

Regulation

STUDENT DISCIPLINE/CODE OF STUDENT CONDUCT

A school climate and culture that emphasizes cooperation, respect, tolerance and consideration supports student achievement. The following code of student conduct shall be followed by the students of the Passaic Public Schools.

Student Rights

The students of the Passaic Public School shall be afforded the rights to:

- A. Advance notice of behaviors that will result in suspensions or expulsions, according to law N.J.S.A. 18A:37-2 and board policy 5114 Suspension and Expulsion;
- B. An education that supports students' development into productive citizens;
- C. Attendance in safe and secure school environments;
- D. Attendance at school irrespective of students' marriage, pregnancy or parenthood (see board policy 5135 Married and Pregnant Students);
- E. Due process and appeal procedures according to law and board policy including discrimination; suspension and expulsion; harassment, intimidation and bullying; removal for serious and dangerous offenses;
- F. Due process and appeal procedures for students with disabilities according to law and board policy including discrimination; suspension and expulsion; harassment, intimidation and bullying; removal for serious and dangerous offenses and due process and appeal through the administrative law judge regarding identification, evaluation, reevaluation, classification, educational placement, the provision of a free, appropriate public education, or disciplinary action;
- G. Parent notification consistent with law N.J.A.C. 6A:16-6.2(b)3, 7.2, 7.3 and 7.8 and board policy, including suspected child abuse or neglect, law enforcement investigations, short and long-term suspension, and confidentiality related to student records; and
- H. Records and privacy protections pursuant to Federal Family Educational Rights and Privacy Act and State laws and regulations identified at N.J.A.C. 6A:16-7.1(c)3vii, including disciplinary records, alcohol and drug abuse patient records and information, disclosure of juvenile information.

CODE OF STUDENT CONDUCT (regulation continued)Behavioral Expectations

The board expects all students in this district, commensurate with their age and ability, to:

- A. Students shall come to school mentally and physically prepared for the process of learning:
 - 1. Attend school well-nourished, rested, clean and appropriately dressed in compliance with the School Uniforms board policy and the Student Dress Code board policy;
 - 2. Attend school free of drugs, alcohol and steroids;
 - 3. Attend school in good health; and
 - 4. Attend school ready to listen, work and learn.

- B. Students shall respect rights, property, and intellectual and creative products of others. Students shall:
 - 1. Be honest and courteous to others;
 - 2. Be responsible with school property and the property of other students;
 - 3. Be tolerant of the beliefs and opinion of other students;
 - 4. Be respectful of school staff, school officials and school guests;
 - 5. Seek peaceful solutions to conflict; and
 - 6. Exhibit good sportsmanship.

- C. Each student shall take responsibility for their own behavior and learning:
 - 1. Cooperate and participate in class;
 - 2. Do their own work honestly;
 - 3. Complete classroom and homework assignments on or before the deadline;
 - 4. Come to class prepared with the required textbooks, materials and supplies; and
 - 5. Accept the consequences for their own actions.

- D. Students shall use time and other resources responsibly:
 - 1. Attend classes and school each day on time;
 - 2. Utilize study time and school library/media resources for school work;
 - 3. Utilize the school computer network and internet appropriately for school work and assignments; and
 - 4. Protect from damage and maintain in good condition school issued books and equipment.

- E. Students shall cooperate with staff and other students and share responsibilities when working with others:
 - 1. Cooperate with other students on joint assignments and in general;
 - 2. Participate actively in class;
 - 3. Demonstrate respect and decorum toward teachers;
 - 4. Exercise courtesy and tolerance when others are speaking; and
 - 5. Respect differences of opinion.

CODE OF STUDENT CONDUCT (regulation continued)

F. Students shall meet the requirements of each course of study:

1. Follow directions on assignments, projects and homework;
2. Complete work on time;
3. Hand in work that is organized, neat and readable;
4. Obey the rules of the classroom; and
5. Observe all safety regulations for handling classroom equipment or materials.

G. Communicate with parents/guardians and appropriate school staff members:

1. Discuss your workload, grades and assignments with your parent/guardians;
2. Transmit school letters, forms, permission slips and other materials to your parents/guardians;
3. Ask for and schedule time for extra help when needed; and
4. Utilize school counseling services when you are experiencing difficulty.

Rules of Conduct

Students shall not:

- A. Be insubordinate to teachers or other school staff members or disregard their instructions or demonstrate lack of respect for their authority;
- B. Create disorder or disruptions on school premises;
- C. Use, threaten, or incite the use of physical force against other students, staff members, or visitors to the school;
- D. Steal, damage, or deface the property of other students, staff members, or the district;
- E. Engage in the sexual harassment of students or staff members;
- F. Violate codes of conduct adopted for organizations of students;
- G. Possess or use weapons or any implement intended to harm others;
- H. Use foul, abusive, derogatory, or demeaning language, including racial and ethnic remarks;
- I. Convey information about other students or staff members known to be false;
- J. Act so recklessly as to endanger the safety of others;
- K. Procure the property of others by threat or intimidation;

CODE OF STUDENT CONDUCT (regulation continued)

- L. Enter school premises or any specific portion of the premises without permission and without authority;
- M. Vandalize school property, real or personal;
- N. Create litter on school property;
- O. Be absent for an unexcused reason;
- P. Be late or truant from school or class;
- Q. Cheat or otherwise engage in academic dishonesty;
- R. Persistently refuse to complete homework and other assignments;
- S. Engage in illegal gambling;
- T. Smoke nicotine or non-nicotine substances or use tobacco in any form, including electronic vapors, on school premises;
- U. Falsify an excuse or any school document;
- V. Set fire to or cause a fire in any way on school premises;
- W. Possess or explode a firecracker or other explosive device on school premises;
- X. Sound or cause to be sounded a false alarm for fire, bomb, or other condition or circumstance hazardous to others;
- Y. Possess, use, or distribute a controlled substance in violation of the Substance Abuse board policy;
- Z. Join a secret society prohibited by law, including gangs as identified in the Gangs and Gang-Related Activities board policy;
- AA. As a member of any organization participate in activities that include initiation and/or hazing practices that include violation of any parts of the rules of conduct;
- BB. Harass, intimidate or bully other students or staff as defined in the Harassment, Intimidation, and Bullying board policy; or
- CC. Engage in any other activity expressly prohibited by a school staff member in authority.

CODE OF STUDENT CONDUCT (regulation continued)

Students may be disciplined as described below in “Disciplinary Measures” for misconduct away from school premises and at school-sponsored events when that conduct interferes administration of the instructional program or jeopardizes the maintenance of order in the school.

Conduct on School Buses

Students assigned to a school bus must obey all school rules of conduct and:

- A. Show respect for the bus driver and personnel at all times;
- B. Enter and leave the bus in an orderly manner;
- C. Ride only the bus to which they have been assigned;
- D. Be and remain seated while the bus is in motion;
- E. Wear seatbelts;
- F. Avoid reckless and boisterous activity at all times, including during waits at pickup points;
- G. Talk in a reasonable tone of voice and avoid loud noises;
- H. Extend no portion of the body or other object out a bus window;
- I. Keep aisles clear at all times;
- J. Refrain from bringing animals or bulky, unmanageable projects onto the school bus;
- K. Refrain from smoking, eating, and drinking on the bus; or
- L. Possess, use, or distribute no substance in violation of the Drugs, Alcohol, and Tobacco board policy.

Disciplinary Measures

The following disciplinary measures may be applied as appropriate to the student's violation of school rules.

- A. Warning
 - 1. A school staff member will warn the student for his or her unacceptable conduct and warn the student that additional misconduct may warrant a more severe penalty.
 - 2. The staff member will document the conduct that caused the warning.
 - 3. When multiple warnings have been given, or a pattern of behavior has been established, the staff member will contact the parent/guardian.

CODE OF STUDENT CONDUCT (regulation continued)

B. Administrative Referral

1. The teacher will follow the school protocol to document in writing the date, student's name, homeroom, and the conduct that caused the disciplinary referral, including previous warning(s) and/or contact with the parent/guardian;
2. The administrator in charge of discipline will interview the student and determine which, if any, additional disciplinary steps are indicated.

C. Temporary removal from classroom

1. If the student poses an immediate danger to him or herself, other students, or the teacher, the classroom teacher will direct the student to report to the office of the administrator in charge of student discipline;
2. The teacher will follow the school protocol to document in writing the date, student's name, homeroom, and the conduct that has caused the student's removal from the room;
3. The administrator in charge of discipline will interview the student and determine which, if any, additional disciplinary steps are indicated;
4. The parent/guardian must be contacted to discuss the student behavior and disciplinary measures taken.

D. Detention

1. The student will be required to report before/after the school day or on a Saturday to a detention room for a period of supervised study;
2. Transportation will be the responsibility of the student's parent;
3. The student may be excused from detention only for an unavoidable commitment previously made; any such excused detention must be made up on another day;
4. The parent/guardian must be contacted to discuss the student behavior and disciplinary measures taken.

E. Deprivation of privileges

1. The student may be deprived of the privilege(s) of:
 - a. Moving freely about the school building;
 - b. Participation in extracurricular or intramural and interscholastic activities;
 - c. Attendance at a school-related social or sports activity;
 - d. Participation in a graduation ceremony; or
 - e. Transportation by school bus.
2. The parent/guardian will be contacted to discuss the student behavior and disciplinary measures taken.

F. Loss of credit

1. 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;

CODE OF STUDENT CONDUCT (regulation continued)

2. A student may lose credit for assignments and/or course grades for unexcused absences and tardiness, as determined by the teacher in consultation with the attendance committee as outlined in the Attendance, Absences, and Excuses board policy; and
3. Students and parent/guardians shall be notified of a student is in danger of losing credit, such a decision is at the discretion of the school principal.

G. In-school suspension

1. The student will be removed from his or her regular classes and required to report to an in-school suspension program for supervised study as determined by the appropriate school administrator as detailed in the Suspension and Expulsion board policy;
2. Students assigned an in-school-suspension will be entitled to due process. The student shall be:
 - a. Informed of the charges;
 - b. Given a chance to reply to the charges.
3. The parent/guardian will be contacted to discuss the student behavior and disciplinary measures taken.

H. Suspension from school

1. The student will be denied the right to attend school for a period of time as detailed in the Suspension and Expulsion board policy;
2. Students assigned a suspension will be entitled to due process. The student shall be:
 - a. Informed of the charges;
 - b. Given a chance to reply to the charges;
 - c. Provided the opportunity for an informal hearing before the suspension.
3. The parent/guardian will be contacted to discuss the student behavior and disciplinary measures taken.
4. Suspensions shall be reported to the Superintendent or his/her designee. In addition to the due process rights above, students who are suspended for more than 10 days shall be afforded a formal hearing before the board.

I. Expulsion

1. The student will be required to withdraw permanently from school after the superintendent has exhausted all means to bring about a correction of the repeated misconduct;
2. The parent/guardian will be contacted to discuss the student behavior and disciplinary measures taken;
3. The expulsion of a student shall be approved by the board and will not be imposed without the due process as detailed in the Suspension and Expulsion board policy; and
4. Expelled students shall not be allowed on school grounds unless accompanied by a parent/guardian.

CODE OF STUDENT CONDUCT (regulation continued)Remedial Measures

The following remedial measures may be taken to improve student conduct, resolve conflict and ensure that the student is properly placed in an appropriate educational environment.

A. Restitution and restoration

1. The student may be required to make restitution, in kind or cost or labor, for any loss he or she has caused; or
2. Restore to its former condition, by his or her own labor, any property the student has damaged or defaced;
3. The parent/guardian will be contacted to discuss the student behavior;
4. A student who refuses to make restitution or restoration as directed may be disciplined according to the code of student conduct.

B. Counseling

1. The student may be required to consult with school support staff including the school guidance counselors, school psychologist, and/or school social worker to process and develop a behavior improvement plan, and when appropriate, to assess the need for a change in educational placement;
2. The parent/guardian will be contacted to discuss the student behavior;
3. The school support staff will:
 - a. Clearly communicate the charges;
 - b. Develop a behavior improvement plan with the student;
 - c. Monitor the student's behavior;
 - d. Provide accurate information regarding the disciplinary consequences of continued misconduct;
 - e. Provide ongoing communication with parents/guardians as necessary and appropriate; and
 - f. Keep parents/guardians informed of the student's progress.
4. The counselor may refer the student, as appropriate, for additional counseling, evaluation, intervention, treatment, or therapy. Referrals may be made to:
 - a. The Intervention and Referral Services (I&RS) team;
 - b. The child study team;
 - c. A public or private social service agency; or
 - d. A legal agency.

C. Parent conferences

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

CODE OF STUDENT CONDUCT (regulation continued)Disciplinary Procedures

- A. Students and parents will be given notice of the rules of conduct and disciplinary procedures as part of the student handbook and as posted on the district website. Building principals shall ensure that each student receives the student handbook containing the code of student conduct at the beginning of each school year. Transferring students shall receive the student handbook upon enrollment in this district;
- B. Teachers and administrators in charge of student discipline shall make every effort to administer these rules consistently and fairly;
- C. Staff members who discipline students for conduct shall:
 - 1. Verbally inform the student of the conduct for which he or she is being disciplined; and
 - 2. Offer the student an opportunity to reply to the charge or to present extenuating circumstances;
- D. Students with disabilities may be disciplined according to the Special Education board policy. The discipline shall conform to the code of student conduct when the behavior is not a manifestation of the disability;
- E. In grades kindergarten through 8, where the discipline is greater than a warning, the student's parent will be notified of the offense and of the discipline imposed and will be offered an opportunity to confer with the principal or designee;
- F. For serious offences and the discipline greater than detention, every effort will be made to notify the parent prior to the informal hearing; and
- G. An in-school suspension, suspension from school, or expulsion will be conducted in strict accordance with law and the Suspension and Expulsion board policy.
- H. Discipline relating to attendance infractions, including tardiness or class cutting must be in accordance with the Attendance, Absences, and Excuses board policy. Out of School Suspension or Expulsion are not applicable to such violations.

Educationally Disabled Students

- A. Students with disabilities are subject to this regulation except that no educationally disabled student may be disciplined if the student's behavior is a manifestation of his or her educational disability or the program that is being provided does not meet the student's educational needs.
- B. Before a student with a disability is disciplined, the disciplining staff member must consider the nature of the student's offending behavior in the light of his or her disabling condition and educational needs, except that:

CODE OF STUDENT CONDUCT (regulation continued)

1. The student may be temporarily removed or disciplined only as necessary to abate the peril of physical harm to the student or others or to quell a substantial disruption to the educational process and
 2. The student may be disciplined in accordance with any disciplinary component in his or her individualized program.
- C. The suspension of a student with a disability will be conducted according to law and board policy. The district shall provide continuous educational services

Conditions for Suspension, Expulsion of Certain Students

- A. Notwithstanding the provisions of N.J.S.18A:37-2 or any other provision of law to the contrary, a student who is enrolled in grades kindergarten through two in a school district or charter school shall not be expelled from school, except as provided pursuant to the "Zero Tolerance for Guns Act," P.L.1995, c.127 (C.18A:37-7 et seq.).
- B. Notwithstanding the provisions of N.J.S.18A:37-2 or any other provision of law to the contrary, a student who is enrolled in grades kindergarten through two in a school district or charter school shall not receive an out-of-school suspension, except when the suspension is based on conduct that is of a violent or sexual nature that endangers others.
- C. Notwithstanding the provisions of N.J.S.18A:37-2 or any other provision of law to the contrary, a student who is enrolled in preschool in a school district or charter school shall not be suspended, and shall not be expelled from school, except as provided pursuant to the "Zero Tolerance for Guns Act," P.L.1995, c.127 (C.18A:37-7 et seq.).

Records

Instances of student discipline will be recorded in the student's record according to the Student Records board policy.

First Reading: July 25, 2016
 Second Reading: August 29, 2016
 Adopted: August 29, 2016

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