
CONDUCT/DISCIPLINE

The board believes that an effective instructional program requires an orderly school environment and that the effectiveness of the educational program is, in part, reflected in the behavior of pupils.

The board of education expects pupils to conduct themselves in keeping with their level of maturity, with a proper regard for the rights and welfare of other pupils, for the educational purpose underlying all school activities, and for the care of school facilities and equipment.

The board of education believes that standards of pupil behavior must be set cooperatively by interaction among the pupils, parents/guardians, staff and community, producing an atmosphere which encourages pupils to grow in self-discipline. Such an atmosphere must include respect for self and others, as well as for district and community property.

The best discipline is self-imposed, and pupils must learn to assume and accept responsibility for their own behavior, and for the consequences for their misbehavior. Staff members who interact with pupils shall use preventive disciplinary action and place emphasis on the pupils' ability to grow in self-discipline.

The superintendent shall develop general guidelines for pupil conduct on school property and shall direct development of detailed regulations suited to the age level of the pupils and the physical facilities of the individual schools. Board policy requires each pupil of this district to adhere to the rules and regulations established by the administration and to submit to such disciplinary measures as are appropriately assigned for infraction of those rules. The superintendent shall provide to pupils and their parents/guardians the rules of this district regarding pupil conduct and the sanctions which may be imposed for breach of those rules. Provisions shall be made for informing parents/guardians whose primary language is other than English.

In developing regulations to implement this policy, the superintendent shall provide appropriate recognition for pupils who consistently maintain high standards of self-discipline and good citizenship. The regulations shall:

- A. Require that pupils conform to reasonable standards of socially acceptable behavior; respect the person, property and rights of others; obey constituted authority and respond to those who hold that authority;
- B. Establish the degree of order necessary to the educational program in which pupils are engaged.

Pupils who display chronic behavioral or academic problems may be referred to the child study team by the superintendent for possible identification as disruptive or disaffected. Such referrals shall be in strict accordance with the due process regulations prescribed by the administrative code. Pupils so identified shall be provided with appropriate programs and services as prescribed by the child study team.

A pupil whose presence poses a continuing danger to persons or property, or an ongoing threat of disrupting the academic process, may be suspended or expelled, following due process.

Any pupil who commits an assault (as defined by N.J.S.A. 2C:12-1) upon a board member, teacher, administrator or other employee of the board of education shall be suspended from school immediately according to procedural due process, and suspension or expulsion proceedings shall begin no later than 30 calendar days from the date of the pupil's suspension.

Substance Abuse

In accordance with statute and code, penalties shall be assigned for use, possession and distribution of proscribed substances and drug paraphernalia. The penalties shall be graded according to the severity of the offense. Infractions shall be reported to the local law enforcement agency in accordance with the district's memorandum of agreement. Confidentiality shall be protected in accordance with federal and state law.

Weapons Offenses

Any pupil who is convicted or adjudicated delinquent for possession of a firearm or a crime while armed with a firearm or found knowingly in possession of a firearm on any school property or on a school bus or at a school-sponsored function shall be immediately removed from the school's regular education program for a period of not less than one calendar year. The superintendent may modify this suspension on a case-by-case basis. Each pupil so removed shall be placed in an alternative educational program or on home

instruction and shall be entitled to a hearing before the board. The hearing shall take place no later than 30 days following the day the pupil is removed from the regular education program and shall be closed to the public.

The principal shall be responsible for the removal of such students and shall immediately report them to the superintendent. The principal shall also notify the appropriate law enforcement agency of a possible violation of the New Jersey Code of Criminal Justice.

The superintendent shall determine at the end of the year whether the student is prepared to return to the regular education program, in accordance with procedures established by the Commission of Education.

Teaching staff members and other employees of this board having authority over pupils shall take such lawful means as may be necessary to control the disorderly conduct of pupils in all situations and in all places where such pupils are within the jurisdiction of this board.

Disabled

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

- A. The pupil's behavior is not primarily caused by his/her education handicap;
- B. The program that is being provided meets the pupil's needs.

Staff shall comply with law and the regulations of the New Jersey administrative code in dealing with discipline and/or suspension of classified pupils.

Implementation

The superintendent shall ensure that the rules for this policy are applied consistently and uniformly, and that all disciplinary sanctions are carried out with necessary due process.

The board shall review all related policies on a regular basis.

Dated: August 28, 2002

Legal References:

<u>N.J.S.A.</u>	2A:4A-60 et al	Disclosure of juvenile information; penalties for disclosure
<u>N.J.S.A.</u>	2C:12-1	Assault
<u>N.J.S.A.</u>	2C:33-19	Paging devices, possession by students
<u>N.J.S.A.</u>	2C-39-5	Unlawful possession of weapons
<u>N.J.S.A.</u>	18A:6-1	Corporal punishment of pupils
<u>N.J.S.A.</u>	18A:11-1	General mandatory powers and duties
<u>N.J.S.A.</u>	18A:25-2	Authority over pupils
<u>N.J.S.A.</u>	18A-37-1 et se	Discipline of pupils
<u>N.J.S.A.</u>	18A:40-A-1 et seq	Substance abuse
<u>N.J.S.A.</u>	18A:54-20	Powers of board (county vocational schools)
<u>N.J.A.C.</u>	6:8-2.1	Reporting requirements
<u>N.J.A.C.</u>	6:8-2.2	School-level planning
<u>N.J.A.C.</u>	29-6.1 et seq	Substance abuse
See particularly:		
<u>N.J.A.C.</u>	6:29-6.3(c)	
<u>N.J.A.C.</u>	6:29-10.1 et seq	Safe and drug free schools
<u>N.J.A.C.</u>	6A:14-2.8	Discipline/suspension/expulsion
<u>N.J.A.C.</u>	6A:24-4(I)7	Implementation of Whole School Reform Model

New Jersey State Board of Education Resolution, September 3, 1980, encourages development of local written policy on pupil conduct.

New Jersey State Board of Education Resolution, September 4, 1985, urges boards to consider expectations for pupil behavior developed by statewide advisory panel, and to develop and adopt appropriate expectations of behavior for district pupils.

20 U.S.C.A. 1415(k) Individual with Disabilities Education Act Amendments of 1997

Bethel School District No. 403 v. Fraser, 478 U.S. 675 (1986)

Hazelwood v. Kuhlmeier 484 U.S. 260 (1988)

Honig v. Doe, 484 U.S. 305 (1988)

Manual for the Evaluation of Local School Districts (August 2000)

A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials (1999 Revisions)

Cross References:

1220	Ad hoc advisory committees
3517	Security
3541.33	Transportation safety
4148	Employee protection
4248	Employee protection
5000	Concepts and roles in pupil personnel
5010	Personal goals and objectives for pupils
5020	Role of parents/guardians
5113	Absences and excuses
5114	Suspension and expulsion
5124	Reporting to parents/guardians
5127	Commencement activities
5131.5	Vandalism/violence
5131.6	Drugs, alcohol, tobacco (substance abuse)
5132	Dress and grooming
5145	Rights
5145.2	Freedom of speech/expression
5145.4	Equal educational opportunity
5145.6	Pupil grievance procedure
6145	Extracurricular activities
6164.4	Child study team
6172	Alternative educational programs

