

SCOTCH PLAINS-FANWOOD PUBLIC SCHOOLS  
CODE OF STUDENT CONDUCT

The Board of Education adopts this Code of Student to establish standards, policies, and procedures for positive student development and student behavioral expectations on school grounds 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.

**The Code of Student Conduct has been 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 appropriate.

This Code of Student Conduct will be reviewed annually and updated as needed. This review 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 and will recommend updates to the Board.

This Code of Student Conduct shall be disseminated annually to all school staff, students, and parents. The Board of Education shall provide to all employees annual training on the Code Student Conduct, which shall include training on the prevention, intervention, and remediation of student conduct that violates the district's Student Discipline/Code of Conduct Policy and Regulation. Information on the Code of Student Conduct and Student Discipline/Code of Conduct Policy and Regulation shall be incorporated into the orientation for new employees.

The Board provides for the district's Code of Student 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; marital, 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.

For 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), 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).

### **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.

### **Students' Rights**

Students subject to the consequences of the Code of Student Conduct shall be informed of their rights, pursuant to N.J.A.C. 6A:16-7.1(c)3.i. through vii., 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;
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, N.J.A.C. 6A:4 and, where applicable, N.J.A.C. 6A:14-2.7 and 2.8, and N.J.A.C. 6A:16-7.2 through 7.5;
6. Parent notification consistent with the policies and procedures established pursuant to N.J.A.C. 6A:16-6.2(b)3 and N.J.A.C. 6A:16-7.1 through 7.8; and
7. Protections pursuant to 20 U.S.C. § 1232g, Family Educational Rights and Privacy Act; 34 CFR Part 99, Family Educational Rights and Privacy; 20 U.S.C. § 1232h, Protection of Student Rights; 34 CFR Part 98, Student Rights in Research, Experimental Programs and Testing; P.L. 104-191, Health Insurance Portability and Accountability Act; 45 CFR Part 160, General Administrative Requirements; 20 U.S.C. § 7165, Transfer of school disciplinary records; 42 CFR Part 2, Confidentiality of Alcohol and Drug Abuse Patient Records; N.J.S.A. 18A:40A-7.1, Confidentiality of certain information provided by students, exceptions; N.J.A.C. 6A:16-3.2, Confidentiality of student alcohol and other drug information; N.J.S.A. 18A:36-19, Student records, creation, maintenance and retention, security and access, regulations, nonliability; N.J.S.A. 2A:4A-60, Disclosure of juvenile information, penalties for disclosure; N.J.A.C. 6A:32-7, Student Records; N.J.A.C. 6A:14-2.9, Student records, as well as other existing Federal and State laws and rules pertaining to student protections.

### **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 may receive personal or public acknowledgement for positive behavior in or out of the classroom.
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 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 counselors or Child Study Team members.
- (2) The principal/designee and/or 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.
- (3) The principal/designee and/or 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

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

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.

## **School Responses to Violations of Behavioral Expectations**

1. In accordance with the provisions of N.J.A.C. 6A:16-7.1(c)5, the Student Code of Conduct shall include a description of school responses to violations of behavioral expectations established by the Board of Education 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:
  - 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;
  - 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. and
  - d. Be consistent with provisions of N.J.S.A. 18A:6-1, Corporal Punishment of Students.

## **Description of School Responses**

School responses to violations of behavioral expectations are listed below:

1. **Admonishment/Reprimand**  
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.
3. **Meeting with School Administration and Parent**  
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.

5. Detention

- a. A student may be required to report before or after the school day or on a Saturday morning 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 or on a Saturday morning 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.

6. Grade Adjustment

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, N.J.A.C. 6A:16-7.2 and 6A:16-7.3, 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, N.J.A.C. 6A:16-7.4, 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.

## **Behaviors That May Result in Suspension or Expulsion**

In accordance with the provisions of N.J.S.A. 18A:37-2, 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;
9. Incitement that 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.

### **Additional Information**

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.

Nothing in Board 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.

## **Student Conduct Away from School Grounds**

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.

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 18A:37-2.

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.

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

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.

## **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.
5. If it is determined the misconduct is severe, the student may be suspended from the bus pending a conference with the parent.

## **Community Based Supports**

Each Principal or designee maintains 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.

## High School Code of Student Conduct

**Progressive Procedure:** This discipline policy is a cumulative policy beginning with freshman year and remains in effect throughout the student's enrollment at the high school. However, if a student has no recorded infractions for at least one full calendar year from the date of the last entry on the discipline record, he/she may consider his/her record clear and any subsequent infraction will be treated at the appropriate starting step of this policy.

With respect to high-level infractions, parents and students should note that in cases that a student exhibits an inappropriate behavior not indicated in this Code of Student Conduct, the administration reserves the right to determine an applicable consequence. Moreover, depending upon the severity of an inappropriate behavior exhibited, the administration reserves the right to impose consequences reflective of the severity by adjusting leniency and/or harshness of indicated consequences.

The discipline policy is set forth in the subsequent sections as follows:

- I. Category I Discipline
  - A. Disciplinary Offenses
  - B. Category I Outcomes
  - C. Category I Procedures
- II. Category II Discipline
  - A. Disciplinary Offenses
  - B. Category II Outcomes
  - C. Category II Procedure

### I. CATEGORY I DISCIPLINE

#### A. Category I Disciplinary Offenses

1. Open defiance of authority of any school employee (may also be Category II, depending upon severity).
2. Use of profanity and/or obscene language.
3. Willful and repeated tardiness to class.
4. Conduct of such character as to result in the disruption of classroom instruction.
5. Physical displays of affection by couples anywhere on school property.
6. Unauthorized use of cellular phones and electronic devices.\*
7. Ordering lunch to be delivered to the school.
8. Loitering (unsupervised) in school corridors or campus area.
9. Loitering in areas of the school not to be used by students such as teachers' lounges and lavatories.
10. Cutting office or teacher detention or supervised study.
11. Any card playing.
12. Cutting class.
13. Any other conduct which in the judgment of the Principal and/or designee is a minor offense.

**\*Regarding cell phone authorized/unauthorized use:**



1. Students will be permitted to use cell phones, iPods, and music players (with head phones) in the following areas:
  - a. during lunch time (in the cafeteria)
  - b. while they are passing from class to class
  - c. upon entering the building at the start of the day
  - d. as they leave the building for dismissal
2. Students will not be permitted to use cell phones or wear headphones/earbuds or other electronic devices without explicit teacher permission:
  - a. upon entering the classroom
  - b. anytime during class (including restroom breaks)
3. Students will not be permitted to photograph other students or teachers (without consent). This will result in confiscation of the device and disciplinary action. A parent will be contacted to pick up the device.
4. Repeated cell phone or headphone/earbud infractions may result in the loss of all cell phone or headphone privileges.

## **B. Category I Outcomes**

### 1. Office Detention

- a. Students may be assigned to office detention by administrative personnel.
- b. Students will be assigned detention from 2:40 p.m. to 3:25 p.m.
- c. Detention will be supervised by certificated personnel.
- d. Unacceptable behavior, as determined by the detention supervisor, will result in an extension of detention or an assignment to Saturday detention or out-of-school suspension.
- e. Detention takes precedence over all in-school or out-of-school extracurricular activities.
- f. Students will be required to take materials to the detention facility for the purpose of doing school work.
- g. No talking or group study is allowed.
- h. It is the responsibility of the student to attend detention as assigned. The student must keep track of scheduled detentions.

### 2. Saturday Detention

- a. Saturday detention will be held from 8:15 a.m. to 11:45 a.m.
- b. Students who fail to attend Saturday detention will automatically be placed on out-of-school suspension and will be assigned an additional Saturday detention. Students who fail to appear at the Saturday detention a second time will be in violation of a Category II offense (See II).
  - (1.) Detentions may only be rescheduled in the case of an emergency. Students will be allowed to reschedule one Saturday detention per marking period.
  - (2.) Only parents can reschedule a Saturday detention and any rescheduling must happen **before** the Friday of the Saturday detention. Students may not reschedule Saturday detentions. Saturday detentions may not be rescheduled for work or sports obligations.
- c. Students who arrive after 8:15 a.m. **will not** be admitted. They will be assigned an additional Saturday detention. Students who are late to Saturday detention a second time will be in violation of a Category II offense (See II).

- d. Students will be required to take materials, as assigned by their teachers, to the Saturday detention facility for the purpose of doing school work. Failure to bring books and other school related material will result in the student being sent home immediately.
  - e. Students may be required to complete academic or remediation activities as assigned.
  - f. Students assigned to Saturday detention are excluded from participation in extracurricular activities on that Saturday.
  - g. Talking or group study is prohibited.
  - h. Unacceptable behavior, as determined by the detention supervisors, will result in appropriate disciplinary action.
  - i. Students are responsible for their own transportation.
  - j. A student who is gainfully employed and notified after Wednesday that he/she has Saturday detention will have the option of serving his/her detention on the immediate Saturday or on the following scheduled Saturday.
  - k. Saturday detention will be supervised by certificated personnel.
  - l. Saturday detention will not be held during vacation periods or on legal holidays.
  - m. School approved community service may be offered as an alternate to the Saturday detention if permission is provided by the principal/assistant principal.
  - n. A doctor's note is required for anyone missing Saturday detention for reasons of illness.
  - o. It is the responsibility of the student to attend detention as assigned. The student must keep track of scheduled detentions.
  - p. Cell phone use at unauthorized times will result in appropriate disciplinary action.
2. Supervised Study and Supervised Lunch
- a. Students are assigned to supervised study for a specific amount of time by the administration.
  - b. Students are to arrive on time and leave when dismissed at the bell.
  - c. Students assigned for consecutive periods are not to be excused during the passing time except in a true emergency.
  - d. Passes are not issued to supervised study students except in an emergency.
  - e. Students are to remain in their assigned seats.
  - f. Visitors to supervised study are not permitted.
  - g. Students must come to supervised study with meaningful educational material or work will be assigned by teacher in charge.
  - h. Students assigned to supervised study during lunch period will remain in supervised study room. A restricted lunch menu will be available, consisting of milk, juices and sandwich of the day. Students are encouraged to "brown bag" their lunch.
  - i. Students assigned to supervised study during assembly periods will remain in supervised study.
  - j. If students do not follow supervised study expectations as stated above, they will be referred to the administrator in charge.

Type of Student Behavior	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Affection: Inappropriate public display of affection	Student warning Notify parent	1-2 days office detention Notify parent	1 Saturday detention
Cell phone/ iPod/ earphone unauthorized use	Item confiscated and retained by Administrator. Parent telephone conference to obtain item after school hours and at the discretion of the Administrator. Saturday detention issued. Students who refuse to surrender the item will be suspended for 3 days and receive 2 Saturday detentions.		
Cheating and/or plagiarism (includes phone out during assessments)	Parent/Teacher/ Counselor conference (telephone) Zero on assignment	Saturday detention Administrator/Parent conference Zero on assignment	Review by I&RS Loss of credit in course
Class Cutting	See below		
Disrupting Class: Loud & boisterous behavior	Will be based on teacher/ student conference	Teacher detention and parent notification	Office detention
Loitering in school corridors, gym or campus areas unsupervised	Warning	Saturday detention	Suspension
Profanity: Habitual use of profanity or obscene language, indecent behavior	Student warning Notify parent Office detention	1-2 days Saturday detentions Parent conference.	3 days suspension and 2 Saturday detentions Loss of student privileges (prom, parking, etc.).
Tardiness*	1-3 Tardies – Warning Parent notification	4 <sup>th</sup> Tardy – office detention; parent notification	Subsequent tardies – Saturday detention; parent notification; parking permit may be revoked.
Unauthorized parking	1 Saturday detention	1 Saturday detention, loss of privileges (underclassman removed from senior lottery)	2 Saturday detentions, loss of privileges

\*Excessive tardiness will warrant loss of additional privileges, i.e., proms, dances, graduation, etc.

### Class Cutting

#### 1. Class Cutting

Students who are absent from class without authorization while being in attendance on the day of the absence shall be referred to the Assistant Principal/designee for cutting class. Individual class cuts will be reported by the teacher who will notify the Assistant Principal/designee. A cut letter will be mailed home with a copy to the Guidance Counselor, as well as an assignment to Saturday detention. Numerous cuts can result in a suspension pending parent conference. A total of two cuts in a particular course will result in permanent removal from the course with a withdrawn passing (WP) or a withdrawn failing (WF), and no credit will be given for the particular course. The student will be assigned to the Saturday detention by the Assistant Principal/designee. For class cutting purposes, Physical Education/Health will count as a full year course, that is, a total of two cuts at any time during the year will result in permanent removal from the course from that point on.

Example: If a student should take his/her second cut during the third marking period, that student would lose credit in Physical Education for the third and fourth marking periods. Thus, he/she will have to make up two marking periods of physical education.

a. First Cut

If the class absence proves to be unauthorized, a letter of notification will be sent to the parent and a copy of the policy will be attached. The student will be spoken to by the Assistant Principal/designee with a notice sent to his/her Guidance Counselor. A Saturday detention will be assigned for each offense.

b. Second Cut

This cut will result in withdrawal from the course. The Principal and/or Assistant Principal will contact the student and remove him/her from the class and he/she will be assigned to supervised study for the time period of the eliminated course. The parent will be notified of these procedures by mail. A Saturday detention will be assigned for each offense.

- (1) Cutting the supervised study assignment will result in a formal suspension and parent conference.
- (2) Any student cutting a particular course two times within a time frame which would not allow implementation of step 1 above would still be subject to the drop procedure.
- (3) If a student is removed from a class (including physical education/health) and placed in supervised study during the first semester, he/she may submit a request in writing to the Principal to enter a semester course when the second semester begins. Approval of such a request will be contingent upon the student's earnest efforts at conforming to the school's attendance rules.

**C. Category I Discipline Procedure**

1. Teacher responsibility for counseling and discipline is a prime concern and the first level of effort. Teacher or administrative discipline should include but not be limited to classroom detention, official school detention and/or supervised study. Detention takes precedence over extracurricular activities.
2. If such violations of school rules (see Category 1B) are repeated, the student will remain in supervised study for the time specified by the administrator pending a parent conference and official school detention will be assigned.
3. If such violations of school rules should occur a third time, the student may remain in supervised study for the time specified by the administrator pending a parent conference, and one day of Saturday detention will be assigned. The student's counselor will be notified for counseling the individual regarding the behavior pattern that resulted in the violation of school rules.
4. If such violations of school rules should occur a fourth time, the student will remain in supervised study for the time specified by the administrator pending a parent conference and two days of Saturday detention will be assigned. The student's counselor will be notified for counseling the individual regarding the behavior pattern that resulted in the violation of school rules.

5. If the violation of school rules is repeated after that, the offense becomes a Category II disciplinary offense (see II) and the steps under Category IIA shall ensue.
6. The Administrator of the school building may use his/her discretion in determining the appropriate disciplining of a student.

## **II. CATEGORY II DISCIPLINE OFFENSES** (\*Offenses may result in the filing of a formal complaint with the Scotch Plains Police.)

### **A. Category II Disciplinary Offenses**

The conduct listed below shall give cause for a combination out-of-school suspension and/or Saturday detention. Repeated offenses shall give cause for further suspension and/or exclusion, as well as appropriate legal action, in accordance with State law 18A:37-2 and other applicable laws or administrative code.

The Administrator of the school building may use his/her discretion in determining the appropriate disciplining of a student. Conduct which shall constitute good cause for suspension of a student guilty of such conduct shall include, but not be limited to, any of the following:

1. Interference in any way with a school employee attempting to discipline another student.
2. Leaving school building or grounds without permission.
3. Failure to properly identify him/herself upon request.
4. Falsifying or forging any documents related to school.
5. Use of profanity or obscene language when directed at a school employee.
6. Appearance on school property or school related activity while excluded or suspended out-of-school.\*
7. Continued and willful defiance of any school employee.
8. Gambling or the possession of any gambling paraphernalia.
9. Willfully causing or attempting to cause damage to school property.\*
10. Possession of tobacco products anywhere on school property is prohibited pursuant to New Jersey Law (P.L. 2001, Chapter 226, approved August 27, 2001). Violators may be subject to a fine.\*
11. Conduct of such character as to constitute a continuing danger to the physical well being of other students.
12. Truancy.\*
13. Incitement of or participation in an unauthorized occupancy by any group of students or others in any part of the school or any 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 his/her designee or other person in charge of such building or facility.\*
14. Incitement that is intended to and does result in truancy by other students.
15. Turning in a false alarm or causing a bomb scare.\*
16. Inciting others to fight.
17. Continued and willful disobedience.
18. Open defiance of authority of any teacher or person having authority over him/her.

19. Conduct of such character as to constitute a continuing danger to the physical well being of other pupils.

### **VIOLENCE INCIDENTS**

20. Simple Assault: A person attempts to cause or purposely, knowingly, or recklessly causes bodily injury to another. One needs to consider age and developmentally appropriate behavior.\*
21. Robbery: Obtaining money or material things from another by means of **violence or threat of immediate violence**. Criminal investigation will occur.\*
22. Threat: Attempting by physical menace or verbal threats to put another in fear of further serious bodily injury. (Does not include bomb threats.) One needs to consider age and developmentally appropriate behavior.\*
23. Fight: Mutual engagement in a physical confrontation that may result in bodily injury to either party. Does not include verbal confrontations or a minor confrontation such as a shoving match. All participants should be classified as offenders. One needs to consider age and developmentally appropriate behavior.\*
24. Harassment, Intimidation or Bullying (includes Bias Intimidation): Any gesture or written, verbal or physical act that is reasonably perceived as being motivated either by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory handicap, or by any other distinguishing characteristic, that takes place on school property, at any school-sponsored function or on a school bus and that: (a) a reasonable person should know, under the circumstances, will have the effect of harming a student or damaging the student's property; or (b) has the effect of insulting or demeaning any student or group of students in such a way as to cause substantial disruption in, or substantial interference with, the orderly operation of the school.

### **VANDALISM**

25. Burglary: An individual entering or surreptitiously remaining in a school district facility or property, or someone's property (e.g., automobile) with the purpose to commit an offense therein. Criminal investigation will occur.\*
26. Damage to Property: Purposely, knowingly, or recklessly destroying or defacing school, contracted, or personal property, causing an economic loss due to repair or replacement. Knowingly setting off a fire alarm when no fire exists is entered into this category. Serious incidental damage to property occurring during an act of violence is included.\*
27. Fireworks Offense: The possession, selling, distributing, or detonating of a self-fusing explosive device, no greater in size than two inches and commercially sold as "fireworks", cherry bombs, M-80's and M-90's.
28. Theft: Taking of the district's or a person's belongings or property without consent. Criminal investigation will occur.\*
29. Trespassing: Entrance onto school property or into a school building without permission by an individual, who knows he/she is not privileged to be on the property.

### **SUBSTANCE ABUSE INCIDENTS**

30. Suspected Use Not Confirmed:
- (a.) Alcoholic Beverages and Controlled Substances – per N.J.A.C. 6A:16-4.3(a), any educational staff member or other professional to whom it appears that a student may be currently under the influence of alcohol or other drugs on school property or at a school function shall report that matter as soon as possible to the principal and to the certified or non-certified school nurse or the school physician, according to the requirements of N.J.S.A. 18A:40A-12.
  - (b.) Anabolic Steroids – per N.J.A.C. 6A:16-4.3 (b), any educational staff member or other professional who has reason to believe that a student has used or may be using anabolic steroids, that person shall report the matter as soon as possible to the principal or to the substance awareness coordinator, according to the requirements of N.J.S.A.: 40A-12.
31. Suspected Use Confirmed – An incident is reported as Suspected Use Confirmed when a positive determination from a medical examination indicates that the student is under the influence of alcoholic beverages, marijuana, and/or other drug (controlled dangerous substance, but not including cigarettes), or indicates that the student has used anabolic steroids. A report should be completed when suspected use is confirmed by a positive determination from a physician.
32. Possession – Student is found with alcohol, marijuana, and/or any other drug (controlled dangerous substance) in his/her locker or vehicle, or on his/her person. Includes possession of unauthorized prescription drugs and drug paraphernalia.\*
33. Distribution – Student is selling, buying or giving alcohol, other controlled dangerous substance(s) or anabolic steroids to others, or employs others to do the same. The student need not be caught in the act of selling or giving. The term “distribution” includes having alcohol or other drugs under circumstances where it may be inferred that the student would distribute to others. Therefore, possession of a large amount of drugs should be reported as “distribution”, not as “possession”.\*

### **WEAPON INCIDENTS**

34. Possession of a firearm: Having on one’s person, or in one’s locker or vehicle, a handgun or rifle. The firearm need not be loaded.\*
35. Assault with a firearm: Attacking or physically harming someone by threatening with or shooting a handgun or rifle. The firearm need not be loaded.\*
36. Sale or transfer of a firearm: Selling, giving, or having in one’s possession with the intent to distribute or sell a firearm of any kind.\*
37. Assault with Other Weapon: Attacking or physically harming someone with a knife, club, stun gun, chain, pepper spray, or other instrument (other than a firearm) readily capable of lethal use or of inflicting serious bodily injury.\*
38. Possession of Other Weapon: having on one’s person or in one’s locker or vehicle, any weapon (other than a firearm). A weapon is any instrument readily capable of lethal use or of inflicting serious bodily injury that includes, but is not limited to, studded with metal filings and razor blades. This category also includes stun guns and any device which projects, releases, or emits tear gas or any other substance (e.g., pepper spray) intended to produce temporary discomfort or

permanent injury through being vaporized or otherwise dispensed in the air. Components that can readily be assembled into a weapon also apply.\*

39. Any other serious offense that in the judgment of the principal/designee warrants Level II consequences.

\* These offenses may result in the filing of a formal complaint with the Scotch Plains Police Department.

## B. Category II Discipline Outcomes

**Suspension:** The temporary removal of a student from all classes for a specified period of time.

**Expulsion:** The permanent removal by the Board of Education of a student from all future attendance at any school within the Scotch Plains-Fanwood school system.

Type of Student Behavior	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Attacking or threatening another student or school personnel	4-10 days suspension and 2-3 Saturday detentions. (Possible recommendation for expulsion.) Possibility of police notification and filing of a juvenile complaint. Loss of student privileges (prom, parking, etc.).		
Defiance: Open defiance of authority	1-2 Saturday detentions and suspension from school depending on the nature of the offense	2-3 days of suspension from school and 1-2 Saturday detentions	4-10 days suspension and 3 Saturday detentions. Loss of student privileges (prom, parking, etc.).
Destroying or defacing property*	3 days suspension, 2 Saturday detentions and reimbursement of district	Suspension and/or expulsion, as well as appropriate legal action. Reimbursement to district – possible prosecution with community service as one option. Loss of student privileges (prom, parking, etc.)	
False alarm or causing a bomb scare*	4 days suspension and 3 Saturday detentions. Notification of police. Loss of student privileges (prom, parking, etc.).		
Fighting*	Parent conference and 4-10 days suspension plus 2-3 days of Saturday detention. Investigate thoroughly. Possible prosecution. Loss of privileges (prom, parking, etc.)		
Firecrackers*	3-4 days suspension and 2-3 Saturday detentions. (Possible recommendation for expulsion.) Possibility of police notification and a filing of a juvenile complaint. Loss of student privileges (prom, parking, etc.)		
Fires: Starting or causing*	3-4 days suspension. Notify parent. Notify police. Loss of student privilege (prom, parking, etc.).	Suspension and/or expulsion, as well as appropriate legal action. Reimbursement to district – possible prosecution with community service as one option. Loss of student privileges (prom, parking, etc.)	
Forgery and/or altering documents	1 Saturday detention Possible suspension (based on offense)	2 Saturday detentions or suspension	
Inciting a fight	1 Saturday detention or suspension	2 Saturday detentions or suspension. Parent conference.	3 days suspension and 2 Saturday detentions. Loss of student privileges (prom, parking, etc.)
Illegal substances*: Possession, use and/or distribution of illegal substances	Minimum 4 days suspension pending implementation of district guidelines for alcohol/controlled dangerous substance abuse will be followed and 3 Saturday detentions issued. Loss of student privileges (prom, parking, etc.).		



Interference with school employee who is attempting to discipline another student	3 days suspension 2 Saturday detentions Notify parent	4 days suspension and 3 Saturday detentions. Notify parents. Loss of student privileges (prom, parking, etc.).
Leaving school building or grounds without permission	3 days suspension 2 Saturday detentions Notify parent	4 days suspension and 3 Saturday detentions Loss of student privileges (prom, parking, etc.).
Sexual harassment or stalking of any student by another student or a group of students	3-4 days suspension and 2 Saturday detentions. Loss of student privileges (prom, parking, etc.).	
Possession of smoking paraphernalia, Smoking and/or use of tobacco, e-cigarettes or vaping on school property during school hours and activities	A complaint may be filed with the Department of Health. 3- 4 days suspension and 3 Saturday detentions pending implementation of district guidelines for alcohol/controlled dangerous substance abuse will be followed. Loss of student privileges (prom, parking, etc.). Subsequent offenses carry greater penalties.	
Stealing/theft*	4 days suspension and 3 Saturday detentions. Refer to Child Study Team. Parent conference. Possible police notification. Loss of student privilege (prom, parking, etc.).	
Trespass	Escort to office. Notify police if unauthorized person is uncooperative.	
Unauthorized assembly	Parent conference with 3 days suspension and 2 Saturday detentions	4 days suspension and 3 Saturday detentions.
Weapons*: Carrying dangerous and/or offensive weapons – including look-alikes. ZERO tolerance	School authorities are required to report these incidents to the local police. Suspension from school. Loss of student privileges (prom, parking, etc.).	
The Administrators of the school building may use their discretion to determine the appropriate disciplinary action for a student. This list is not intended to be all inclusive but represents the more common offenses that are encountered in schools. *Offenses may result in the filing of a formal complaint with the Scotch Plains Police.		

### C. Category II Procedure

Procedure for carrying out the process of out-of-school suspension and/or expulsion shall be as follows:

1. Upon suspension by the Principal or designee or other administrative officer, the student's parent shall be notified at which time the nature and degree of the infraction shall be discussed.
2. The Child Study Team shall be consulted regarding removal of a classified student.
3. A second Category II offense on the part of the student shall result in an extended suspension (minimum of three days).
4. A third Category II offense on the part of the student may then require the formation of a formal review panel for the consideration of possible expulsion. This panel shall be made up of, but not limited to, the student's guidance counselor, a teacher (assigned by the Principal/designee), a nurse, and an administrator. The panel will meet with the student and his/her parent and his/her total discipline file shall be reviewed with a recommendation to the Principal as to further action, inclusive of consideration for Child Study Team evaluation.
5. Out-of-school suspension and Saturday detentions can be assigned by the Principal or designee as follows:
  - 2 days out-of-school suspension and 1 Saturday detention

- 3 days out-of-school suspension and 2 Saturday detentions
- 4 days out-of-school suspension and 3 Saturday detentions
- 10 days out-of-school suspension and 4 Saturday detentions

6. Parent will be notified regarding the offense and the resulting suspension. Should the parent choose to appeal the suspension, they should contact the school Principal. The student will remain out of school while the appeal is pending.
7. Expulsion proceedings can be initiated without the progressive steps based on the seriousness of the offense.
8. The Principal's recommendation for expulsion will be submitted to the Superintendent of Schools. Preliminary to a formal expulsion hearing by the Board of Education, an informal hearing will be conducted by the Superintendent. This pre-expulsion hearing will be scheduled with the parent, student, school Principal and/or designee in attendance. Pending the results of the Superintendent's hearing, a recommendation will be made to the Board of Education and a Board level hearing for expulsion may be scheduled, pursuant to N.J.S.A. 18A:37-2.

#### End Of Year Fulfillment Of Disciplinary Requirements

1. If a senior has not fulfilled his/her discipline requirements by commencement, he/she may be excluded from commencement exercises pending a decision on the seriousness of the offense, and will have to fulfill disciplinary action requirements before receiving his/her diploma.
2. If a freshman, sophomore, or junior has not fulfilled his/her disciplinary requirements by the end of the school year, he/she may receive a minimum of three days out-of-school suspension at the beginning of the following school year, based on the judgment of the high school administrator as to the seriousness of the offense.
3. Alternatively, a student may be given a community service or school maintenance assignment during the summer with parental permission.

## Middle School Code of Student Conduct

### Overview of Steps for Addressing Student Behavior

Addressing student behavior issues involves different degrees of support and interaction depending upon the behavior and its severity. Middle School staff members will follow the steps below:

**For Low Level Infractions**, the following steps will occur:

1. The individual staff member will meet with the student to:
  - a. Identify the inappropriate behavior;
  - b. Discuss the inappropriate behavior and help the student problem-solve; and

- c. Involve the student in writing an action plan for a change in behavior that the student and staff member agree upon.
2. Contact the parent to update them on the steps above and to gain further insight and input into the student's behavior.
3. If a change in the student's behavior is not observed after the steps above, another conference will take place with the staff member and the student during which a second action plan will be written by the student with the staff member. The teacher may inform the student's counselor at this time. A parent may be present at this second conference as well.
4. If a change in student behavior is not observed after the second conference, the student will be referred directly to the administration. Upon receipt of a referral, the Assistant Principal and/or Principal will take the appropriate administrative action as outlined in the next section of this Code of Student Conduct.

**For Middle Level Infractions**, the following steps will occur:

1. The individual staff member will meet with the student to:
  - a. Identify the inappropriate behavior;
  - b. Discuss the inappropriate behavior and help the student problem-solve; and
  - c. Involve the student in writing an action plan for a change in behavior that the student and staff member agree upon.
2. Contact the parent to update them on the steps above and to gain further insight and input into the student's behavior.
3. If a change in the student's behavior is not observed after the steps above, the individual staff member will conduct a conference with counselor, and/or parent, and/or student during which a second action plan will be written by the student with the staff member.
4. If a change in student behavior is not observed after the second conference, the student will be referred directly to the administration. Upon receipt of a referral, the Assistant Principal and/or Principal will take the appropriate administrative action as outlined in the next section of this Code of Student Conduct.

**For High Level Infractions**

Staff members will complete a middle school disciplinary referral form and submit it directly to the administration for high level infractions. Upon receipt of a referral, the Assistant Principal and/or Principal will take the appropriate administrative action as outlined in the chart for this Code of Conduct (see below). Students and parent(s) should note that appropriate administrative action may include lunch detention, morning detention, an after school detention, in-school suspension, out-of-school suspension, restitution assignment, permanent removal from class, community service, suspension/removal of other school privileges, peer or staff mediation, counselor/I&RS referral, police contact, and/or recommendation for expulsion. In addition, at all times, the administration reserves the right to intervene and take action if the student's behavior is deemed inappropriate, unsafe or in violation of district-wide policies.

**Consequences for Infractions Reaching the Principal /Assistant Principal**

Most behavioral issues can be resolved with staff members before a referral to the Principal or Assistant Principal. When the behavioral issues cannot be resolved at the teacher level, then the following chart will be used as a guideline to help the Principal or Assistant Principal reinforce the behavioral expectations.

<b>Low Level Infractions</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
Tardy to Class	MD/ASD/LD	ASD/LD	ASD/LD
Late to School	MD/ASD/LD	ASD/LD	ASD/LD
Inappropriate Dress	CIC	CIC/ASD/LD	CIC/ASD/LD
Inappropriate Personal Belongings	CFS/ROP	CFS/ASD/LD	CFS/ASD/LD
Inappropriate Displays of Affection	MD/ASD/LD	ASD/LD	ASD/LD
Behavior Interfering with Instruction	MD/ASD/LD	ASD/LD	ASD/LD
Undirected Profanity	MD/ASD/LD	ASD/LD	ASD/LD
Unauthorized Cellular Telephone Usage (phone to be picked up by Parent)*	CFS/MD/ASD	CFS/ASD/LD	CFS/ASD/LD/ROP

\*Cell phone use by Middle School students will be permitted under the supervision of school personnel.

<b>Middle Level Infractions</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
Repeated Behavior Interfering with Instruction	MD/ASD/LD	ASD/ISS	ISS/OSS
Horseplay	MD/ASD	ASD/ISS	ISS/OSS
Non-permanent Defacing of School Property	MD/ASD	ASD/ISS	ISS/OSS
Lying	MD/ASD	ASD/ISS	ISS/OSS
Abuse of Pass/Privilege	ROP	ASD	ASD/ISS
Disrespectful to Staff/Student	MD/ASD	ASD/ISS	ISS/OSS

Cutting Class/Detention	MD/ASD/ISS	ISS/OSS	OSS
<b>High Level Infractions</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
Leaving School without Permission	3 ISS + PC	3 OSS + PC	4 OSS + PC
School Absence without Parental Consent	3 ISS + PC	3 OSS + PC	4 OSS + PC
Forgery	ISS	OSS	OSS + PC
Computer Violation	ROP+ASD/ISS	ISS/OSS	OSS +PC
Gross Insubordination/Defiance	2 ISS	2 OSS	OSS +PC
Racial/Ethnic Slur	1 OSS	3 OSS	4 OSS + PC
Bullying/Harassment/Threats	3 OSS + PC	4 OSS + PC	5-10 OSS + RE
Vandalism/Destruction	2 ISS + R	2 OSS + R	3 OSS + R + PC
Theft	2 OSS	3 OSS + PC	4 OSS + RE
Inappropriate Dialing of "911"	3 OSS + PC	3 OSS + PC	RE + PC
Tampering with Safety Devices	2 OSS + PC	3 OSS + PC	RE + PC
Endangering Safety of Others	2 ISS	2 OSS	3 OSS + PC
Inciting a Fight	2 OSS	3 OSS + PC	4 OSS + PC
Fighting/Assault (Spitting/Biting)	3 OSS	5 OSS + PC	RE + PC
Possession/Use of Matches/Lighters	ISS	3 OSS	4 OSS
Possession/Use of Weapons	2 OSS/PC/RE	3 OSS + PC/RE	RE + PC
Possession of tobacco and/or smoking/vaping paraphernalia	1 OSS	2 OSS	3 OSS
Smoking* and/or use of tobacco, e-cigarettes or vaping on school property during school hours and	1 OSS+1 ISS	2 OSS+1 ISS	3 OSS+2 ISS

activities

Illegal substances: 4 OSS+PC

Possession, use and/or distribution nplementation of district guidelines for alcohol/controlled dangerous substance abuse will be followed.

### Key for Abbreviated Terms in the Chart of Consequences

ASD	=	After School Detention	OSS	=	Out-of-School Suspension
CFS	=	Confiscation	PC	=	Police Contact
CIC	=	Change Inappropriate Clothing	R	=	Restitution
ISS	=	In-school Suspension	RE	=	Recommendation for Expulsion
LD	=	Lunch Detention	ROP	=	Removal of Privileges
MD	=	Morning Detention			

In addition to the above, any student who physically assaults another student will be held accountable according to the consequences listed in the chart. If student “X” assaults student “Y” and student “Y” retaliates by assaulting student “X”, even though student “Y” did not initiate the assault, both student “X” and student “Y” will be suspended from school. If additional consequences are relevant according to the chart, both student “X” and student ”Y” will be assigned those consequences.

Parents will be contacted any time a student receives an in-school or an out-of-school suspension.

## Elementary School Code of Student Conduct

### Behavior Expectations In School

Students are active participants in creating a pleasant, safe learning environment. Students are expected to demonstrate appropriate behaviors while within the school environment including arrival and dismissal, classroom time, lunch/recess, class trips, and after school. While the general connotation "appropriate behaviors" might be clear to the adults involved; it may not be clear to all of our students. The staff, thus, has a responsibility to fully acquaint students with school expectations, and to deal firmly and fairly with those students who do not conduct themselves properly.

### General Behavior

Children should:

- Be kind
- Be helpful

- Be fair
- Be responsible
- Be safe
- Be respectful of others
- Be respectful of school property and of other people's property

Be the first to say "HELLO"

Use "PLEASE" and "THANK YOU"

Use appropriate school language

Keep your hands to yourself

Treat others the way you want to be treated

Walk quietly through the halls

Use "INSIDE" voices in all areas of the school

- Follow directions.
- Walk in the halls, classroom, and lunchroom.
- Line up when directed.
- Keep hands, feet, or other objects to themselves.

In addition:

- Personal recreation items are discouraged from being brought to school.

### **Lunch/Recess Behavior**

The students' lunch/recess period should be a pleasant and informal part of the school day.

In addition to the behaviors listed under "General Behavior" the following items apply during lunch and recess:

#### **Students are:**

- Encouraged to use the bathroom facility prior to lunch/recess. A student is permitted to go to the bathroom during lunch/recess if (1) it is absolutely necessary and (2) with the permission from the adult in charge.
- Required to eat only foods that they bring to school or purchase at school (i.e., students should not share or trade lunches).
- Not permitted to throw food.
- To clean up their trash after they have finished their lunch.

#### **Outdoor Recess:**

- Appropriate safety procedures must be followed when using playground equipment and while participating in games.
- Children are not permitted in the woods or on the property bordering school grounds.

#### **Classroom Recess:**

- Students are to follow the procedures outlined by the classroom teacher: a set of lunchtime activities, developed by the classroom teacher, will be discussed with students and posted for reference.
- Indoor activities shall include reading, board games, puzzles, drawing, and coloring.

### **Technology Expectations:**

- Students are to follow the procedures outlined by the school and classroom teacher for appropriate use of their technology.
- Students are expected to use technology for school-related activities only, including completing class assignments and conducting research on teacher-approved websites and applications.
- Students should only use websites and programs approved by the school or teacher.

### **Consequences For Negative Behavior**

#### **General School Consequences**

- Aide or teacher/student conference
- Contact family
- Written conduct report and contact family
- Teacher/student conference and contact family
- Principal/teacher conference with student and parent

#### **Consequences for Misbehavior During Lunch**

- Students may be asked to perform a service by helping others.
- Students may be asked to eat at an alternate location.
- Students may lose part or all of their recess privilege for a period of time depending upon the severity of the infraction. The loss of recess is not a routine consequence.
- Students may have their privilege of eating in the lunch room revoked for an appropriate period of time.
- Continued chronic behavior may result in increased consequences.

#### **Consequences for Misuse of Technology**

- Contact family
- Inappropriate use of technology at school or in a student's home can lead to loss of time using devices or of use of the device altogether.

#### **Positive Behavior Reinforcement**

- Acknowledgement in student's classroom
- Contact family
- Acknowledgement by principal and contact family