

THE SCHOOL DISTRICT OF SOUTH ORANGE AND MAPLEWOOD, NEW JERSEY

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5600 – CODE OF CONDUCT

The Board of Education hereby adopts this policy and the Code of Conduct to establish standards, policies and procedures for positive pupil-student development and student behavioral expectations on school grounds, ~~including on a school bus or at school-sponsored functions,~~ 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.

~~Every pupil enrolled in this district shall observe promulgated rules and regulations and submit to 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 Bias Awareness, Restorative Practices, and prevention, intervention, and remediation of student conduct that violates the district's Policy and Regulations. Information on the Student Discipline/Code of Conduct Policy and Regulation shall be reviewed annually and 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; martial, 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.

~~The Code of Conduct shall include a description of school responses and consequences to violations of the behavioral expectations established by the Board that, at a minimum, are graded according to the severity of the offenses, considering the developmental ages of the pupil-offenders and pupils' histories of inappropriate behaviors pursuant to code.~~

~~The development, annual review, and update of the Code of Conduct shall involve parent, pupil, and community involvement which represents, where possible, the composition of the schools and community and shall be based on locally determined and accepted core ethical values.~~

~~The Board will review this Policy and Code of Conduct after considering the findings of the annual reports of pupil conduct, including suspensions and expulsions, pursuant to code, and the incidences reported under the Electronic Violence and Vandalism Reporting System, in accordance with code.~~

~~The Superintendent shall report annually on the implementation of the Code of Conduct to the Board at a public meeting pursuant to N.J.A.C. 6A:16-7.1(a)5. The Superintendent shall submit~~

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~~a report annually to the New Jersey Department of Education on pupil conduct, including all pupil suspensions and expulsions, and the implementation of the Code of Conduct in accordance with the format prescribed by the Commissioner of Education and the Electronic Violence and Vandalism Reporting System, pursuant to N.J.A.C. 6A:16-5.3(e).~~

For ~~pupils~~ 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), ~~pupil discipline and 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 5600 includes 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 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 ~~pupils~~ students. School authorities also have the right to impose a consequence on a ~~pupil~~ student for conduct away from school grounds that is consistent with the district's Code of Student Conduct, including on a school bus or at a school sponsored function pursuant to N.J.A.C. 6A:16-7.6. This authority shall be exercised only when it is reasonably necessary for the ~~pupil's~~ student's physical or emotional safety, security, and well-being or for reasons relating to the safety,

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security, and well-being of other ~~pupils~~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~~ which is the subject of the proposed consequence materially and substantially interferes with the requirements of appropriate discipline in the operation of the school. Consequences ~~shall be handled in accordance with Policy and the Code of Conduct,~~ pursuant to N.J.A.C. 6A:16-7.1 shall be handled in accordance with Policy 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:16-7.5. 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 ~~pupil~~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 ~~pupil~~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 ~~pupil~~student and the ~~pupils~~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 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 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, peer support groups, corrective instruction or other relevant learning or, supportive student interventions (Intervention and Referral Services - I&RS), behavioral management plans, and/or alternative placements.

Any ~~pupil~~student to be disciplined shall be provided the due process procedures for ~~pupils~~students and their families as set forth in Policy 5600 and N.J.A.C. 6A:16-7.2 through 7.46, ~~or as otherwise required by law.~~

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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.

~~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(e)10.iv., and N.J.A.C. 6A:16-7.10.~~

~~The Code of Conduct shall include a description of pupil responsibilities that include expectations for academic achievement and behavior, a description of behaviors that will result in suspension or expulsion pursuant to N.J.S.A. 37-2, and a description of pupil rights pursuant to N.J.A.C. 6A:16-7.1(c)3.i through vii.~~

~~Comprehensive behavioral supports that promote positive pupil development and the pupil's abilities to fulfill the behavioral expectations established by the Board will include: positive reinforcement for good conduct and academic success including the programs as outlined in Policy 5440; supportive interventions and referral services including those services outlined in Policy 2417; remediation of problem behaviors that take into account the nature of the behaviors, the developmental ages of the pupils and the pupil's histories of problem behaviors and performance; and for pupils with disabilities, the behavior interventions and supports shall be determined and provided pursuant to the requirements of N.J.A.C. 6A:14.~~

~~The Code of Conduct shall include a current list of community-based health and social service provider agencies available to support a pupil and the pupil's family, as appropriate, and a list of legal resources available to serve the community.~~

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~~Pupil discipline and the Code of Conduct in the district will be applied without regard to race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability or by any other distinguishing characteristic, pursuant to N.J.S.A. 10:5.~~

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~~The Code of Conduct shall be disseminated annually to all school staff, pupils, and parent(s) or legal guardian(s). School staff shall be trained annually on the Code of Conduct, which shall include training on the prevention, intervention, and remediation of pupil conduct in violation of the district's Policy. Information on the Code of Conduct shall be incorporated into the orientation program for new employees.~~

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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.

~~Initial~~ Previous Adoptions: November 3, 2003 & October 17, 2011

First Reading: June 15, 2017~~September 19, 2011~~
Second Reading: ~~October 17, 2011~~
Latest Adoption: ~~October 17, 2011~~