

# Regulation

## **FRANKLIN TOWNSHIP BOARD OF EDUCATION**

**File Code: 5131**

### CODE OF STUDENT CONDUCT

#### Purpose

The purpose of these regulations is to:

- A. Foster the health, safety, social, and emotional wellbeing of students;
- B. Support the establishment and maintenance of civil, safe, secure, supportive, and disciplined school environments conducive to learning;
- C. Promote achievement of high academic standards;
- D. Prevent the occurrence of problem behaviors;
- E. Establish parameters for the intervention and remediation of student problem behaviors at all stages of identification; and
- F. Establish parameters for school responses to violations of the student discipline/Code of Conduct that take into account, at a minimum, the severity of the offenses, the developmental ages of the student offenders, and students histories of inappropriate behaviors;
- G. Promote character in students;
- H. Teach students about appropriate behavior and citizenship in school and in society.

#### Rules of Conduct

All students are bound by law, policies of the Board of Education, and the administrative regulations of this school district.

- A. Students shall respect themselves and everyone in the school community by demonstrating the following behaviors:
  - 1. Follow classroom rules set by teachers;
  - 2. Be polite;
  - 3. Use appropriate language with no profanity;
  - 4. Follow the dress code (Board Policy 5132);
  - 5. Treat others as they want to be treated;
  - 6. Keep the Franklin Township School District bully-free, including reporting all incidents of Harassment, Intimidation and Bullying.
- B. Students shall respect school property by demonstrating the following behaviors:
  - 1. Keep desks, walls, and lockers clean;
  - 2. Take care of books and all other school materials;
  - 3. Respect hall and classroom displays;
  - 4. Refrain from gum chewing in school;
  - 5. Use all school facilities, including bathrooms, as intended.

#### General Behavioral Expectations

- A. In the school building and the classroom:
  - 1. Keep hands, feet, and objects to yourself;
  - 2. Fighting is never acceptable. It's never a solution. Use conflict resolution and pro-social lesson skills;
  - 3. Follow fire and safety rules.
- B. In the hall:

1. Walk quietly and orderly in the hall;
  2. Use an inside voice;
  3. Stay to the right;
  4. Respect the learners in the rooms you pass;
  5. Hold doors open for others;
  6. Follow fire and safety rules.
- C. Come to school prepared:
1. Be on time for school and class;
  2. Do your own work. Cheating and plagiarism will not be tolerated;
  3. Be prepared for class by having all the supplies you need;
- D. Cafeteria rules:
1. Use good table manners;
  2. Use an inside voice;
  3. Listen and follow the teacher's instructions;
  4. Respect cafeteria and playground supervisors;
  5. Follow fire and safety rules.
- E. Playground rules:
1. Listen and follow teacher's instructions;
  2. Respect playground supervisors;
  3. Do not throw mulch or gym equipment;
  4. Return gym equipment respectfully as directed;
  5. Follow safety rules.
- F. Use electronics and technology resources appropriately:
1. Keep cell phones turned off in school;
  2. Use computers and the Internet in accordance with the user agreement;
  3. Use technology and electronics according to the directions and procedures given by teachers;
  4. Do not touch or handle any other student's device without permission;
  5. Follow internet safety rules.
- G. Students assigned to a school bus must obey all school rules, and:
1. Show respect for the driver at all times;
  2. Enter and leave the bus in an orderly manner;
  3. Ride only the bus to which they have been assigned;
  4. Be and remain seated while the bus is in motion;
  5. Avoid reckless and boisterous activity at all times, including during waits at pickup points;
  6. Talk in a reasonable tone of voice and avoid loud noises;
  7. Extend no portion of the body or other object out a bus window;
  8. Keep aisles clear at all times;
  9. Refrain from bringing animals or bulky, unmanageable projects onto the school bus;
  10. Refrain from smoking, eating, and drinking on the bus; and
  11. Possess, use, or distribute no substance in violation of Policy 5131.6 Substance Abuse.

#### Prohibited Behaviors

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. Harass, intimidate, or bully, and/or procure the property of others by

- threat or intimidation;
- D. Use, threaten, or incite the use of physical force against other students, staff members, or visitors to the school;
- E. Steal, damage, or deface the property of other students, staff members, or the district;
- F. Engage in the sexual and/or other harassment of students or staff members;
- G. Violate codes of conduct adopted for organizations of students;
- H. Possess or use weapons or any implement intended to harm others;
- I. Use foul, abusive, derogatory, or demeaning language, including racial and ethnic remarks;
- J. Convey information about other students or staff members known to be false;
- K. Act so recklessly as to endanger the safety of others;
- 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 truant from school or class;
- P. Cheat or otherwise engage in academic dishonesty;
- Q. Persistently refuse to complete homework and other assignments;
- R. Engage in illegal gambling;
- S. Smoke on school property;
- T. Falsify an excuse or any school document;
- U. Set fire to or cause a fire in any way on school premises;
- V. Possess or explode a firecracker or other explosive device on school premises;
- W. Sound or cause to be sounded a false alarm for fire, bomb, or other condition or circumstance hazardous to others;
- X. Possess, use, or distribute a substance in violation of Policy 5131.6 Substance Abuse;
- Y. Join a secret society prohibited by law; or
- Z. Engage in any other activity expressly prohibited by a school staff member in authority.
- AA. Cause a cellular telephone to be activated, operated, or used in anyway on school property unless prior approval by is given by the Principal or Vice Principal.
- BB. Cause sexually suggestive/offensive words or images to be displayed on any electronic device on school property at any time.

The Superintendent/Principal or their designee has the right to impose a disciplinary consequence on a student for conduct away from school grounds pursuant to N.J.A.C. 6A:16-7.6. 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 N.J.S.A. 18A:37-2 or when the conduct 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 regulation 5131 Conduct and Discipline, 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.

#### Disciplinary Measures & Consequences

The following disciplinary measures shall be applied as appropriate to the

student's violation of school rules. The measures are organized in order of severity. The age and history of the student, nature of the offense, and circumstances surrounding the offense, will all be taken into account when disciplinary consequences are being considered and applied. Disciplinary measures and consequences are NOT necessarily progressive in nature. The choice and application of disciplinary measures and consequences shall be at the discretion of the teaching staff and/or the administration, depending on the totality of the circumstances.

The Chart of Disciplinary Consequences, starting on page # 9, shall be used by teachers, staff, and administrators in accordance with the appropriate violation.

A. Admonition

A school staff member in authority may admonish the student for his/her unacceptable conduct and warn the student that additional misconduct may warrant a more severe measure or consequence.

B. Parental Contact

School staff members may contact a student's parents or legal guardians in order to resolve a more serious disciplinary issue beyond admonition. At the point of parent contact, school staff members may elect to deprive the student of the following privileges for disciplinary reasons:

Deprivation of Privileges:

1. Moving freely about the school building;
2. Participation in co-curricular or extracurricular activities;
3. Participation on sports teams, or in competitions, Student Council, and National Junior Honor Society.
4. Attendance at a school-related social or sports activity;
5. Participation in a graduation ceremony;
6. Transportation by school bus; or
7. Any other privilege the Principal or designee determines may be appropriate and consistent with Policy 5131 Conduct and Discipline, and N.J.A.C. 6A:16-7.1 et seq.

C. Detention

1. The student may be required to report before, during, or after the school day to detention for a period of supervised study;
2. Transportation will be the responsibility of the student's parents or legal guardians as a result of before or after school detention;
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.

D. Office Referral (Temporary Removal from Classroom)

1. The classroom teacher may direct the student to report to the office ("*Office Referral*") of the Superintendent/Principal or their designee for serious, numerous, or repeated infractions;
2. The teacher will inform the office as to the student's name, homeroom, and the conduct that has caused the student's removal from

- the room;
3. Students who are sent to the office will be dealt with in a firm, fair, and consistent manner;
  4. Pursuant to FTS Policy # 5131.1, and all related New Jersey Statutes and Administrative Codes, the administrator in charge of discipline will interview the student and determine which, if any, additional disciplinary steps are indicated. The following disciplinary steps are possible with an office referral:

H.I.B. Investigation:

Based on the nature of the incident, the administrator or their designee may determine that the student engaged in a gesture either written, verbal, physical act, or any electronic communication, whether it be a single incident or a series of incidents, that is reasonable perceived as being motivated either by actual or perceived characteristic, such as race, ethnicity, color, religion, ancestry, national origin, gender, sexual orientation, gender identify and expression, or a mental, physical, or sensory disability , or by any other distinguishing characteristic that disrupts with the orderly operation of the school, or the rights of other students.

If such a determination is made, an H.I.B. procedure will be initiated.

Parents of student witnesses to an H.I.B. procedure shall be notified within forty eight (48) hours, or two (2) school days, the latest, of the initiation of an H.I.B. procedure that may involve their child as a witness.

In-school Suspension:

A1. The student may be removed from his/her regular classes and required to report to an in-school suspension program for supervised study;

B1. In-school suspension is a deprivation of the student's right to a thorough and efficient education and will not be imposed without the due process set forth in Policy 5114 Suspension and Expulsion;

Suspension from School ("Out of School" Suspension)

A2. The student may he 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 N.J.A.C. 6A:16-7.3 and Policy 5114 Suspension and Expulsion;

B2. Suspension from school is a deprivation of the student's right to a thorough and efficient education and will not be imposed without the due process set forth in Policy 5114 Suspension and Expulsion.

Expulsion

A3. The Board may expel a general education student from school, pursuant to N.J.S.A. 18A:37-2. N.J.A.C. 6A:16-7.5 and Policy 5114 Suspension and Expulsion;

B3. Expulsion is an extremely serious disciplinary measure; it deprives the student of his/her right to a thorough and efficient education and will not be imposed without the due process set forth in Policy 5114 Suspension and Expulsion.

### Remedial Measures

The following remedial measures may be taken to aid in correcting student conduct and to ensure that the student is properly placed in an appropriate educational environment and is not in need of special education and/or related services.

#### A. Restitution and Restoration

The student and/or the parent/guardian may be required to:

1. Make restitution, in kind or cost or labor, for any loss caused by the student; or
2. Restore to its former condition, by the student's own labor, any property the student has damaged or defaced.

A student who refuses to make restitution or restoration as directed may be disciplined by one or more of the Disciplinary Measures listed above. The student may be required to consult with school guidance counselors to determine the causes of his/her misconduct and to assess the need for a change in educational placement.

#### B. Guidance and Counseling

1. The counselor will explain:
  - a. Why the student's conduct is unacceptable to the school and damaging to the student;
  - b. What the consequences of continued misconduct are likely to be; and
  - c. Appropriate alternate behaviors.
2. The counselor may refer the student, as appropriate, for additional counseling, evaluation, intervention, treatment, or therapy. Referrals may be made to:
  - a. The child study team;
  - b. Intervention and referral team;
  - c. A public or private social agency; or
  - d. A legal agency.

#### C. Parent Conferences

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

#### D. Alternate Educational Program

The student may be assigned to an alternate educational program as recommended by the Child Study Team and/or Superintendent in consultation with the Child Study Team or Intervention and Referral

Services team.

### Disciplinary Procedures

- A. Policy and regulation 5131 Conduct and Discipline/Code of Student Conduct can be found the district's website.
- B. Teachers and administrators in charge of student discipline shall make every effort to administer these rules consistently and fairly;
- C. The staff member who disciplines a student for conduct, however minimal the offense or the discipline, shall:
  - 1. Orally inform the student of the conduct for which he/she is being disciplined;
  - 2. Offer the student an opportunity to deny the charge or to present extenuating circumstances.
  - 3. Make the necessary input into Genesis.
- D. Where the discipline is greater than an admonishment, the student's parents/legal guardians will be notified of the offense within twenty four (24) hours and of the discipline imposed and will be offered an opportunity to confer with the person imposing the consequences in accordance with board policies.
- E. Where the offense is serious and the discipline greater than detention, parents/guardians will be notified as immediately as possible, but no later than twenty four hours;
- F. An in-school suspension, out-of-school suspension, or expulsion will be conducted in strict accordance with law and Policy 5114 Suspension and Expulsion.

### Students with Disabilities

For students with disabilities, subject to individualized education programs (IEP) in accordance with 20 U.S.C. § 1400 et seq., the Individuals with Disabilities Educational Improvement Act, and accommodation plans under 29 U.S.C. § 794 and 705(20) student discipline and the Code of Conduct shall be implemented in accordance with the components of the applicable plans.

### Student Rights

Students subject to the consequences of the Policy and Regulation 5131 Conduct and Discipline/Code of Student Conduct shall be informed of their rights, pursuant to N.J.A.C. 6A:16-7.1 that include:

- A. 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;
- B. Education that supports student development into productive citizens;
- C. Attendance in safe and secure school environments;
- D. Attendance at school irrespective of students' marriage, pregnancy, or parenthood;
- E. 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 (due process for students with disabilities);
- F. Parent notification consistent with the policies and procedures established pursuant to N.J.A.C. 6A:16- 6.2(b)3; and
- G. Protections pursuant to 20 U.S.C. § 1232g and 34 CFR Part 99, Family Educational Rights and Privacy Act; 20 U.S.C. § 1232h and 34 CFR Part 98, Protection of Student Rights Amendment; N.J.A.C. 6:3-6, Student Records; 45 CFR § 160, Health Insurance Portability and Accountability Act; 20 U.S.C. § 6301, Title IV(A)IV § 41-55 of the Elementary and Secondary Education Act as reauthorized under the No Child Left Behind Act; 42 CFR Part 2, Confidentiality of Alcohol and Drug Abuse Patient

Records; N.J.S.A. 18A:40A-7.1, School-based drug and alcohol abuse counseling; information from participants; disclosure; N.J.A.C. 6A:16-3.2, Confidentiality of student alcohol and other drug information; N.J.S.A. 18A:36-19. Creation; Student Records: Maintenance and Retention. Security and Access; Regulations; Non-Liability; N.J.A.C. 6A:14-2.9. Student Records as well as other existing Federal and State laws pertaining to student protections.

### Records

- A. 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 5131 Conduct and Discipline;
- B. 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), N.J.A.C. 6A:32-7.5(e)10(iv) and N.J.A.C. 6A:16-7.10:
  1. The record shall be provided within two weeks of the date that the student enrolls in the receiving district;
  2. Written consent of the parent or adult student shall not be required as a condition of the transfer of this information, 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 as such records would be provided by a public school district of residence to another public school district, pursuant to N.J.A.C. 6A:16-7.10(b);
  4. The Board shall not use a student's past offenses on record to discriminate against that student;
  5. All student disciplinary records maintained in the district shall conform to the requirements set forth in N.J.A.C. 6A:16-7.10(d).

### Annual Report

The Superintendent shall report, on an as needed basis, the implementation of the Policy and Regulation 5131 Conduct and Discipline/Code of Student Conduct Board at a public meeting. Any proposed changes to the district's current policies, procedures, programs or initiatives, will also be implemented on an as needed basis.

### Chart of Disciplinary Consequences

The attached chart of Disciplinary Consequences shall be used by teachers, staff, and administrators. All recommendations for suspension and expulsion shall be handled consistent with District Policy 5114 and Regulation 5114R.