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[See POLICY ALERT Nos. 140, 147, 176, 193, 196 and 204]

R 5600 STUDENT DISCIPLINE/CODE OF CONDUCT

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 7.8 as amended, 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 13.1 as amended.



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C. Behaviors That May Result in Suspension or Expulsion

In accordance with the provisions of N.J.S.A. 18A:37-2 as amended, 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;



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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 as amended.

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. As amended, 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 as amended;
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 as amended, N.J.A.C. 6A:4 as amended and, where applicable, N.J.A.C. 6A:14-2.7 and 2.8 as amended, and N.J.A.C. 6A:16-7.2 through 7.5 as amended;
6. Parent notification consistent with the policies and procedures established pursuant to N.J.A.C. 6A:16-6.2(b)3 as amended and N.J.A.C. 6A:16-7.1 through 7.8 as amended; and



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7. Protections pursuant to 20 U.S.C. § 1232g, Family Educational Rights and Privacy Act as amended; 34 CFR Part 99, Family Educational Rights and Privacy as amended; 20 U.S.C. § 1232h, Protection of Pupil Rights as amended; 34 CFR Part 98, Student Rights in Research, Experimental Programs and Testing as amended; P.L. 104-191, Health Insurance Portability and Accountability Act as amended; 45 CFR Part 160, General Administrative Requirements as amended; 20 U.S.C. § 7165, Transfer of school disciplinary records as amended; 42 CFR Part 2, Confidentiality of Alcohol and Drug Abuse Patient Records as amended; N.J.S.A. 18A:40A-7.1 as amended, Confidentiality of certain information provided by pupils, exceptions; N.J.A.C. 6A:16-3.2 as amended, Confidentiality of student alcohol and other drug information; N.J.S.A. 18A:36-19 as amended, Pupil records, creation, maintenance and retention, security and access, regulations, nonliability; N.J.S.A. 2A:4A-60 as amended, Disclosure of juvenile information, penalties for disclosure; N.J.A.C. 6A:32-7 as amended, Student Records; N.J.A.C. 6A:14-2.9 as amended, 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

A student will be provided positive reinforcement for good conduct and academic success which may include, but are not limited to:

- a. Recognition of perfect attendance.
- b. Recognition of High Honor and Honor Roll achievement.



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- c. End of Year awards.
- d. Class trips and outings.

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 as amended 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.



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- (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 as amended.

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 as amended, the Student Code of Conduct shall include a description of school responses to violations of behavioral expectations established by the Bloomingdale Board of Education ("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 behavior that shall:



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- 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 as amended;
- 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 as amended. and
- d. Be consistent with provisions of N.J.S.A. 18A:6-1 as amended, 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.



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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 as amended.
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.



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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 as amended, N.J.A.C. 6A:16-7.2 as amended and 6A:16-7.3 as amended, and Policy 5610.
- b. Suspension from school will not be imposed without the due process procedures set forth in Policy and Regulation 5610.

9. Expulsion

- a. The Board may expel a general education student from school, pursuant to N.J.S.A. 18A:37-2 as amended, N.J.A.C. 6A:16-7.4 as amended, 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.



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H. Chart of Discipline*

Violation	First Offense	Second Offense	Third Offense
Arson	Police Notification	Police Notification	Police Notification
Assault	Police Notification OSS	Police Notification OSS	Police Notification OSS
Assault With Weapon	Police notification/Suspension See BOE Policy 5611		
Cheating	No credit awarded for work. Parental contact by teacher	No credit awarded for work. Parental contact by teacher	No credit awarded for work. Parental contact by teacher
Cutting /Leaving Class, or Leaving Assigned Location Without Permission	2D	3D	ISS
Cutting Detention	1D	2D	ISS
Dating Violence	5D	ISS	OSS
Defiance of Authority/Disobedience/Insubordination	2D	4D	ISS
Destruction of School, Staff or Student Property	5D restitution	ISS restitution	OSS restitution
Disruption to Learning Environment	LD Remove from class or assembly	2D Remove from class or assembly	ISS Remove from class or assembly
Failure to Wear Seatbelt on School Bus	W	1D	5 Day Bus Suspension
Falsifying a Fire or Security Alarm	OSS Parent/Police Notification	OSS Parent/Police Notification	OSS Parent/Police Notification
Fighting	5D Parent notification	3 OSS Parent notification	5 OSS Parent notification
Forgery	Parent Notification		



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Harassment, Intimidation, or Bullying	SEE BOE Policy 5512		
Inappropriate Language	W	2D	5D
Inappropriate Dress	Parent Notification Change of Clothing		
Inappropriate Behavior on School Bus	W	3D	10 day bus suspension
Inappropriate Physical Contact-Not a Fight	1D	3D	ISS
Misuse of Computer Networks/Computers	1D	15 days LOP	30 days LOP
Membership in Secret Society	W	5D	ISS
Sexual Harassment	Parent Conference 5D	Parent Conference 5 ISS	Parent Conference OSS
Smoking (As Defined by Board Policy) on School Grounds	See Board Policy 5533		
Substance Abuse	See Board Policy 5530		
Terroristic Threat	Police Notification OSS		
Theft/Damage	Restitution		
Truancy	See Board Policy 5200		
Use or Possession of an Exploding Device	Police Notification 5 OSS		
Vandalism	Police Notification; Restitution		
Weapon Possession	Police Notification Follow BOE Policy 8467/Regulation 8467		
Improper Use of Cell Phone/ECRD Policy 5516	Confiscate	Confiscate/ Return to Parent	Confiscate/ Return to Parent

W=WARNING OSS= OUT OF SCHOOL SUSPENSION
ISS=IN SCHOOL SUSPENSION LOP=LOSS OF PRIVILEGE
LD =LUNCH DETENTION



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*While the above chart attempts to capture most violations of the Code of Conduct, it should not be viewed as all inclusive. Therefore, as violations arise which are not delineated in the chart, appropriate consequences will be at the discretion of the principal.

2. 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 as amended 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 as amended and harassment, intimidation, and bullying, pursuant to N.J.A.C. 6A:16-7.7 as amended.
 3. 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.
 4. 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.
 5. 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 as amended.
 - 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



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school grounds, pursuant to N.J.S.A. 18A:25-2 as amended and 18A:37-2 as amended.

- 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 as amended, Policy and Regulation 5600, and as appropriate, in accordance with N.J.A.C. 6A:16-7-2, 7.3, or 7.4 as amended.

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 as amended and N.J.A.C. 6A:16-1.3, 7.1, and 7.7 as amended.

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.



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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 as amended., the Individuals with Disabilities Educational Improvement Act as amended, N.J.A.C 6A:14 as amended, and accommodation plans under 29 U.S.C. §§ 794 and 705(20) as amended. 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 as amended 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 as amended. 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) as amended, and N.J.A.C. 6A:32-7.5 as amended.
 - 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.



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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, as amended 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 as amended shall conform with the requirements set forth in N.J.A.C. 6A:16-7.8(d) as amended.

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.



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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.

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