

Regulation

CONDUCT/DISCIPLINE

All students shall be held accountable for disorderly conduct in school and during recess and on the playgrounds of the school and on the way to and from school.

In general, teachers shall handle their own discipline problems.

When necessary, a student may be referred to the proper administrator. The teacher shall not leave the class unattended while handling the problem.

The teacher shall fill out a report of the incident on the approved school form and sign it.

Depending on the seriousness of the case and/or when a student has had several disciplinary actions, the following course of action may be taken by the appropriate administrator.

1. Informal Conference: This may be held with the student, parent, teacher, disciplinary officer, and other professional personnel as requested or deemed advisable by the administrator to be present.
2. Principal's Conference: If improvement is not forthcoming, a conference shall be held with the principal.
3. Referral to the **Intervention and Referral Services Team and/or** Child Study Team
4. Disciplinary action (i.e. detention, in-school suspension, suspension, expulsion, etc.). A student suspended from school shall have academic instruction either in **an off-site In-School suspension program**; or out of school that addresses the Core Curriculum content Standards within five days of the suspension.
Serious infractions may be cause for a student to be placed in an Alternative School setting.
5. All potential expulsions shall be reviewed with the Superintendent or his/her designee **and the Board of Education Discipline Panel Hearing.**

Classification of Cases

Class A Offenses:

Once an administrator has determined that a criminal act as defined by N.J.S.A. 2C:1 et al has been committed, zero-tolerance shall be the presumed consequence applied and the steps outlined under Class A offenses shall be implemented.

Weapons & Dangerous Instruments Offenses – as defined in N.J.S.A. 2C:39-1 (see attached)

The Board of Education prohibits the possession and/or use of weapons or other instruments that can be used as a weapon or perceived as a weapon on school property, at any school function or while en-route to or from school or any school function. "**Weapon**" means anything readily capable of lethal use or of inflicting serious bodily injury. The term includes, but is not limited to, all (1) firearms, even though not loaded or lacking a clip or other component to render them immediately operable; (2) components which can be readily assembled into a weapon; (3) gravity knives, switchblade knives, daggers, dirks, stilettos, or other dangerous knives, billies, blackjacks, bludgeons, metal knuckles, sandclubs, slingshots, cesti or similar leather bands studded with metal filings or razor blades imbedded in wood; and (4) stun guns; and any weapon or other device which projects, releases, or emits tear gas or any other substance intended to produce temporary physical discomfort or permanent injury through being vaporized or otherwise dispensed in the air. A violation of this policy will result in disciplinary action.

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The Superintendent of Schools shall make the final determination that a particular object is a dangerous instrument in any case where there is a question of its possessor uses posing a threat to students, staff or property.

A student found or observed on school property or at a school event or en-route to and/or from school or a school event in possession of a weapon or dangerous instrument shall be reported to the Superintendent of Schools immediately. The building Principal shall immediately contact the Bridgeton Police Department and provide all known information concerning the matter, including identity of the pupil involved.

Possession or use of laser pointers is also strictly forbidden. Disciplinary action shall be taken against who possess, handle, transmit or use weapons, imitation weapons or dangerous instruments. As in disciplinary cases, due process will be provided.

Students cannot learn and teachers cannot teach when danger of violence is present. Accordingly, N.J.S.A. 18A:37-7 and N.J.S.A. 18A:37-2.2 were developed in order to prevent assaults with weapons from being committed upon students and teachers and to remove students from school who are found to be in possession of firearms because both of these laws carry severe mandatory penalties. It is very important that we all understand what acts are prohibited and the penalties that will be imposed on those who violate the laws.

N.J.S.A. 18A:37-7, also known as the "Zero Tolerance for Guns Act" mandates that any student who is convicted or adjudicated delinquent for the possession of a firearms or a crime while armed with a firearm, or who is knowingly in possession of a firearm on any school property or school bus or at any school sponsored function shall be immediately removed from the school's regular education program for a period of not less than one calendar year. In addition, any pupil so removed shall be reported to the Police for a possible violation of a criminal statute. It is important to note that items such as pellet guns or air guns are considered as a firearm for the purpose of this law.

N.J.S.A. 18A:37-2.2, provides that any pupil who commits an assault upon a teacher, administrator or other employee of a school Board or another student with a weapon, on a school bus or on school property, or at any school sponsored function shall be immediately removed from the school's regular education program, pending a hearing before the Board of Education for a period not to exceed one calendar year. It is important to note that the word weapon as it is used in this law, includes numerous items such as knives, sling shots, throwing stars, blackjacks, tear gas or even a common kitchen knife, if it is used during an assault.

The Board is committed to maintaining a safe and orderly learning environment for our students and staff. It is important that our school community clearly understand the laws and that they will, when necessary, be enforced.

Fireworks

Fireworks are illegal in the State of New Jersey. Therefore, no fireworks will be allowed at school or on school properties. Fireworks are considered dangerous and will be treated in the same manner as weapons. The Superintendent of Schools may modify the suspension on a case by case basis.

Once the Superintendent has determined that a Zero Tolerance offense has been committed, the following steps shall be taken:

1. The police will be contacted to remove the student from the premises and a complaint will be signed, and the student shall be suspended from school.
2. The parents will be notified by the school and police at the time of the complaint. The student shall be suspended from school for a minimum of seven (7) days.
3. The student shall be excluded from extra-curricular activities for thirty (30) school days.
4. The student shall be removed for a period of not less than one year subject to modification on a case by case basis by the superintendent.

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5. The superintendent shall provide notification as detailed in board policy 5114 Suspension and Expulsion and law (N.J.A.C. 6A:16-7.2-7.3 short and long term suspension) including:
 - A. Inform the student of the charges;
 - B. Notify parents/guardians of student's removal (adequate supervision provided while awaiting the parent/guardian);
 - C. Notify parents/guardians of right to due process and a formal hearing within 30 days of the first day of the student's removal according to N.J.A.C. 6A:16-7.3 long-term suspension, for any weapons offense as listed above within 30 days of day of removal;
 - D. Provide the opportunity for an informal hearing, according to N.J.A.C. 6A:16-7.2 short-term suspension, for assault without a weapon.
6. An alternate educational program or home instruction (see board policies 6172 Alternative Educational Program and 6173 Home instruction) shall be provided except where the superintendent has modified the removal and the student is returned to school.
7. Upon returning to school, the student must complete the district's conflict resolution program within ten Days.
8. **Students who commit a Zero Tolerance offense must have a parent (guardian on record) conference with the School's Discipline Panel that includes the principal, guidance counselor, Crisis Intervention Specialist/Trainer, Educational Enforcement Officer, a member of the Child Study Team and (optional Board member) within 5 days of the offense, unless the School Discipline Panel upon review of the case believes that the action may result in an out-of-district placement, home instruction or alternative setting, the case will go before the Board of Education Discipline Panel Hearing and not the School Discipline Panel.**

If the discipline infraction warrants a potential expulsion, the student must appear before the Board of Education Discipline Panel Hearing.

Parents/guardians may appeal the School's Discipline Panel Hearing decision to the Board of Education Discipline Panel.

9. Upon returning to school, the student must have a conference with the building level administrator, guidance counselor or Crisis Intervention Specialist.

Class B Offenses:

The offenses listed below are considered major offenses and a student shall be suspended from school for a minimum of three (3) days. A student suspended for five (5) days or more will be excluded from extra-curricular activities for thirty (30) school days. The student may be placed out-of-district or on home instruction by the Administrator. If the offense would constitute a criminal act if committed by an adult, Zero Tolerance shall be *the presumed consequence*. If the Superintendent applies Zero Tolerance, steps 1-6 above shall be followed.

Class A (may result in a Zero-Tolerance offense, alternative placement or home instruction)

Sex assault/ sexual contact
 Firecrackers/Explosive devices
 Burglary
 Extortion/robbery
 False public alarm offenses
 Controlled dangerous substance offenses
 Alcohol (possession of, supplying of, or sale of)
 Simple assault on any staff*

CONDUCT/DISCIPLINE (continued)**Class B**

Fighting
 Racial/bias acts
 Disorderly threats to a staff member
 Criminal mischief under \$250.00
 Harassment; intimidation and bullying
 Lewdness
 Simple assault on students
 Possession or use of electronic paging devices in school or on school grounds

Class C Offenses

Students committing the offenses listed below may receive the following penalties:

Suspension for a maximum of three (3) days, in-school suspension, Saturday(s) session(s)

Offenses: profanity, smoking in school or on school grounds, internet violation, use and display of cellular phones in school or on school grounds), cutting classes, detention, or in-school suspensions, dress code violations in school or at school functions, disrupting the educational process, insubordination, obscenity, failure to adhere to school rules and regulations, etc.

Note: Truancy and tardiness will be addressed through the Attendance Policy.

Class D Offenses

Elementary students committing the offenses listed below may be subjected to administrative action that may include, but may not be limited to the following: detention, assignment to a time-out room, parent conference and suspension at an off-site In-School Suspension Program. **Out of School suspensions are administered to students in grades 1-8 who engage in physical altercations.**

Students in grade 8 may be sent to an alternative placement if the behavior exhibited by the student warrants an alternative placement. Gang related behavior shall result in immediate parental contact and disciplinary actions shall be taken which *may* result in suspension. Teachers' actions may include, but may not be limited to the following: teacher directed discipline, parent conferences, anecdotal records, and referral to the administrator. If the student's behavior may be due to a learning disability, the student may be referred to the **Intervention and Referral Services Team and/or** Child Study Team.

The possession, handling, use or transmittal of a weapon as defined in N.J.S.A. 2C:39-1 on school property or at any related activities shall result in the immediate removal of the student from school as detailed above.

gang fighting	sex offenses
narcotics (the use of, carrying or supplying to sell	vandalism
leaving school property without permission	extortion
Disrupting the Educational Process	theft
simple and/or aggravated assault	smoking
burglary	profanity or obscenity
criminal mischief	biting
Failure to adhere to school rules and regulations	

Note: Truancy and tardiness will be addressed through the Attendance Policy.

Cell Phones

Students are not permitted to use a cell phone in school or make it visible to others. Any administrator, teacher, teacher's aide, or security staff observing a student using or in possession of a cell phone shall identify the student, confiscate the cell phone and give it to the principal. Any other employee not listed observing a student with a cell phone is to immediately notify one of the employees listed above. The cell

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phone will be released only to the student's legal guardian who must appear at the school. A student who refuses to relinquish his/her cell phone when asked, or repeatedly has a cell phone confiscated, is guilty of open defiance of authority.

This conduct shall constitute good cause for suspension or other administrative actions, including, but not limited to, in-school or after-school detention, in-school suspension, or a recommendation for expulsion.

Assault on a Board employee shall result in immediate suspension and/or recommendation for expulsion proceedings.

All discipline shall be in accordance with the current New Jersey Statutes Annotated 18A and New Jersey Administrative Code Title 6A, especially N.J.A.C. 6A:14 which addresses special education.

Parent/Guardian Responsibilities & Contact During Suspensions

It is the responsibility of parents/guardians to supervise their child and keep an out-of-school suspended student on home premises and away from school. If the student is picked up on school premises, he or she will be charged with trespassing and any other charge deemed appropriate by the principal and his/her designee.

(No student may return to school from suspension without a parent conference.)

At no time shall a student be sent home from school before the close of the school day, unless accompanied by his parent, guardian, or an officer of the law. Parents must be notified if a complaint is signed against the student.

If the student is classified with an educational disability, adhere to the following:

(a) For disciplinary reasons, school officials may order removal of a student with a disability from his or her current educational placement to an interim alternative educational setting, another setting, or a suspension without the provision of educational services for up to ten (10) consecutive or cumulative school days in a school year. Such suspensions are subject to the same district board of education procedures as non-disabled students. However, at the time of removal, the principal shall forward written notification and a description of the reasons for such action to the case manager.

(b) Disciplinary action initiated by a district board of education which involves removal to an interim alternative educational setting, suspension for more than ten (10) school days in a school year or expulsion of a student with a disability shall be in accordance with 20 U.S.C. 1415 (k), as amended and supplemented.

Detention and In-School Suspension

In-School suspension or detention hall should be a working place, and students assigned there shall work. If a student fails to bring work to detention, an additional detention shall be assigned.

A 24-hour notice of detention **or In-School Suspension** must be given to parents of students held for after-school detention **or off-site In-School Suspension**. Students who are transported by bus must be allowed to return home by bus, unless other arrangements are made with the parents.

Detention in the elementary school should not be of such duration that it will contribute to a lack of safety for students on their way home. Detention out of the classroom during the school day is difficult for the elementary principal to plan, as he/she must frequently be out of his/her office.

In such cases, the principal must work the case out in the best manner possible. The minimum disciplinary detention should be at the discretion of the teacher and or administrator.

Temporary Removal from Class

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In order to fairly and expeditiously deal with student misconduct requiring temporary removal from class, the Board shall provide a temporary removal location, which will be for the “cooling off” of students and the resolution of problems. The goal is to return the student to the classroom as soon as possible. The Board shall provide for the following:

1. A temporary removal location for all Elementary and Senior High School students. This may be the department head office, guidance office, or other locations designated by the principal.
2. The assignment of a certified teacher, certified counselor, or certified social worker whose functions will include, but not be limited to, the supervision and counseling of students whose misconduct requires their temporary removal from class.
3. The teacher to whom the student reports shall retain the student until, in the teacher’s opinion, the student is ready to return to his/her regular classroom.
4. Any student who has been removed to the temporary removal facility shall be required to do regular classroom assignments and/or receive counseling to discuss the problems which led to temporary removal.
5. When the student has been removed four (4) times in the same marking period, from the same class, the principal or his/her designee shall schedule a conference with the student’s parent(s) or guardian and the referring classroom teacher(s).

Cumulative Suspensions

1. After a student has been subjected to a short-term suspension (less than 10 days) four (4) times, or a prolonged suspension (10 days or more) once in a marking period, or a total of twenty (20) school days, or eight (8) times in a school year, whichever occurs first, the principal shall conduct a meeting to explore other solutions to the problems resulting in suspensions. **There must be an Intervention and Referral Services Team meeting within 30 days.**
2. **Home or out-of-school instruction shall be provided for a general education student for reasons other than a temporary or chronic health condition, no later than five school days after the student has left the general education program when:**
 - a. **The student is mandated by State law and rule for placement in an alternative education program for firearms offenses and/or assault with weapons offenses, but placement is not immediately available;**
 - b. **The student is placed on short-term or long-term suspension;**
 - c. **A court order requires that the student receive instructional services in the home or other out-of-school setting.**
3. Further suspension, except an emergency suspension, may be authorized until this meeting is held or refused unless, for good cause, either the Administration or the student’s parents request a delay or continuance of the meeting, which shall be scheduled as provided hereinafter.
4. The principal may invite to the meeting: the student, the student’s parents, a school counselor, other appropriate persons identified by the student or parent(s), and staff members whose presence would be deemed appropriate.
5. The student and the parent(s) shall be sent written notice at least five (5) school days prior to the meeting.
6. No action shall be taken as a result of this meeting except with the consent of the student and parents or as permitted under State and Federal law concerning the handicapped.

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7. Within one week, after the meeting, the principal shall mail a letter to the student and parent(s) describing solutions, if any, agreed to at the meeting and any actions that the student, parents or school staff should take to follow through on those solutions.

Expulsion from School

A student may be expelled by the Board of Education in accordance with N.J.A.C. 6A:16-7.4 for reasons listed in N.J.S.A.18A:37-2. In addition, a student shall be removed from the regular school program and appear before the board for the following:

- (1) Any student who commits an assault upon a teacher, administrator, board member, or other employee of a school board or another student, with a weapon, on any school property, on a school bus, or at a school-sponsored function shall be immediately removed from the school's regular education program pending a hearing before the local board of education.
- (2) Any student who is convicted or adjudicated delinquent for possession of a firearm or a crime while armed with a firearm or found knowingly in possession of a firearm on any school property, on a school bus, or at a school-sponsored function shall be immediately removed from the school's regular education program pending a hearing before the local board of education to remove the student from the regular education program for a period of not less than one calendar year subject to modification on a case-by-case basis by the chief school administrator.

Informal Resolutions of Problems – Grievances

See Policy No. 1312, "Complaints Concerning School Personnel and Matters."

Outside Agencies, Police Notification

See Class A Offenses

If an interview of a student by the police follows a summons to the police:

1. It is whenever possible to be conducted in private with an official school representative present.
2. An attempt is to be made to give a parent the opportunity to be present.

All interviews of students shall be conducted according to Board policy 5145.11 Questioning and Apprehension.

There shall be good rapport between the Probation Department of the City and the School (Disciplinary Officials) Administrators. These school officials will continue their present policy of following all requirements established by the Family Educational Rights and Privacy Act, 20 U. S. C. 1232q et seq., which governs the release of student records.

General Remarks

Staff development is recommended so that teachers will better understand policy, rules and regulations. In-service conferences which eliminate student-teacher friction and other areas of unrest are essential. If new methods, a change in subject matter, or even a shift in personnel will remedy a situation, such changes should be carefully weighed, considered and effected. In general, rewarding good behavior is to be preferred to punishment for bad behavior.

Statutes for handicapped students shall be applied. A handicapped student may be disciplined under the same procedure as a non-handicapped student provided the student's misconduct was not directly attributable to the handicap. A handicapped student may be removed from a class if his/her presence endangers himself/herself or others. This removal should be brief. If the misconduct is ongoing, the Child Study Team

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should be called upon for reevaluation.

A long-term suspension or expulsion of a handicapped student or a referral for formal evaluation of a student, pursuant to the education of All Handicapped Children Act ("EHA"), is a change in educational placement. The school will neither expel nor impose a suspension of more than ten (10) consecutive or non-consecutive days upon a handicapped student except in accordance with the procedures for a change in educational placement as presently established under the EHA 504 of the Rehabilitation Act of 1973, and the applicable New Jersey statutes and regulations concerning the handicapped. Such removal for more than ten (10) consecutive or non-consecutive days shall trigger a formal, comprehensive review of the child's individualized educational program.

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