, **students**, and community members that represent, where possible, the composition of the district's schools and community. The Superintendent will report to the Board the process used for the annual review of this Policy and Regulation and will recommend to the Board updates, if any, to the **Student Discipline/Code of Conduct** Policy and Regulation.

The **Student Discipline/Code of Conduct** Policy and Regulation shall be disseminated annually to all school staff, **students**, and parents. The Board of Education shall provide to all employees annual training on the **Student Discipline/Code of Conduct** Policy and Regulation, which shall include training on the prevention, intervention, and remediation of **student conduct** that violates the district's Policy and Regulation. Information on the **Student Discipline/Code of Conduct** Policy and Regulation shall be incorporated into the orientation for new employees.

The Board provides for the district's **Student Discipline/Code of Conduct's** equitable application. **Student** discipline and the **Code of Student Conduct** will be applied 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 disability; or by any other distinguishing characteristic, pursuant to N.J.S.A. 10:5.-1 et seq.

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

The **Student Discipline/Code of Conduct** is established for the purposes outlined in N.J.A.C. 6A:16-7.1(b).

Policy and Regulation 5600 include a description **of student** responsibilities that include expectations for academic achievement, behavior, and attendance, pursuant to N.J.A.C. 6A:32-8 and 13.1; a description **of** behaviors that will result in suspension or expulsion, pursuant to N.J.S.A. 18A:37-2; and a description **of student** rights pursuant to N.J.A.C. 6A:16-7.1(c)3.i through vii.

The Board **of** Education approves the use **of** comprehensive behavioral supports that promote positive **student** development and the **students'** abilities to fulfill the behavioral expectations established by the Board. These behavioral supports include, but are not limited to, positive reinforcement for good **conduct** and academic success including the programs that honor and reward **student conduct** and academic achievement; supportive intervention and referral services including those services outlined in Policy 2417; remediation **of** problem behaviors that take into account the behavior's nature, the **students'** developmental ages and the **students'** histories **of** problem behaviors and performance; and for **students** with disabilities, the behavior interventions and supports shall be determined and provided pursuant to N.J.A.C. 6A:14.

Policy and Regulation 5600 include a description **of** school responses to violations **of** behavioral expectations established by the Board 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 behaviors pursuant to N.J.A.C. 6A:16-7.1(c)5.

Students are required to be in compliance with Policy and Regulation 5200 – Attendance pursuant to N.J.A.C. 6A:16-7.6 and Policy and Regulation 5512 – Harassment, Intimidation, and Bullying pursuant to N.J.A.C. 6A:16-7.7.

The Building Principal shall maintain a current list **of** community-based health and social service provider agencies available to support a **student** and the **student's** family, as appropriate, and a list **of** legal resources available to serve the community.

The Building Principal or designee shall have the authority to assign discipline to **students**. School authorities also have the right to impose a consequence on a **student** for **conduct** away from school grounds that is consistent with the district's

Code of Student Conduct pursuant to N.J.A.C. 6A:16-7.5. 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. 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. Consequences pursuant to N.J.A.C. 6A:16-7.5 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:16-7.4. 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.

Consequences and appropriate remedial action for a **student** who commits one or more acts **of** harassment, intimidation, or bullying may range from positive behavioral interventions up to and including suspension or expulsion. The factors for determining consequences and remedial measures and examples **of** consequences and remedial measures are listed in Policy 5512 – Harassment, Intimidation, and Bullying. 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, and shall be consistent with this Policy and the school district's **Student Discipline/Code of Conduct** Policy pursuant to N.J.A.C. 6A:16-7.1. Remedial measures for one or more acts **of** harassment, intimidation, or bullying 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.

Consequences and remedial measures to address acts or incidents **of** dating violence at school shall be consistent with the school district's **Student Discipline/Code of Conduct** Policy. The factors for determining consequences

and remedial measures and examples **of** consequences and remedial measures are included in Policy and Regulation 5519 – Dating Violence at School and shall be used to address the act or incident as well as serve as remediation, intervention, education, and prevention for all individuals involved. The responses shall be tiered with consideration given to the seriousness and the number **of** previous occurrences **of** acts or incidents in which both the victim and aggressor have been involved. Consequences for acts or incidents **of** dating violence at school may range from admonishment to suspension or expulsion. Retaliation towards the victim **of** any act or incident **of** dating violence shall be considered when administering consequences to the aggressor based on the severity **of** the act or incident. Remedial measures/interventions for acts or incidents **of** dating violence at school may include, but are not limited to: parent conferences, **student** counseling (all **students** involved in the act or incident), peer support groups, corrective instruction or other relevant learning or service experiences, supportive **student** interventions (Intervention and Referral Services - I&RS), behavioral management plans, and/or alternative placements.

Any **student** to be disciplined shall be provided the due process procedures for **students** and their families as set forth in Policy and Regulation 5600 and N.J.A.C. 6A:16-7.2 through 7.4.

In accordance with the provisions **of** N.J.A.C. 6A:16-7.8, 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.

The Superintendent may be required to submit a report annually to the New Jersey Department **of** Education on **student conduct**, including all **student** suspensions and expulsions, and the implementation **of** the **Student Discipline/Code of Conduct** Policy in accordance with the format prescribed by the Commissioner **of** Education. The Superintendent shall report to the Commissioner **of** Education each incident **of** violence, including harassment, intimidation, and bullying, vandalism, and alcohol and other drug **offenses**, pursuant to N.J.A.C. 6A:16-4.3, in the school district utilizing the Electronic Violence and Vandalism Reporting System, pursuant to N.J.A.C. 6A:16-5.3.

N.J.S.A. 18A:6-1; 18A:36-25.1; 18A:25-2; 18A:36-19a;

18A:37-1 et seq.; 18A:37-13.1 et seq.

N.J.A.C. 6A:16-7.1 et seq.; 6A:14-1.1 et seq.

Adopted: 18 May 2015

