

## **WOODLAND PARK SCHOOL DISTRICT CODE OF CONDUCT**

The Woodland Park Board of Education has established a Code of Conduct which is representative of the composition of the district's schools and community. It is based on the core ethical values: caring, trustworthiness, respect, responsibility, fairness and citizenship. All are designed to attain the district's mission of educating today's learners to become tomorrow's leaders. The Code of Student Conduct will undergo an annual review by the Board of Education and Superintendent of Schools. If necessary, it will be modified on the basis of research and data provided by the administrative team, faculty, parents and students regarding its effectiveness as it relates to the district's mission statement.

The Code of Student Conduct will be disseminated annually to all school staff, students and parents. Parents and students will annually sign-off that they have read and understand the Code of Student Conduct and the provisions of the Board of Education Policy 5512. Both documents will be posted on the districts website at [www.wpschools.org](http://www.wpschools.org) for reference purposes. Copies will also be provided to parents who do not have internet access.

The principal of each school will annually review the provisions contained in the Code of Student Conduct with his/her students and staff at the beginning of each school year and subsequently throughout when necessary. Additionally, the Superintendent shall report annually to the New Jersey Department of Education on the implementation of the Code of Student Conduct, including the suspensions and expulsions in accordance with the format prescribed by the Commissioner of Education and the Electronic Violence and Vandalism Report System, pursuant to N.J.A.C. 6A:16-5.3(e).

The Code of Student Conduct has been established to achieve the following purposes:

1. Foster the health, safety and social and emotional well-being of students;
2. Support the establishment and maintenance of civil, safe, 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 student problem behaviors at all stages of identification; and
6. Establish parameters for school responses to violation of the Code of Student 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.

### **STUDENT RESPONSIBILITIES – The Six Pillars of Character Education**

Students are expected to demonstrate the following responsible behaviors while in school, on a school bus and at school activities in and out of the district:

1. **Caring** for all members of a diverse school community which includes but is not limited to students, administrators/supervisors, teachers, advisors, support staff, custodians, volunteers, and HSA representatives. Students must also demonstrate tolerance and

acceptance of classmates who are the same and different in ability, aptitude, cultural ethnicity, and socio-economic background.

2. **Trustworthiness** in assuming responsibility for their educational successes and failures. When working alone or in groups, they must be trusted to be responsible for their work and the results of their efforts.
3. **Respect** for all members of the school community, its facilities and property.
4. **Responsibility** in adhering to school rules and regulations which are designed to provide a safe and appropriate environment for learning.
5. **Fairness** in their treatment of staff, classmates, competitors and the public.
6. **Citizenship** by fulfilling their educational goals to become a productive member of the community, state, nation and world. This can be accomplished by attending school daily and mastering the NJ Core Curriculum Content Standards.

### **INAPPROPRIATE BEHAVIORS**

Students must realize that any display of inappropriate behavior will have consequences that are graded according to severity and consideration of the developmental age of the offenders. They include a continuum of actions designed to remediate and, where necessary or required by law, to impose sanctions. They provide for equitable application without regard to race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability or by any other distinguishing characteristic, pursuant to N.J.S.A. 10:5; and are consistent with the provisions of N.J.S.A. 18A:6-1 regarding the prohibition of corporal punishment.

### **CONSEQUENCES FOR INAPPROPRIATE BEHAVIORS**

#### **A. ATTENDANCE**

##### **Truancy/Leaving School without Authorization**

###### **1<sup>st</sup> incident**

Grades K-2: 2 days Administrative Detention\*

Grades 3-4: 3 days Administrative Detention

Grades 5-8: 4 days Administrative Detention

###### **2<sup>nd</sup> incident**

Grades K-2: 5 days Administrative Detention

Grades 3-4: 1 day In School Suspension^ and police notification

Grades 5-8: 1 day Out of School Suspension and police notification

###### **3<sup>rd</sup> incident**

Grades K-2: 1 day Out of School Suspension and police report

Grades 3-4: 2 days Out of School Suspension and police report

Grades 5-8: 2 days Out of School Suspension and police report

\*a consequence in which the student is required to stay in at lunch time or after school with the respective building principal or vice principal

^specific area designated within the school setting, away from other students, and not

housed within another classroom while instruction is being presented

**Note: If an inappropriate behavior results in a consequence of an Out of School Suspension, a conference will be held between the building principal and parent before the student can return to school.**

**Late to Class**

**1<sup>st</sup> incident**

Grades K-8: Teacher Warning

**2<sup>nd</sup> incident**

Grades K-8: 1 day Teacher Detention

**3<sup>rd</sup> incident**

Grades K-4: 1 day Administrative Detention and parent contact

Grades 5-8: 2 days Administrative Detention and parent contact

**Cutting Class**

**1<sup>st</sup> incident**

Grades K-4: 1 day Teacher Detention

Grades 5-8: 2 days Teacher Detention

**2<sup>nd</sup> incident**

Grades K-2: 1 day Administrative Detention

Grades 3-4: 2 days Administrative Detention

Grades 5-8: 5 days Administrative Detention

**3<sup>rd</sup> incident**

Grades K-4: 1 day In School Suspension and parent contact

Grades 5-8: 1 day Out of School Suspension and parent contact

**B. INSUBORDINATION**

**Failure to Report to Teacher Detention**

**1<sup>st</sup> incident**

Grades K-2: Teacher Warning

Grades 3-8: 2 days Teacher Detention

**2<sup>nd</sup> incident**

Grades K-4: 1 day Administrative Detention and parent contact

Grades 5-8: 2 days Administrative Detention and parent contact

**3<sup>rd</sup> incident**

Grades K-2: 2 days Administrative Detention and parent contact

Grades 3-4: 1 day In School Suspension and parent contact

Grades 5-8: 2 days In School Suspension and parent contact

**Failure to Report to Administrative Detention**

**1<sup>st</sup> incident**

Grades K-2: 1 day Administrative Detention and parent contact

Grades 3-8: 1 day In School Suspension and parent contact

2<sup>nd</sup> incident

Grades K-8: 1 day Out of School Suspension and parent contact

3<sup>rd</sup> incident

Grades K-4: 2 days Out of School Suspension and parent contact

Grades 5-8: 3 days Out of School Suspension and parent contact

**Failure to Follow Teacher's\* Direction/School Rules/Insolence to Staff Member**

**\*includes substitute teacher**

1<sup>st</sup> incident

Grades K-8: Administrative Warning

2<sup>nd</sup> incident

Grades K-2: 1 day Administrative Detention and parent contact

Grades 3-8: 2 day Administrative Detention and parent contact

3<sup>rd</sup> incident

Grades K-2: 2 days Administrative Detention and parent contact

Grades 3-8: 2 days In School Suspension and parent contact

**Disruptive Behavior - any behavior that disturbs, interferes with, disrupts, or prevents any normal operations and functions in the classroom setting which includes teaching, and classroom activities**

1<sup>st</sup> incident

Grades K-8: Administrative Warning

2<sup>nd</sup> incident

Grades K-2: 1 day Teacher Detention and parent contact

Grades 3-4: 2 days Teacher Detention and parent contact

Grades 5-8: 3 days Teacher Detention and parent contact

3<sup>rd</sup> incident

Grades K-2: 2 days Administrative Detention and parent contact

Grades 3-4: 3 days Administrative Detention and parent contact

Grades 5-8: 3-5 days Administrative Detention and parent contact

**Bus Behavior**

**Students who are privileged to be bused from home to school, and then from school to home are expected to behave appropriately while riding on the school bus. This entails for students to be seated and remain seated, hands and feet kept to themselves, noise kept to a minimum, and to follow directions given by either the bus driver or school bus monitor.**

1st incident

Grades K-8: 1 day Administrative Detention and parent contact

2<sup>nd</sup> incident

Grades K-8: 1 day In School Suspension and parent contact

3<sup>rd</sup> incident

Grades K-8: Removed from school bus for the remainder of the school year and parent contact

### C. VANDALISM AND THEFT

#### **Vandalism/Graffiti – using an object to damage school property**

##### **1<sup>st</sup> incident**

- Grades K-2: 1 day Administrative Detention, restitution and parent contact  
Grades 3-8: 2 days Administrative Detention, restitution and parent contact

##### **2<sup>nd</sup> incident**

- Grades K-8: 1 day In School Suspension, restitution and parent contact

##### **3<sup>rd</sup> incident**

- Grades K-2: 1 day Out of School Suspension, restitution and parent contact  
Grades 3-8: 2-3 days Out of School Suspension, restitution and parent contact

#### **Malicious Mischief – the act of intentionally destroying the personal property of another person due to resentment or ill will towards the owner which includes the intent or plan of causing destruction to the property as a means of revenge, threat or blackmail to the owner**

##### **1<sup>st</sup> incident**

- Grades K-8: 1 day Administrative Detention and parent contact

##### **2<sup>nd</sup> incident**

- Grades K-2: 1 day Out of School Suspension and parent contact  
Grades 3-8: 2 days Out of School Suspension and parent contact

##### **3<sup>rd</sup> incident**

- Grades K-2: 2 days Out of School Suspension, parent contact and police report  
Grades 3-8: 2-3 days Out of School Suspension parent contact and police report

#### **Theft – taking of the district's or a person's property without consent**

##### **1<sup>st</sup> incident**

- Grades K-2: 1 day Administrative Detention, restitution and parent contact  
Grades 4-8: 1 day In School Suspension, restitution and parent contact

##### **2<sup>nd</sup> incident**

- Grades K-2: 1 day In School Suspension, restitution and parent contact  
Grades 3-8: 2 days In School Suspension, parent contact, restitution and police report

##### **3<sup>rd</sup> incident**

- Grades K-2: 2 days Out of School Suspension, parent contact, restitution and police report  
Grades 3-8: 2-3 days Out of School Suspension, parent contact, restitution and police report

#### **Firework Offense – the possession, selling distributing, or detonating of a self-fusing explosive device**

##### **1<sup>st</sup> incident**

- Grades K-8: Out of School Suspension pending Board hearing to determine placement, CST referral, parent contact and police report

#### **D. INAPPROPRIATE BEHAVIOR**

##### **Profanity/Obscene Gestures/Vulgarity – use of unacceptable language and/or body gesture**

###### **1<sup>st</sup> incident**

- Grades K-4: 1 day Administrative Detention and parent contact
- Grades 5-8: 1 day In School Suspension and parent contact

###### **2<sup>nd</sup> incident**

- Grades K-4: 1 day In School Suspension and parent contact
- Grades 5-8: 2 days In School Suspension and parent contact

###### **3<sup>rd</sup> incident**

- Grades K-2: 1 day Out of School Suspension and parent contact
- Grades 3-4: 1-2 days Out of School Suspension and parent contact
- Grades 5-8: 2-3 days Out of School Suspension and parent contact

##### **Scuffle/Physical Misconduct – a physical confrontation**

###### **1<sup>st</sup> incident**

- Grades K-2: 1 day Administrative Detention and parent contact
- Grades 3-4: 1 day In School Suspension and parent contact
- Grades 5-8: 3 days In School Suspension and parent contact

###### **2<sup>nd</sup> incident**

- Grades K-2: 3 days Administrative Detention and parent contact
- Grades 3-4: 3 days In School Suspension and parent contact
- Grades 5-8: 5 days In School Suspension and parent contact

###### **3<sup>rd</sup> incident**

- Grades K-2: 5 days Administrative Detention, I&RS Team referral and parent contact
- Grades 3-4: 3 days Out of School Suspension, I&RS Team referral and parent contact
- Grades 5-8: 5 days Out of School Suspension, I&RS Team referral, parent contact and police report

##### **Fight – physical confrontation entered in to by two or more students by mutual consent in which physical harm is intended**

###### **1<sup>st</sup> incident**

- Grades K-2: 1 day Out of School Suspension and parent contact
- Grades 3-4: 1-2 days Out of School Suspension and parent contact
- Grades 5-8: 3 days Out of School Suspension and parent contact

###### **2<sup>nd</sup> incident**

- Grades K-2: 2 days Out of School Suspension and parent contact
- Grades 3-4: 2-4 days Out of School Suspension and parent contact
- Grades 5-8: 3-5 days Out of School Suspension and parent contact

###### **3<sup>rd</sup> incident**

- Grades K-2: 3 days Out of School Suspension, parent contact and police report
- Grades 3-4: 3-5 days Out of School Suspension, I&RS Team referral, parental contact and police report

Grades 5-8: 5 days Out of School Suspension, I&RS Team referral, parent contact and police report

**Assault – attempting, threatening or purposely causing bodily injury to another**

**1<sup>st</sup> incident**

Grades K-2: 2 days Out of School Suspension and parent contact

Grades 3-4: 3 days Out of School Suspension parent contact and police report

Grades 5-8: 5 days Out of School Suspension parent contact and police report

**2<sup>nd</sup> incident**

Grades K-2: 3 days Out of School Suspension, I&RS Team referral parent contact and police report

Grades K-2: 5 days Out of School Suspension, I&RS Team referral, parent contact and police report

Grades 5-8: 5-10 days Out of School Suspension, I&RS Team referral, parent contact and police report

**3<sup>rd</sup> incident**

Grades K-2: 5 days Out of School Suspension, I&RS Team referral, parent contact and police report

Grades 3-4: 5-8 days Out of School Suspension, I&RS Team referral, parent contact and police report

Grades K-2: 8-10 days Out of School Suspension, I&RS Team referral, parent contact and police report

**Harassment/Intimidation/Bullying/Bias**

**Note: If the offense is determined to be a bias incident, a police report and/or complaint will also be filed. If the offense is determined to be sexual harassment, a police report and/or complaint will also be filed.**

**1<sup>st</sup> incident\***

Grades K-2: 1 day In School Suspension and parent contact

Grades 3-4: 1-2 days In School Suspension and parent contact

Grades 5-8: 2-3 days In School Suspension and parent contact

**2<sup>nd</sup> incident\***

Grades K-2: 1 day Out of School Suspension, I&RS Team referral and parent contact

Grades 3-4: 2 days Out of School Suspension, I&RS Team referral and parent contact

Grades 5-8: 3 days Out of School Suspension, I&RS Team referral and parent contact

**3<sup>rd</sup> incident\***

Grades K-2: 2 days Out of School Suspension, CST referral and parent contact

Grades 3-4: 3 days Out of School Suspension, CST referral and parent contact

Grades 5-8: 5 days Out of School Suspension, CST referral, parent contact and police report

**\*Expulsion (the Board of Education may deny a student attendance at school and school sponsored activities) proceedings may occur anytime throughout the consequence process if warranted.**

## E. Substance Abuse

### Use of Substance/Under the Influence of Drugs/Alcohol

**Note: Failure to test within 24 hours in an automatic “positive.” An altered or diluted sample will also be considered a drug and or alcohol “positive.”**

1<sup>st</sup> incident of a Prohibited Substance/Drug/Alcohol positive test

Grades K-8: 5 days Out of School Suspension parent contact, completion of an evaluation by medical personnel, appropriate rehabilitation protocol and police report filed

2<sup>nd</sup> incident of a Prohibited Substance/Drug/Alcohol positive test

Grades K-8: Out of School Suspension pending Board of Education hearing to determine placement and parent contact

### Possession of a Controlled or Dangerous Substance or Alcohol

1<sup>st</sup> incident

Grades K-8: 5-10 days Out of School Suspension pending Board of Education hearing to determine placement parent contact and police complaint filed

2<sup>nd</sup> incident

Grades K-8: Out of School Suspension pending Board of Education hearing to determine placement parent contact and police complaint filed

### Possession with Intent to Distribute

1<sup>st</sup> incident

Grades K-8: Out of School Suspension pending Board of Education hearing to determine placement parent contact and police complaint filed

### Smoking/Possession of Igniter or Cigarettes

1<sup>st</sup> incident

Grades K-8: 1 day In School Suspension and parent contact

2<sup>nd</sup> incident

Grades K-8: 2 days In School Suspension and parent contact

3<sup>rd</sup> incident

Grades K-8: 3 days Out of School Suspension and parent contact

## F. Violation of the Technology Acceptable Use Agreement`

1<sup>st</sup> incident

Grades K-8: Administrative Warning

2<sup>nd</sup> incident

Grades K-2: 1 week suspension of technology privileges and parent contact

Grades 3-8: 1 week suspension of technology privileges and parent contact

3<sup>rd</sup> incident

Grades K-4: 2 weeks suspension of technology privileges and parent contact

Grades 5-8: 2 weeks suspension of technology privileges, 1 day Administrative Detention and parent contact



### G. Academic Integrity

Grades K-8: Academic integrity is required of all students. If a student is caught cheating, zero credit for the test/quiz/assignment will be given with no opportunity to make it up.

### H. Unauthorized Use of Cell Phone

**If a cell phone is brought to school, it must be placed in the student's backpack and in an "OFF" mode.**

1<sup>st</sup> incident

Grades K-8: Administrative Warning, phone confiscated and returned at the end of day

2<sup>nd</sup> incident

Grades K-8: Phone confiscated and only returned to parent

3<sup>rd</sup> incident

Grades K-8: Phone confiscated and only returned to parent at the end of school year

### I. Weapons Use and/or Possession

**A "weapon" includes but is not limited to those items enumerated in N.J.S.A. 2C:39-1f and N.J.S.A. 2C:39-1r. This definition includes items capable of causing harm or bodily injury for which there is no educational purpose and/or was observed to have been displayed or used as a weapon.**

**Grades K-8:**

**Level 1:** There shall be an immediate suspension pending a mandatory expulsion hearing of the Board of Education to determine placement for any pupil: a) who has displayed or used any item as a weapon with the intent of threatening or causing bodily injury on any school property, school bus or at any Board approved/school sponsored activity in or out of district; or b) who commits an assault upon a teacher, administrator, Board member, other employee or another pupil, with a weapon, as defined in Policy 8467 on any school property, on a school bus or at any Board approved/school sponsored activity in or out of district.

**Level 2:** A minimum of then (10) days out of school suspension and a hearing before a committee of the Board of Education will be required for any pupil found to be in possession of any weapon described in Policy 8467 on any school property, on a school bus or at any Board approved/school sponsored activity in or out of district.

Given extenuating circumstances, principals may recommend to the Superintendent a reduced penalty and/or a waiver of the Board hearing.

**The above Consequences for Inappropriate Behaviors serve only as a guideline. Please be aware that the Administration reserves the right to interpret and consequence students beyond the scope of the Consequences above in order to maintain the safety, order and discipline of the school.**

**NOTE: All Reward Activities and Special End-of-the Year Activities, such as dances, field days, class trips, etc. are privileged events and will be denied to students with specific numbers of disciplinary infractions.**

### **Long Term Suspensions, Short Term Suspensions, Mandated Removals from General Education and Expulsion**

All suspensions, removals and expulsions will follow the guidelines outlined in Policy 5610.

**Expulsion Procedures – The Board of Education will consider expulsion only if:** (a) the Superintendent with his/her staff have exhausted all means to correct the misconduct and reviewed the alternatives to expulsion; (b) the nature of the single act presents such a clear possibility of danger to others that immediate definitive action is indicated; and (c) the parents/legal guardians of the student have been interviewed and advised of the reasons why expulsion is being considered, or the rights of the pupil to a full hearing which will afford him/her procedural due process, and the right of parents/legal guardians to appeal to the Superintendent.

**The pupil shall remain out of school until either:** (a) an appeal made to the Superintendent is decided in the student's favor; or (b) the appeal (if made) has been denied and the Board of Education has met to hear the Superintendent's recommendations. If the Board of Education determines that the charges, if true, may warrant expulsion, the Board of Education will set a date for the hearing. The Board attorney will arrange for the giving of legal notice to all parties concerned for the preparation and presentation of evidence in support of the charges at the hearing.

**The student must receive:** (a) notification of the charges; (b) the names of the adverse witnesses; (c) copies of the statements and affidavits of those adverse witnesses; (d) the opportunity to be heard in his/her own defense; (e) the opportunity to present witnesses and evidence in his/her own defense; (f) the opportunity to cross-examine adverse witnesses; and (g) the opportunity to be represented by counsel. Juvenile authorities and law enforcement agencies shall be notified or consulted if necessary.

### **Student Rights**

1. Students have the right to be informed of the behaviors that will result in suspension and expulsion. This will be provided by the copy of the Code of Conduct that they will read and sign annually.
2. Students are entitled to an education that supports students' development into productive citizens.
3. Students are entitled to learn in a safe school environment.
4. Students are entitled to due process and appeals procedures, pursuant to N.J.A.C. 6A: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.
5. Students are entitled to parent notification consistent with the policies and procedures established pursuant to N.J.A.C. 6A:16-6.2(b)3; and

6. Protections pursuant to 20 U.S.C. 6:3, Pupil Records, 45 CFR §160, Health Insurance Portability and Accountability Act; 20 U.S.C. §6301, Title IV(A)IV §4155 of the Elementary and Secondary Education Act as reauthorized under the No Child Left Behind Act; 42 CRF 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; Pupil 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.

### **Staff Responsibilities**

1. The Board of Education shall delineate the roles and responsibilities of each staff member in the implementation of the Code of Student Conduct. It shall also provide to all school staff training annually on the Code of Student Conduct, which shall include training on the prevention, intervention and remediation of student conduct in violation of the Board's Code of Student Conduct.
2. Information on the Code of Student Conduct shall be incorporated into the orientation program for new employees.
3. Staff should explain and discuss with students acceptable and unacceptable school behaviors.
4. Staff should model the behaviors expected of students.
5. Staff should be consistent in enforcing the Code of Student Conduct.
6. Staff should reinforce and recognize positive student behaviors.

### **Student Attendance Requirements**

Under the New Jersey Administrative Code (6:8-4.2), the Board of Education shall establish pupil requirements for the minimum number of days in attendance in order to receive a passing grade in a subject. Woodland Park Board of Education Policy 5410, Promotion and Retention directs that parents of pupils who have been in attendance fewer than 170 days during the school year be notified of possible retention. All absences, except for religious holidays defined by the State Board of Education shall count as days absent when calculating that total. Absences for purposes of this policy shall include any legitimate absences from school, truancy, cuts or unexcused lateness to a class of more than half of the class period. All absences count equally in calculating the minimum attendance rate.

These regulations recognize that the learning experience which takes place in the classroom environment is an essential part of the student's responsibility and to realize that time lost from class in terms of educational opportunity is irretrievable. Parents of students with chronic medical conditions with medical certification may apply annually for an attendance accommodation or 504 Plan which will be reviewed and considered on a case-by-case basis by the school nurse, administration and Director of Special Education.

It is recognized that there are definite unavoidable circumstances, which may prevent a student from attending school. However, all of the work missed should be completed at the initiative of the student within the same number of days absent, but not to exceed 10 school days. If exams need to be taken after an illness documented by a doctor's note, no more than two exams will be taken in a single day. Vacations which prevent a student from meeting the 170 days of attendance will result in retention, unless the student receives the required hours of tutoring to meet the 170 days required. The tutoring, at the parents' personal expense, must be done by a New Jersey certified and highly qualified teacher who has been approved by the building principal.

A student who is absent is required to present to the homeroom teacher a written excuse upon returning to school. It must be dated, give the reason for the absence, and must be signed by the parent or guardian. Extended and/or frequent excuses may require a doctor's note. Failure to provide the appropriate documentation for a day's absence will result in the child being declared truant for the day and count as 1 day of unexcused absence.

### **Student Attendance Appeals**

Students who exceed the allowable absences are permitted to appeal their loss of grade and/or course. The appeal must be first made to the building principal for all students.

### **School Responses to Absences**

1. For up to four (4) unexcused absences, the school shall: (a) make a reasonable attempt to notify the student's parents of each absence prior to the start of the next school day; (b) conduct an investigation of the cause of each unexcused absence, including contact with the student's parents; (c) develop an action plan in consultation with the student's parents designed to address patterns of unexcused absences, if any, and to have the child return to school and maintain regular attendance; and (d) proceed in accordance with the provisions of N.J.S.A. 9:6-1 et seq. and N.J.A.C. 6A:16-11, if child abuse and neglect is suspected; and (e) cooperate with the law enforcement and other authorities and agencies, as appropriate.
  
2. For between five (5) and nine (9) unexcused absences, the school shall: (a) make a reasonable attempt to notify the student's parents of each unexcused absence prior to the start of the following school day; (b) conduct a follow-up investigation, including contact with the student's parents to determine the cause of each unexcused absence; (c) evaluate the appropriateness of the action plan developed pursuant to 1C above; and (d) revise the action plan, as needed, to identify patterns of unexcused absences and establish outcomes based upon the student's needs and specify the interventions for achieving the outcomes, supporting the student's return to school and regular attendance that may include any or all of the following: (1) refer or consult with the building's I&RS Team, pursuant to N.J.A.C. 6A:16-8; (2) conduct testing assessments or evaluations of the student's academic, behavioral and health needs; (3) make a referral to a community-based social and health provider agency or other community resource; (4) refer to the court program designated by the New Jersey Administrative Office of the

Courts and proceed in accordance with the provisions of N.J.S.A. 9:6; and (4) cooperate with the law enforcement and other authorities and agencies, as appropriate.

3. For cumulative unexcused absences of 10 or more days, the student is truant, pursuant to N.J.S.A. 18A:38-2.7, and the school district shall: (a) make a mandatory referral to the court program required by the New Jersey Administrative Office of the Courts; (b) make a reasonable attempt to notify the student's parents of the mandatory referral; (c) continue to consult with the parent and the involved agencies to support the student's return to school and regular attendance; (d) cooperate with law enforcement and other authorities and agencies, as appropriate; and (e) proceed in accordance with N.J.S.A. 18A:38-28 through 31, Article 3B, Compelling Attendance at School, and other applicable State and Federal Statutes, as required.

4. For students with disabilities, the attendance plan and punitive and remedial procedures set forth therein shall be applied, where applicable, in accordance with the students' Individualized Education Programs, pursuant to 20 U.S.C. §1400, the Individuals with Disabilities Act; the procedural protections set forth in N.J.A.C. 6A:14, accommodation plans under 29 U.S.C. §794 and 705(20); and individualized health care plans, pursuant to N.J.A.C. 6A:16-2(e)1x.

All receiving schools pursuant to N.J.A.C. 6A:14-7.1(a), shall act in accordance with the regulations above for each student with up to four (4) cumulative unexcused absences. For each student attending a receiving school with five (5) or more cumulative unexcused absences, the absences shall be reported to the sending district. The sending district shall proceed in accordance with the Board of Education policies and procedures pursuant to the provisions in 1-3 above as appropriate.

### **Intimidation, Harassment and Bullying**

In accordance with N.J.S.A. 18A:37-14 and N.J.A.C. 6A:16-1.3, the Board of Education has adopted policy 5512 prohibiting any student from engaging in any act or behavior of harassment, intimidation, or bullying towards other students on school property, at school-sponsored functions, on a school bus, or through electronic medium. Electronic medium shall include,, but is not limited to: telephones, cellular phones, cellular-camera phones, text messaging devices, computers, the internet, e-mail, and digital cameras. Harassment, intimidation or bullying means any gesture by any actual or perceived characteristics, 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) is motivated 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 disability; or, (b) by any other distinguishing characteristic; and (c) a reasonable person should know, under the circumstance, will have the effect of harming a student or damaging the student's property, or placing a student in reasonable fear of harm to his person or damage to his property; or (d) 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.

### **Appropriate Behaviors**

The Board expects students to conduct themselves in keeping with their levels of development, maturity and demonstrated capabilities with a proper regard for the rights and welfare of other students and school staff, the educational purpose underlying all school activities, and the care of school facilities and equipment consistent with the Student Responsibilities listed in this Code and the six pillars of character education.

The Board believes that standards for student behavior must be set cooperatively through interaction among the students, parents/guardians, staff and community members, producing an atmosphere that encourages students to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for Board and community property on the part of students, staff and community members.

### **Procedures for Reporting Acts of Harassment, Intimidation and Bullying**

The school principal and/or the principal's designee (anti-bullying specialist) at each school is responsible for receiving complaints alleging student or staff violations of this policy. All school employees as well as all other members of the school community, including students, parents, volunteers and visitors, are required to report alleged violations of this policy to the principal, the principal's designee or the Affirmative Action Officer. While submission of the report is not required, the reporting party is encouraged to use the report form available from the principal of each building or available at the school district's central office. Oral reports also shall be considered official reports. Reports may be made anonymously, but formal action for violations of the Code of Student Conduct may not be based on the basis of an anonymous report.

The Board requires the principal and/or the principal's designee (anti-bullying specialist) to be responsible for determining whether an alleged act constitutes a violation of this policy. In so doing, the principal and/or the principal's designee shall conduct a prompt, thorough and complete investigation of each alleged incident. Parents of all students involved will be contacted in regard to the outcome of the investigation.

### **Appropriate Remedial Actions**

The Board requires its school administrators to implement procedures that ensure both the appropriate consequences and remedial responses for students who commit one or more acts of harassment, intimidation or bullying, consistent with the Code of Student Conduct, and the consequences and remedial responses for staff members who commit one or more acts of harassment, intimidation or bullying. The following factors, at a minimum, shall be given full consideration by school administrators in the implementation of appropriate consequences and remedial measures for each act of harassment, intimidation or bullying by students.

Appropriate consequences and remedial actions for student or staff are those that are graded according to the severity of the offense, consider the developmental ages of the offenders and

students' histories of inappropriate behaviors. Appropriate remedial actions are cited in Policy 5512.01 which but is not limited to behavioral assessments or evaluation and supports. Policy 5512.01 describes the consequences for staff that is involved in acts of harassment, intimidation or bullying and is usually handled by the Affirmative Action Officer.

The Board recognizes that some acts of harassment, intimidation or bullying may be isolated incidents requiring that the school officials respond appropriately to the individuals committing the acts. Other acts may be so serious or parts of a larger pattern of harassment, intimidation or bullying that they require a response either at the classroom, school building or school district levels or by law enforcement officials. Consequences and appropriate remedial actions for a student who commits an act of harassment, intimidation or bullying may range from positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A. 18A:37-1, Discipline of Pupils and as set forth in N.J.A.C. 6A:16-7.2, Short-term suspensions, N.J.A.C. 6A:16-7.3, Long-term Suspension and N.J.A.C. 6A:16-7.5, Expulsion.

Concluding whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances. It is only after determined, consistent with case law, Federal and State statutes and policies, and Board policies and procedures.

A current list of community based legal, health and social service provider agencies which support the student and the student's family is grade specific and available from the building principal, guidance counselor, school social worker and school psychologist.

#### **Prohibition of Reprisal or Retaliation**

Policy 5512.01 prohibits reprisal or retaliation against any person who reports an act of harassment, intimidation or bullying. The consequences and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the administrator after consideration of the nature, severity and circumstances of the act, in accordance with case law, Federal and State statutes and regulations and district policies and procedures.

#### **Annual Policy Review and Training**

The building principal will annually review the training needs of staff and students for the effective implementation of Policy 5512.01 regarding harassment, intimidation and bullying policies, procedures, programs and initiatives of the Board of Education.

Each building principal will annually discuss the school district's harassment, intimidation or bullying policy with his/her students and staff. The Affirmative Action Officer will annually review the extent and characteristics of harassment, intimidation and bullying behavior in the school buildings of the school district and implement, at the direction of the Superintendent, locally determined programmatic or other responses, if determined appropriate by the Board of Education.

These programs or other services shall be planned in consultation with parents, students and other community members, including appropriate community-based social and health provider agencies, law enforcement officials, school employees, school volunteers, students and school administrators, as appropriate.

### **Student Disciplinary Records and Confidentiality**

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 district and any information the 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:36-19a and N.J.A.C. 6:3-6.5(c)10iv. The record shall be provided within two (2) weeks of the date that the student enrolls in the receiving school district. Written consent of the parent shall not be required as a condition of the transfer of this information. Written notice of the transfer shall be provided to the parent.

When a student transfers to a private school, which includes all sectarian or nonsectarian nonprofit institutional day or residential schools, that provides education for students placed by their parents and that are controlled by other than public authority, all student disciplinary records, with respect to suspension 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 a public school district, pursuant to 20 U.S.C. §6301. Title IV(A)IV §4155 of the Elementary and Secondary Education Act as reauthorized under the No Child Left Behind Act.

The Board of Education shall not use a student's past offenses on record to discriminate against this student. All records maintained shall conform with the requirements set forth at 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 Pupil Rights Amendment, N.J.A.C. 6:3-6, Pupil Records, 45 CFR §160, Health Insurance Portability and Accountability Act, 20 U.S.C. §6301, Title(A)IV §4155 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.S.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; Pupil Records; Maintenance and Retention, Security and Access; Regulations; Non-Liability; N.J.A.C. 6A:14-2.9, Student records and confidentiality.



