

# POLICY

## Essex County Vocational Technical Board of Education

Section: Students  
5600. STUDENT DISCIPLINE/CODE OF CONDUCT (M)  
Date Created: April 2009  
Date Edited: January 2020

### 5600. STUDENT DISCIPLINE/CODE OF CONDUCT (M) M

[See **POLICY ALERT** Nos. 140, 142, 147, 164, 176, 193, 196, 204 and 217]

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 12.1; 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 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.

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, in accordance with N.J.A.C. 6A:16-7.1(d).

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:16-7.9, 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 Student Safety Data System (SSDS), 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.

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# REGULATION

## Essex County Vocational Technical School District

Section: Students  
5600. PUPIL DISCIPLINE/CODE OF CONDUCT  
Date Created: April 2009  
Date Edited: December 2022

### 5600. PUPIL DISCIPLINE/CODE OF CONDUCT

#### M

##### A. 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 7.9, as appropriate.

##### B. 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 12.1.

##### C. Behaviors That May Result in Suspension or Expulsion/(RTD) Return to District

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;
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;
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.

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.

##### D. 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 7.9; 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 students, 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.

#### E. 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
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, 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 student's guidance counselor, classroom teacher, Child Study Team, and/or other school staff member.

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.

#### F. 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 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.

#### G. 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.
    - d. If a student does not report to the after-school detention, Saturday detention will be assigned by the school administrators.
    - e. Saturday detention is held on Saturday mornings from 8:30 a.m. to 12:30. All students assigned to Saturday detention must be in full and proper uniform. The purpose of Saturday detention is to avoid out-of-school suspension whenever possible and to act as an escalating sanction for issues related to academics or Code of Conduct infractions. Failure to attend a Saturday detention will result in a one-day In-School Suspension.
  6. Grade Adjustment
    - a. 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 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.
    - c. Any student who is suspended three times during his or her four years at ECST will be returned to his or her sending district.
  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.

H. Chart of Discipline

Below is a Chart of Possible Student Discipline violations of behavioral expectations. Consequences may vary based on the frequency of any specific item.

**GUIDE TO STUDENT MISCONDUCT AND DISCIPLINARY RESPONSE STRUCTURE**

LEVEL I VIOLATION	EXAMPLES (Not Limited To)	PROCEDURES	DISCIPLINARY ACTIONS
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<p>Misbehavior on the part of the student which impedes orderly classroom procedures or interferes with the orderly operation of the school.</p> <p>This misbehavior can usually be handled by an individual staff member but sometimes requires the intervention of other school support personnel.</p>	<p>Failure to return required school district forms (registration, emergency forms, physical, contacts)</p> <ul style="list-style-type: none"> <li>• Uniform Violation</li> <li>• Dress Code violation (dress down)</li> <li>• School ID violation (must be worn at all times)</li> <li>• Littering on school ground</li> <li>• Failure to follow instructions</li> <li>• Failure to attend after school/teacher detention</li> <li>• Failure to report to office when called</li> <li>• Misuse of computer and internet; unbiased and/or non-hate related</li> </ul>	<p>There is immediate intervention by the staff member who is supervising the student or who observes the misbehavior.</p> <p>Misbehavior requires a teacher, counselor, or admin to contact parent.</p> <p>All student misbehavior and parent contacts must be documented.</p> <p>A proper and accurate record of the offenses and disciplinary action is maintained by the staff member.</p> <p>*School officials reserve the right to sanction pupil behaviors in accordance with the provisions of 18A:37-1, 18A:37-2 and will determine if such offense results in the student being Returned to District (RTD)/Expulsion in accordance with district policies.</p>	<p>First Offense may include:</p> <ul style="list-style-type: none"> <li>- Verbal reprimand</li> <li>- Contact parent</li> <li>- Peer mediation</li> <li>- Conference</li> <li>- Withdrawal of privileges</li> <li>- Saturday or Afterschool Detention</li> <li>- Behavioral contract</li> <li>- Behavioral Improvement Program</li> <li>- Suspension of extracurricular activities while on discipline</li> </ul> <p>Second Offense: Saturday Detention</p> <p>Third Offense: 1-2 days of Saturday Detention</p> <p>Beyond Third Offense: In School Suspension/(RTD) a Return to District. Expulsion may occur after first offense at the discretion of the Superintendent.</p>
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LEVEL II VIOLATION	EXAMPLES (Not Limited To)	PROCEDURES	DISCIPLINARY ACTIONS
<p>Misbehavior whose frequency or seriousness tends to disrupt the learning climate of the school.</p> <p>These infractions, which usually result from the continuation of Level I misbehavior, require the intervention of personnel on the administrative level because the execution of Level I disciplinary options has failed to correct the situation.</p> <p>Also included in this level is misbehavior which does not represent a direct threat to the health and safety of others but whose educational consequences are serious enough to require corrective action on the part of administrative personnel.</p>	<ul style="list-style-type: none"> <li>• Truancy, cutting class, leaving class without permission</li> <li>• Cell phone violation and electronic device: headphones, iPad, earbuds, iPhone watch (Cell phone/electronic device confiscated)</li> <li>• Minor abuse to school property</li> <li>• Using an unassigned locker, misuse of locker</li> <li>• Cheating/Plagiarism (1st Offense)</li> <li>• Truancy / absences / lateness</li> <li>• Misbehaving in class, on school grounds or on school trip;</li> <li>• disturbance; refusal to follow directions; lack of cooperation</li> <li>• Selling goods on school property without authorization</li> <li>• Misbehavior at lunch, cutting in line</li> <li>• Misuse of elevator</li> <li>• Throwing objects at others before, during, or after school on grounds; throwing food during lunch</li> </ul>	<p>There is immediate intervention by the staff member who is supervising the student or who observes the misbehavior.</p> <p>All student misbehavior and parent contacts must be documented.</p> <p>A proper and accurate record of the offenses and disciplinary action is maintained by the staff member.</p> <p>*School officials reserve the right to sanction pupil behaviors in accordance with the provisions of 18A:37-1, 18A:37-2 and will determine if such offense results in the student being Returned to District (RTD)/Expulsion in accordance with district policies.</p>	<ul style="list-style-type: none"> <li>• 1<sup>st</sup>. Saturday Detention</li> <li>• 2<sup>nd</sup>. In School Suspension</li> <li>• 3<sup>rd</sup>. In School Suspension or 1-3 days Out of School Suspension</li> </ul> <p>Other Actions May Include</p> <ol style="list-style-type: none"> <li>1. Discipline Meeting <ul style="list-style-type: none"> <li>a. teacher</li> <li>b. Administrator meeting</li> </ul> </li> <li>2. Contact parent</li> <li>3. Peer mediation</li> <li>4. Conference</li> <li>5. Withdrawal of privileges</li> <li>6. Behavioral contract</li> <li>7. Behavioral Improvement Program</li> <li>8. Refer to and follow attendance and truancy policies.</li> <li>9. Multiple Offenses referred to I&amp;RS team</li> <li>10. Temporary Suspension of all extracurricular activities</li> </ol>

LEVEL III VIOLATION	EXAMPLES (Not Limited To)	PROCEDURES	DISCIPLINARY ACTIONS
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<p>Acts directed against persons or property.</p> <p>These acts can most frequently be handled by the disciplinary mechanism in the school.</p> <p>Corrective measures which the school undertakes, however, depend on the extent of the school's resources for remediating the situation in the best interests of all students.</p>	<ul style="list-style-type: none"> <li>• Open defiance of any teacher or persons having authority*</li> <li>• Leaving school grounds without permission*</li> <li>• Bused/Transported students leaving school grounds upon drop-off</li> <li>• Threatening to physically harm another pupil*</li> <li>• Impersonating a parent/guardian/teacher/pupil*</li> <li>• Intercepting school mail addressed to parents/guardians*</li> <li>• Wrongful/Unauthorized entry*</li> <li>• Cheating/Plagiarizing (multiple offense)*</li> <li>• Use of profane or obscene language towards an adult or pupil</li> <li>• Improper behavior involving personal hygiene i.e. spitting and/or urinating in public*</li> <li>• Misuse of computer and internet, bias and/or hate related incident*</li> <li>• Cursing or using abusive language (gestures) directed at a staff member*</li> <li>• Throwing gang signs, showing affiliation to gang membership*</li> <li>• Theft and destruction of property</li> <li>• Possession of electronic cigarette/vape</li> </ul>	<p>The student is referred to the administrator for appropriate disciplinary action.</p> <p>The administrator meets with the student and/or teacher and affects the most appropriate response. The teacher is informed of the administrator's action.</p> <p>A proper and accurate record of the offense and the disciplinary action is maintained by the administrator. A parental conference is held.</p> <p>Suspension is only an option for the most serious infraction in Level III and only upon approval of the building/district administration</p> <p>*School officials reserve the right to sanction pupil behaviors in accordance with the provisions of 18A:37-1, 18A:37-2 and will determine if such offense results in the student being Returned to District (RTD)/Expulsion in accordance with district policies.</p>	<ul style="list-style-type: none"> <li>• 1st offense: 1-5 days Out of School Suspension</li> <li>• 2nd: Up to 10 days Out of School Suspension</li> <li>• 3rd: Returned to District (RTD)</li> </ul> <p>Other Actions May Include</p> <ol style="list-style-type: none"> <li>1. Confiscated items will only be returned to parents</li> <li>2. Peer mediation</li> <li>3. Peer counseling</li> <li>4. Counseling             <ol style="list-style-type: none"> <li>a. guidance counselor</li> <li>b. social worker</li> <li>c. psychologist</li> <li>d. attendance counselor</li> </ol> </li> <li>5. Parent/Guardian conference required</li> <li>6. Referral to SAC coordinator</li> <li>7. Behavioral contract</li> <li>8. Request for assistance I&amp;RS committee</li> <li>9. Referral to outside support services</li> <li>10. Temporary Suspension of all extracurricular activities</li> <li>11. Notification to Supervisor of Security</li> <li>12. HIB referral</li> </ol>
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LEVEL IV VIOLATION	EXAMPLES (Not Limited To)	PROCEDURES	DISCIPLINARY ACTIONS
<p>Acts which result in violence to another person or property, or which pose a direct threat to the safety of others in the school.</p> <p>These acts are often criminal and are so serious that they may require administrative actions which result in the immediate removal of the student from school, the intervention of law enforcement authorities and action by central office administrators</p>	<ul style="list-style-type: none"> <li>• Fighting/Physical altercation *</li> <li>• Bomb threat and/or false alarm*</li> <li>• Arson*</li> <li>• Possession and/or use of weapon*</li> <li>• Igniting or using fireworks or other pyrotechnics on school property*</li> <li>• Unauthorized entry to teacher gradebook</li> <li>• Stealing assessments and/or teacher assignments</li> <li>• Vandalizing and Defacing school property</li> <li>• Selling, possessing, and/or distributing drug paraphernalia*</li> <li>• Gambling or promotion of gambling*</li> <li>• Taking or attempting to take personal property or money from a pupil or staff member by force*</li> <li>• Assault, assault, and battery, or serious written or verbal threats directed to pupils or staff members*</li> <li>• Sexual misconduct or abuse*</li> </ul>	<p>The administrator verifies the offense, confers with the staff involved and meets with student/s. The student is immediately removed from the school environment.</p> <p>Parents are notified. In criminal offenses, school officials contact law enforcement agencies and assist in prosecuting offenders. A complete and accurate report of the student's infraction is immediately submitted to the Superintendent for action.</p> <p>Any weapon violation by a student result in an immediate suspension by the principal. A student found to have been in violation of the policy would be immediately removed.</p> <p>A classified student may be suspended for up to ten days while a reevaluation is undertaken to determine the student's most appropriate placement. Refer to the Child Study Team</p> <p>*School officials reserve the right to sanction pupil behaviors in accordance with the provisions of 18A:37-1, 18A:37-2 and will determine if such offense results in the student being Returned to District (RTD)/Expulsion in accordance with district policies.</p>	<p>Other actions which result in appropriate placement:</p> <ul style="list-style-type: none"> <li>• Call DYFS</li> <li>• Suspension On Site</li> <li>• Suspension Off Site</li> <li>• Alternative Education</li> <li>• Up to 10 days Out of School Suspension and/or</li> <li>• Return to District (RTD) and/or</li> <li>• *Notification to Essex County Sheriff Department</li> </ul>

1. 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

2. 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.
3. 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.
4. 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.

I. 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 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.

J. 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.

K. 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.

L. 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 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).

M. 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.

N. 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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