

Regulations

No. 5131R

Board of Education
Leonia, New Jersey

Pupils

CONDUCT/DISCIPLINE **CODE OF STUDENT CONDUCT**

It is the mission of the Leonia Board of Education (hereinafter referred to as the "Board") to provide learning environments that encourage each student to develop positive character traits. In addressing this goal, there are many specific strategies that are employed. While it is accepted that disciplinary responses will be required in response to misbehavior, the major focus of the Board's effort is preventative in nature. That is, we seek to provide a climate and environment where students will learn about the character traits which they admire in others and develop those characteristics in themselves. The purpose of this document is to present the Board's vision for student conduct in accordance with N.J.A.C. 6A:16-7 et seq. This Code of Student Conduct sets forth standards, policies and procedures for positive student development and student behavioral expectations on school grounds, including on a school bus or at a school sponsored function, and, as appropriate, for conduct away from school grounds. The provisions contained herein are based on parent, student and community involvement representing, where possible, the composition of the schools and the community.

The provisions of this Code of Student Conduct shall be applied without regard to race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental or physical defect or sensory disability or by any other distinguishing characteristic.

I. STUDENT RESPONSIBILITIES:

A. Expectations For Academic Achievement

- (a) Students are expected to participate fully in the learning experiences/activities presented by their teachers, including, but not limited to, timely preparation of homework, studying for tests and positive classroom participation.
- (b) Students shall be prepared for their classes and shall arrive at school with the appropriate tools for learning (books, pencils, pens, notebooks, etc.)
- (c) Students are expected to develop into responsible and independent thinkers who respect the value of academic integrity. As such, students are expected to refrain from engaging in cheating, academic dishonesty and/or plagiarism.

B. Expectations for Behavior

Students are expected to comply with all of the Board's policies and regulations at all times, specifically Board Policy No. 5131 ("Student Conduct/Discipline"). Students are required to conform to reasonable standards of acceptable behavior, to respect the rights, person and property of others, to preserve the degree of order necessary for the conduct of the educational program, and to obey those in authority. This includes, but is not limited to, compliance with the following behavioral expectations:

- (a) Students are expected to treat staff and other students with respect, which includes exhibiting sensitivity to the feelings and thoughts of others.

- (b) Students are expected to respect the property of others, including school, staff and other students. As such, students are expected to exhibit care for school property, including books, school furniture and other school equipment.
- (c) Students are expected to demonstrate appropriate respect for authority, which includes listening and obeying adults in positions of authority, such as principals, teachers, playground/lunch supervisors and other adults in the school environment.
- (d) Students are expected to be truthful. Students are expected to refrain from cheating, academic dishonesty, including print and/or Internet plagiarism.
- (e) Students are expected to use appropriate language at all times. Specifically, students are expected to refrain from using profanity or other offensive language.
- (f) Students are expected to dress appropriately for school each day, in accordance with the Board's policy on student dress and grooming. Specifically, Board Policy No. 5132 prohibits dress or grooming which presents a health/safety hazard to the student or others in the school, interferes with school work, creates disorder/distraction, disrupts the educational program, causes excessive wear or damage to school property, and/or prevents the student from achieving his/her own educational objectives because of blocked vision or restricted movement. Students are further prohibited from wearing on school property any clothing, apparel and/or accessories indicating that the student has membership in and/or affiliation with, any gang associated with criminal activities.
- (g) Students are expected to refrain from bringing non-academic items to school which may disrupt the learning process, including but not limited to toys, portable music players, remotely activating paging devices, wireless communication devices, water pistols, and/or any other recreational device or object. Use of such items in any area of the school is prohibited. **Weapons and/or dangerous instruments are expressly prohibited at all times.**
- (h) Students are expected to resolve conflicts in a positive and meaningful manner, without resorting to fighting and/or engaging in other violent behavior.
- (i) Students are expected to promote a positive and tolerant school environment, and shall not engage in harassment, intimidation, bullying, hazing and/or other disruptive or dangerous behavior.
- (j) Students are expected to attend school free of alcohol, tobacco products, drugs, steroids and/or other controlled dangerous substances. Students are expressly prohibited from using, consuming, possessing, distributing or being under the influence of such substances.
- (k) Students are expected to refrain from gambling on school property, including on school buses and at school sponsored functions.
- (l) Students are expected to refrain from engaging in excessive and/or inappropriate displays of affection.
- (m) Students are expected to use school computers for educational purposes only, and shall comply with relevant Board Policy governing the use of computers and/or the Internet.

Additionally, general behavioral expectations specific to each school within the District are attached to this Code of Student Conduct as Attachments A, B and C, respectively.

C. Expectations for Attendance

Students are expected attend school regularly in accordance with the laws of the State of New Jersey. Students are further expected to comply with Board Policy No. 5113 regarding Student Absences and Attendance, which is further described in Section VII herein.

II. BEHAVIORS THAT WILL RESULT IN SUSPENSION OR EXPULSION:

- A. Any student who is guilty of continued and willful disobedience, or of open defiance of the authority of any teacher or person having authority over him or her, or of the habitual use of profanity or 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.
- B. 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:
- (a) Continued and willful disobedience;
 - (b) Open defiance of the authority of any teacher or person having authority over him;
 - (c) Conduct of such character as to constitute a continuing danger to the physical well-being of other students;
 - (d) Physical assault upon another student or upon any teacher or other school employee;
 - (e) Taking, or attempting to take, personal property or money from another student, or from his presence, by means of force or fear;
 - (f) Willfully causing, or attempting to cause, substantial damage to school property;
 - (g) 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 or used for school purposes, and/or 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;
 - (h) 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 the school district or used for school purposes;
 - (i) Incitement which is intended to and does result in truancy by other students;
 - (j) 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;
 - (k) Possession of a weapon; and
 - (l) Conduct in violation of Board Policy and Regulation Nos. 5114 ("Student Suspension and Expulsion") and/or 5131 ("Conduct/Discipline") shall also constitute grounds for suspension and/or expulsion from school.
- C. Mandated Student Removals From General Education (N.J.A.C. 6A:16-7.4)

- (a) The Board shall follow N.J.A.C. 6A:16-5.5 for student removals for firearms offenses.
 - (b) The Board shall follow N.J.A.C. 6A:16-5.6 for student removals for assaults with weapons offenses.
 - (c) The Board shall follow N.J.A.C. 6A:16-5.7 for student removals for assaults on Board members or employees.
- D. School authorities have the right to impose a consequence on a student for conduct away from school grounds, including on a school bus or at a school-sponsored function, that is consistent with the Board's code of student conduct, pursuant to N.J.A.C. 6A:16-7.1.
- 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.
 - 2. This authority shall be exercised only when the conduct which is the subject of the proposed consequence materially and substantially interferes with the requirements of appropriate discipline in the operation of the school.
 - 3. The consequence pursuant to (a) above shall be handled in accordance with the Board approved code of student conduct, pursuant to N.J.A.C. 6A:16-7.1, and as appropriate, in accordance with N.J.A.C. 6A:16-7.2, 7.3 or 7.5.

Although this list of expectations does not cover all acts of misbehavior, any behavior that is destructive, disrespectful or inappropriate to community or school standards may be subject to the consequences established in this Code of Student Conduct, Board policies, and/or other such consequences as judged appropriate by the administration.

III. STUDENT RIGHTS:

- A. Students have the right to advance notice of behaviors that will result in suspensions and expulsions that have been identified by State law.
- B. Students have the right to an education that supports students' development into productive citizens.
- C. Students have the right to attendance in safe and secure school environments.
- D. Students have the right to attend school irrespective of students' marriage, pregnancy or parenthood.
- E. Students have the right to 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.
- F. Students have the right to parent notification consistent with the policies and procedures established pursuant to N.J.A.C. 6A:16-6.2(b)3, which addresses the specific procedures and responsibilities of staff for notifying parents in instances of law enforcement interviews involving their children.
- G. Students have the right to protections pursuant to 20 U.S.C. § 1232g and 34 CFR Part 99, Family Educational Rights and Privacy Act; 20 U.S.C. § 1232h and 34 CFR Part 98, Protection of Student Rights Amendment; N.J.A.C. 6A:32-7, Student 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 CFR Part 2, Confidentiality of Alcohol and Drug Abuse Patient Records; N.J.S.A. 18A:40A-7.1, School-based drug and alcohol abuse counseling; information from participants; disclosure; N.J.A.C. 6A:16-3.2, Confidentiality of student alcohol and other drug information; N.J.S.A. 18A:36-19, Creation; Student Records: Maintenance and Retention, Security and Access; Regulations; Non-Liability; N.J.A.C. 6A:14-2.9, Student Records; as well as other existing Federal and State laws pertaining to student protections.

IV. BEHAVIORAL SUPPORTS:

The following behavioral supports are designed to promote positive student development as well as the students' abilities to fulfill the behavioral expectations established by the Board.

A. Positive Reinforcement for Good Conduct and Academic Success

The Board believes that student achievement should be recognized at all levels in a manner appropriate to the student accomplishment. In accordance with the provisions of Board Policy No. 5126 ("Awards for Achievement"), the following represent examples of opportunities available to students as reinforcement for good conduct and academic success.

- (a) Report Cards
- (b) Honor Roll
- (c) Promotion
- (d) Extracurricular Activities
- (e) Class Trips
- (f) Athletic Ceremonies
- (g) Academic Awards
- (h) Graduation

B. Supportive Interventions and Referral Services

The Board shall provide a program of intervention and referral services for general education students who are experiencing personal, interpersonal or academic difficulties to help them function productively and develop positively in the classroom. The intervention and referral services shall:

- (a) Identify learning, behavioral and health difficulties of students;
- (b) Collect thorough information on the identified learning, behavior and health difficulties;
- (c) Develop and implement action plans which provide for appropriate school or community interventions or referrals to school and community resources, based on the collected data and desired outcomes for the identified learning, behavior and health difficulties;
- (d) Provide support, guidance and professional development to school staff who identify learning, behavior and health difficulties;

- (e) Provide support, guidance and professional development to school staff who participate in each building's system for planning and providing intervention and referral services;
- (f) Actively involve parents or guardians in the development and implementation of intervention and referral services action plans;
- (g) Coordinate the access to and delivery of school resources and services for achieving the outcomes identified in the intervention and referral services action plans;
- (h) Coordinate the services of community-based social and health provider agencies and other community resources for achieving the outcomes identified in the intervention and referral services action plans;
- (i) Maintain records of all requests for assistance and all intervention and referral services action plans and all related student information pursuant to State and Federal law governing student records and confidentiality;
- (j) Review and assess the effectiveness of the provisions of each intervention and referral services action plan in achieving the outcomes identified in each action plan and modify each action plan to achieve the outcomes, as appropriate; and
- (k) Annually review the intervention and referral services action plans and the actions taken as a result of the intervention and referral services and make recommendations to the principal for improving school programs and services, as appropriate.

C. Remediation of Problem Behaviors

In remediating problem behaviors, the District shall take into account the nature of the behaviors, the developmental ages of the students and the student's history of problem behaviors and performance.

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

- (a) Restitution and Restoration: The student may be required to:
 - 1. Make restitution, in kind or cost or labor, for any loss he/she has caused; and/or
 - 2. Restore to its former condition, by his/her own labor, any property the student has damaged or defaced.

A student who refuses to make restitution or restoration as directed may be subject to discipline in accordance with this Code of Student Conduct.

- (b) Counseling: The student may be required to consult with school guidance counselors to determine the causes of his/her misconduct and to assess the need for a change in educational placement.
 - 1. The counselor will explain:
 - i. Why the student's conduct is unacceptable to the school and damaging to the student;

- ii. What the consequences of continued misconduct are likely to be; and
 - iii. Appropriate alternate behaviors.
2. The counselor may refer the student, as appropriate, for additional counseling, evaluation, intervention, treatment, or therapy. Referrals may be made to:
- i. The Child Study Team;
 - ii. Intervention and Referral Team;
 - iii. A public or private social agency; and/or
 - iv. A legal agency.
- (c) Parent Conferences: The student may be required to attend a meeting with his/her parent(s) and appropriate staff members to discuss the causes of the student's behavior, possible remediation, potential disciplinary measures, and alternative conduct.
- (d) Alternate Educational Program: The student may be assigned to an alternate educational program as recommended by the student's guidance counselor, classroom teacher, Child Study Team, and/or Principal.

D. For Students With Disabilities

- (a) Behavioral Interventions and Supports shall be determined and provided pursuant to the requirements of N.J.A.C. 6A:14

V. SCHOOL RESPONSES TO VIOLATIONS OF THE BEHAVIORAL EXPECTATIONS ESTABLISHED BY THE BOARD:

A. Standard: School responses to violations of behavioral expectations shall:

- (a) Be graded according to the severity of the offense;
- (b) Consider the developmental ages of the student offenders;
- (c) Consider the student's history of inappropriate behaviors;
- (d) Include a continuum of actions designed to remediate and, where necessary or required by law, to impose sanctions;
- (e) Be consistent with other responses pursuant to N.J.A.C. 6A:16-55 (Offenses Involving Firearms), N.J.A.C. 6A:5.6 (Assault With Weapons) and N.J.A.C. 6A:16-5.7 (Assault on Board Member).
- (f) Not include corporal punishment.

B. Behavioral Consequences shall include, but not be limited to the following:

- (a) Expulsion
- (b) Out-of-School Suspension (short or long term)
- (c) Social Probation

- (d) Saturday Detention
- (e) General Detention
- (f) Teacher Detention
- (g) Revocation of Privileges
- (h) Additional consequences deemed appropriate by the Administration and/or Board of Education

C. The following disciplinary measures may be applied as appropriate to the student's violation of school rules. The measures are sequential and are organized in order of severity.

(a) Admonishment: A school staff member in authority may admonish the student for his/her unacceptable conduct and warn the student that additional misconduct may warrant a more severe penalty.

(b) Temporary Removal from Classroom:

1. The classroom teacher may page the office to have a student removed from class.
2. The teacher will complete a form that indicates the student's name, homeroom, and the conduct that has caused the student's removal from the room.
3. The administrator in charge of discipline will interview the student and determine which, if any, additional disciplinary steps are indicated.

(c) Deprivation of Privileges: The student may be deprived of the privilege of:

1. Moving freely about the school building;
2. Participation in co-curricular or intra/interscholastic activities;
3. Attendance at a school-related social or sports activity;
4. Participation in a graduation ceremony;
5. Transportation by school bus, or
6. Any other privilege the Building Principal or designee determines may be appropriate and consistent with Policy 5131 and N.J.A.C. 6A:16-7.1 et seq.

(d) Detention:

1. The student may be required to report before or after the school day to detention for a period of supervised study.
2. Transportation will be the responsibility of the district, the student's parents(s) or legal guardian(s).
3. The student may be excused from detention only for an unavoidable commitment previously made; any such excused detention must be made up on another day.

- (e) Grading: 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.
 - (f) In-school Suspension (ISS):
 - 1. The student may be removed from his/her regular classes and required to report to an in-school suspension program for supervised study.
 - (g) Suspension from School (OSS)
 - 1. The 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 No. 5114.
 - (h) Expulsion
 - 1. The Board may expel a general education student from school, pursuant to N.J.S.A. 18A:37-2, N.J.A.C. 6A:16-7.5, and Policy 5620.
 - 2. Expulsion is an extremely serious disciplinary measure; it deprives the student of his/her right to a thorough and efficient education and will not be imposed without the due process set forth herein.
- D. To the extent appropriate, the above consequences shall be implemented in accordance with the progressive discipline guidelines set forth above, but the Board and the Administration retain the right to impose consequences deemed appropriate based upon the nature and severity of the offense.

VI. DUE PROCESS PROCEDURES AND POLICIES

The following represents a reproduction of the text of the New Jersey State Board of Education Regulations governing short and long term suspensions, mandated removals from general education and expulsions.

A. Short-term Suspensions (N.J.A.C. 6A:16-7.2)

- (a) In each instance of a short-term suspension, a Board shall assure the rights of a student suspended for 10 consecutive school days or fewer by providing for the following:
 - 1. As soon as practicable, oral or written notice of charges to the student.
 - i. When charges are denied, an explanation of the evidence forming the basis of the charges also shall be provided;
 - 2. An informal hearing prior to the suspension in which the student is given the opportunity to present the student's version of events regarding the student's actions leading to the short-term suspension and provided notice of the school district's actions taken pursuant to N.J.A.C. 6A:16-7.1(c)2 and 5.
 - i. The informal hearing shall be conducted by a school administrator or his or her designee;
 - ii. To the extent that a student's presence poses a continuing danger to persons or property or an ongoing threat of disrupting

the educational process, the student may be immediately removed from the student's educational program and the informal hearing shall be held as soon as practical after the suspension;

- iii. The informal hearing should take place even when a school staff member has witnessed the conduct forming the basis of the charge; and
 - iv. The informal hearing and the notice given may take place at the same time;
3. Oral or written notification to the student's parents of the student's removal from the student's educational program prior to the end of the school day on which the school administrator makes the decision to suspend the student, which shall include an explanation of:
- i. The specific charges;
 - ii. The facts on which the charges are based;
 - iii. The provision(s) of the code of student conduct the student is accused of violating;
 - iv. The student's due process rights, pursuant to N.J.A.C. 6A:16-7.2 through 7.6; and
 - v. The terms and conditions of the suspension.
4. Appropriate supervision of the student while waiting for the student's parent to remove the student from school during the school day; and
5. Academic instruction either in school or out of school that addresses the Core Curriculum Content Standards, pursuant to N.J.A.C. 6A:8-3.1, which may include a public education program provided in accordance with the provisions of N.J.A.C. 6A:16-9 or 10.
- i. Services shall be provided within five school days of the suspension.
 - ii. Educational services provided to a student with a disability shall be provided consistent with the student's Individualized Education Program in accordance with N.J.A.C. 6A:14.
 - iii. At the completion of a short-term suspension, the Board shall return the general education student to the general education program.
- (b) The suspending principal shall immediately report the suspension to the chief school administrator, who is required to report it to the Board at its next regular meeting, pursuant to N.J.S.A. 18A:37-4.
- (c) The Board may deny participation in extracurricular activities, school functions, sports or graduation exercises as disciplinary sanctions, where such measures are designed to maintain the order and integrity of the school environment.
- (d) For a student with a disability, the provisions set forth in this section shall be provided in addition to all procedural protections set forth in N.J.A.C. 6A:14.

B. Long-term Suspensions (N.J.A.C. 6A:16-7.3)

- (a) In each instance of a long-term suspension, the Board shall assure the rights of a student suspended for more than 10 consecutive school days by providing the following:
1. Immediate notification to the student of the charges, prior to the student's removal from school;
 2. An informal hearing prior to the suspension in which the student is given the opportunity to present the student's version of events regarding the student's actions leading to the long-term suspension and the school district's actions taken pursuant to N.J.A.C. 6A:16-7.1(c)2 and 5;
 3. Immediate notification to the student's parents of the student's removal from school;
 4. Appropriate supervision of the student while waiting for the student's parents to remove the student from school during the school day;
 5. Written notification to the parents by the chief school administrator or his or her designee within two school days of the initiation of the suspension, stating:
 - i. The specific charges;
 - ii. The facts on which the charges are based;
 - iii. The student's due process rights, pursuant to N.J.A.C. 6A:16-7.2 through 7.6; and
 - iv. That further engagement by the student in conduct warranting expulsion, pursuant to N.J.S.A. 18A:37-2, shall amount to a knowing and voluntary waiver of the student's right to a free public education, in the event that a decision to expel the student is made by the Board, pursuant to N.J.S.A. 18A:37-2 and N.J.A.C. 6A:16-7.5.
- (1) The Board shall request written acknowledgement of the notification of the provisions of (a)5iv above from the parents and the student subsequent to the removal from the student's educational program, pursuant to this section.
6. A list of witnesses and their statements or affidavits, if any, no later than five days prior to the formal hearing, pursuant to (a)10 below;
 7. A student with a disability, a manifestation determination, pursuant to N.J.A.C. 6A:14-2.8 and the Federal regulations incorporated by reference therein;
 8. Information on the right of the student to secure an attorney and legal resources available in the community identified pursuant to N.J.A.C. 6A:16-7.1(c)8;
 9. Educational services, either in school or out of school, that are comparable to those provided in the public schools for students of similar grades and attainments, pursuant to N.J.S.A. 18A:38-25, which may

include a public education program provided in accordance with the provisions of N.J.A.C. 6A:16-9 or 10.

- i. The services shall be provided within five school days of the suspension.
 - ii. The Board shall make decisions regarding the appropriate educational program and support services for the suspended general education student, at a minimum, based on the following criteria:
 - (1) A behavioral assessment or evaluation including, but not limited to, a referral to the child study team, as appropriate;
 - (2) The results of any relevant testing, assessments or evaluations of the student;
 - (3) The student's academic, health and behavioral records;
 - (4) The recommendation of the chief school administrator, principal or other relevant school or community resource;
 - (5) Considerations of parental input; or
 - (6) Consultation with the Intervention and Referral Services team, in accordance with N.J.A.C. 6A:16-8, as appropriate.
 - iii. Educational services provided to a student with a disability shall be provided consistent with the student's Individualized Education Program, in accordance with N.J.A.C. 6A:14;
10. A formal hearing before the Board, which, at a minimum, shall:
- i. Be conducted by the board of education or delegated by the board to a board committee, a school administrator or an impartial hearing officer for the purpose of determining facts or making recommendations.
 - (1) The board of education as a whole shall receive and consider either a transcript or detailed report on such hearing before taking final action;
 - ii. Include the opportunity for the student to:
 - (1) Confront and cross-examine witnesses, when there is a question of fact; and
 - (2) Present his or her own defense and produce oral testimony or written supporting affidavits.
 - iii. Take place no later than 30 calendar days following the day the student is suspended from the general education program;
 - iv. Not be subject to the provisions of the "Open Public Meetings Act," pursuant to N.J.S.A. 10:4-6; and

- v. Result in a decision by the Board, which at a minimum, shall be based on the preponderance of competent and credible evidence;
11. A written statement to the student's parents of the Board's decision within five school days after the close of the hearing that includes, at a minimum:
- i. The charges considered;
 - ii. A summary of the documentary or testimonial evidence from both the student and the administration that was brought before the Board at the hearing;
 - iii. Factual findings relative to each charge and the Board's determination of each charge;
 - iv. Identification of the educational services to be provided to the student, pursuant to (a)9 above;
 - v. The terms and conditions of the suspension; and
 - vi. The right to appeal the Board's decision regarding the student's general education program to the Commissioner of Education in accordance with N.J.S.A. 18A:37-2.4 and N.J.A.C. 6A:3-1.3 through 1.17;
12. Immediate return to the general education program if at any time it is found that the general education student did not commit the offense;
13. For a student with a disability found not to have committed the offense, the student's program shall be determined in accordance with the provisions of N.J.A.C. 6A:14; and
14. At the completion of a long-term suspension, the Board shall return the general education student to the general education program.
- (b) Any appeal of the Board's decision regarding the general education student's program shall be made to the Commissioner of Education, in accordance with N.J.S.A. 18A:37-2.4 and N.J.A.C. 6A:3-1.3 through 1.17.
- (c) Suspension of general education students shall not be continued beyond the Board's second regular meeting following the suspension, unless the Board so determines, pursuant to N.J.S.A. 18A:37-5.
- 1. The Board shall determine whether to continue the suspension, pursuant to (a) above, based on the following criteria:
 - i. The nature and severity of the offense;
 - ii. The Board removal decision;
 - iii. The results of any relevant testing, assessments or evaluations of the student; and
 - iv. The recommendation of the chief school administrator, principal or director of the alternative education program or home or other

out-of-school instruction program in which the student has been placed.

2. The Board shall develop and adopt policies and procedures providing for action on the continuation of student suspensions in the event of cancellation of the first or second regular board meeting pursuant to N.J.S.A. 18A:37-4 and 5.
- (d) When the Board votes to continue the suspension of a general education student, the board of education, in consultation with the chief school administrator, shall review the case at each subsequent Board meeting for the purpose of determining:
1. The status of the student's suspension;
 2. The appropriateness of the current educational program for the suspended student; and
 3. Whether the suspended student's current placement, pursuant to (a)9 above, should continue or whether the student should return to the general education program.
- (e) When the Board votes to continue the suspension of a general education student, the Board, in consultation with the chief school administrator, shall make the final determination on:
1. When the student is prepared to return to the general education program;
 2. Whether the student shall remain in an alternative education program or receive home or other in-school or out-of-school instruction, based on the criteria set forth in (c)1i through iv above; or
 3. Whether to initiate expulsion proceedings in accordance with N.J.S.A. 18A:37-2 and N.J.A.C. 6A:16-7.5.
- (f) The Board shall provide a general education student suspended under this section with an appropriate educational program or appropriate educational services, based on the criteria set forth under (a)9ii above, until the student graduates from high school or reaches the age of 20, whichever comes first.
1. The educational program shall be consistent with the provisions of N.J.A.C. 6A:16-9.2 and 10.2 and N.J.A.C. 6A:14-2 and 4.3, whichever is applicable; or
 2. The educational services provided, either in school or out of school, shall be comparable to those provided in the public schools for students of similar grades and attainments, pursuant to the provisions of N.J.S.A. 18A:38-25.
- (g) For a student with a disability who receives a long-term suspension, the Board shall proceed in accordance with N.J.A.C. 6A:14 in determining or changing the student's educational placement to an interim or alternate educational setting.
1. All procedural protections set forth in N.J.A.C. 6A:14 and this section shall be afforded to each student with a disability who is subjected to a long-term suspension.

2. All decisions concerning the student's educational program or placement shall be made by the student's Individualized Education Program team.
3. The provisions of (b) through (f) above shall not apply to students with disabilities.

C. Mandated Student Removals From General Education (N.J.A.C. 6A:16-7.4)

- (a) The Board shall follow N.J.A.C. 6A:16-5.5 for student removals for firearms offenses.
- (b) The Board shall follow N.J.A.C. 6A:16-5.6 for student removals for assaults with weapons offenses.
- (c) The Board shall follow N.J.A.C. 6A:16-5.7 for student removals for assaults on Board members or employees.

D. Expulsions (N.J.A.C. 6A:16-7.5)

- (a) The Board may expel, that is discontinue the educational services or discontinue payment of educational services for, a general education student from school, pursuant to N.J.S.A. 18A:37-2, only after the Board has provided the following:
 1. The procedural due process rights set forth at N.J.A.C. 6A:16-7.3 and 7.4, subsequent to a long-term suspension, pursuant to N.J.A.C. 6A:16-7.3; and
 2. An appropriate educational program or appropriate educational services, based on the criteria set forth under N.J.A.C. 6A:16-7.3(f).
 - i. The educational program shall be consistent with the provisions of N.J.A.C. 6A:16-9.2 and 10.2 and 6A:14; whichever are applicable; or
 - ii. The educational services provided, either in school or out of school, shall be comparable to those provided in the public schools for students of similar grades and attainments, pursuant to the provisions of N.J.S.A. 18A:38-25.
- (b) Any appeal of the Board's decision regarding the cessation of the student's general education program shall be made to the Commissioner of Education in accordance with N.J.S.A. 18A:37-2.4 and N.J.A.C. 6A:3-1.3 through 1.17.
 1. The Board shall continue to provide an appropriate educational program or appropriate educational services, in accordance with N.J.A.C. 6A:16-7.5(a)2, until a final determination has been made on the appeal of the Board's action to expel a student.
- (c) An expulsion of a student with a disability from a receiving school shall be handled in accordance with N.J.A.C. 6A:14.

VII. ATTENDANCE OF STUDENTS (Policy No. 5113) (N.J.A.C. 6A:16-7.8)

The frequent absence of students from classroom learning experiences disrupts the continuity of the instructional process and limits the ability of students to complete the prescribed curriculum requirements successfully.

Potentially Missing Students

- A. Parents/guardians are responsible for notifying the school early in the day when a student will be absent.
- B. If daily attendance records indicate a student is absent, and the parent/guardian has not called, a designated person shall attempt to contact them.
- C. If no telephone contact can be made, the attendance officer shall investigate.
- D. If the attendance officer cannot locate the student, he/she shall inform the principal.
- E. If a student who was present in the morning is absent after lunch, he/she must be excused by the school nurse or parent.

Truancy

The board will report to appropriate authorities infractions of the law regarding the attendance of students below the age of 16. Repeated infractions of Board policy requiring the attendance of enrolled students over the age of 16 may result in the suspension or expulsion of the student.

Excused Absences

The Board considers the following as cause for excused absence:

- A. Disabling illness
- B. Recovery from accident
- C. Required court attendance
- D. Death in the family
- E. Religious observance
- F. Such good cause as may be acceptable to the Principal.

Attendance need not always be within the school facilities, but a student will be considered to be in attendance if he/she is present at any place where school is in session by authority of the Board. The Board shall consider each student assigned to a program of independent study, with parent/guardian permission, to be in regular attendance for that program, provided that he/she is under the guidance of a staff member so assigned, reports daily or weekly as prescribed, to such staff member the place in which he/she is conducting his/her study, and regularly demonstrates progress toward the objectives of his/her course of study.

Regular Release of Pupils Before the End of the Normal School Day

There are varying situations which may justify release of certain students from school before the normal time for closing. Such situations are justifiable only if the release does not jeopardize the student's educational program and the reasons for such release can be shown to have positive benefits for the student.

Late Arrival and Early Dismissal

The Board recognizes that from time to time compelling circumstances will require that a student be late to school or dismissed before the end of the school day. As agent responsible for the education of the students of this district, the Board shall require that the school be notified in advance of such absences by written request of the student parent/guardian, which shall state the reason for the tardiness or early dismissal. Justifiable reasons include:

- A) Medical or dental appointments which cannot be scheduled outside of school hours
- B) Medical disability
- C) Motor vehicle driver's test
- D) Interview for college entrance or employment
- E) Family emergency
- F) Court appearance
- G) Such good cause as may be acceptable to the administration

Tardiness not covered by the causes listed shall be cumulative, and may affect course

credit.

No student in grades kindergarten through eight shall be permitted to leave the school before the close of school day unless he/she is met in the school office by his/her parent/guardian or a person authorized by the parent/guardian to act in his/her behalf.

Students arriving at school after 10:30 a.m. will be considered absent since they will not fulfill the state requirements of 4 hours. Students who are absent will not be permitted to participate in any extra curricular school activity on that day unless the tardiness is excused by items A through G above.

VIII. INTIMIDATION, HARASSMENT AND BULLYING (Policy No. 5131)

A. Expectations: The Board expects individuals to treat each other with civility and respect, and will not tolerate acts of harassment, intimidation or bullying. Like other disruptive or violent behaviors, this conduct interferes with an individual's ability to learn and a school's ability to educate its students in a safe environment. **As such, the Leonia Board of Education prohibits acts of harassment, intimidation or bullying against any student.**

B. Definition: "Harassment, intimidation or bullying" is defined as any gesture or written, verbal or physical act, or any electronic communication, 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 placing a student in reasonable fear of harm to his/her person or damage to his/her property; or

(b) Has the effect of insulting or demeaning any student or group of students in such a way as to cause disruption in, or interference with, the orderly operation of the school.

"Electronic Communication" means a communication transmitted by means of an electronic device, including but not limited to, a telephone, cellular phone, computer, or pager.

C. Reporting Acts of Harassment, Intimidation or Bullying: Any school employee, student or volunteer who has witnessed, or has reliable information that a student has been subject to harassment, intimidation or bullying must report the incident to the appropriate school official designated by the administration.

(a) At each school, the principal or the principal's designee is responsible for receiving complaints alleging violations of this policy.

(b) All school employees are required to report alleged violations of this policy to the principal, the principal's designee, or the district's affirmative action officer.

(c) All other members of the school community, including students, parents, volunteers and visitors, are encouraged to report any act that may be a violation of this policy.

(d) While submission of the report form 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 office. Oral reports also shall be considered official reports. A written summary of the official oral report will be prepared by the

building principal/designee. Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report.

- (e) The principal and/or the principal's designee is 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 the alleged incident.

D. Reprisal and Retaliation: The Leonia Board of Education shall not tolerate an act of reprisal or retaliation against any person who reports an act of harassment, intimidation or bullying.

- (a) The consequences and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the principal after consideration of the nature and circumstances of the act in accordance with applicable law and the policies and procedures of the board of education.

E. Consequences: Some acts of harassment, intimidation or bullying may be isolated incidents requiring that the school 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.

- (a) In considering whether a response beyond the individual level is appropriate, the administrator should consider the nature and circumstances of the act, the level of harm, the nature of the behavior, past incidences or past or continuing patterns of behavior, and the context in which the alleged incident(s) occurred.

- (b) Institutional (i.e., classroom, school building, school district) responses can include: school and community surveys as permitted by law, mailings, focus groups, adoption of research-based bullying prevention program models, training for certificated and non-certificated staff, participation of parents and other community members and organizations, small or large group presentations for fully addressing the actions and the school's response to the actions, in the context of the acceptable student behavior and the consequences of such actions and the involvement of law enforcement officers, including school resource officers.

- (c) In determining the appropriate response to students who commit one or more acts of harassment, intimidation or bullying, school administrators should consider the following factors: the developmental and maturity levels of the parties involved, the levels of harm, the surrounding circumstances, the nature of the behaviors, past incidences or past or continuing patterns of behavior, the relationships between the parties involved and the context in which the alleged incidents occurred.

- (d) Concluding whether a particular action or incident constitutes a violation of this policy requires a determination based on all of the facts and surrounding circumstances. It is only after meaningful consideration of these factors that an appropriate consequence should be determined, consistent with the case law, federal and state statutes, regulations and policies, and district policies and procedures.

- (e) Consequences and appropriate remedial action for students who commit acts of harassment, intimidation or bullying may range from positive behavioral interventions up to and including suspension or expulsion and reports to appropriate law enforcement officials.

- (f) Consequences and appropriate remedial action for a student found to have falsely accused another as a means of harassment, intimidation or bullying range from positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A. 18A:37-1, Discipline of Students.
 - (g) Consequences and appropriate remedial action for a school employee found to have falsely accused another as a means of harassment, intimidation or bullying shall be disciplined in accordance with district policies, procedures and agreements.
 - (h) Consequences and appropriate remedial action for a visitor or volunteer, found to have falsely accused another as a means of harassment, intimidation or bullying shall be determined by the school administrator after consideration of the nature and circumstances of the act, including reports to appropriate law enforcement officials.
- F. The chief school administrator shall develop appropriate procedures addressing:
- (a) A mechanism for reporting acts of harassment, intimidation or bullying, including a means of anonymous reporting;
 - (b) The prompt investigation of reports of such acts, identifying either the chief school administrator or the chief school administrator's designee as the person responsible for the investigation;
 - (c) The range of ways in which a school will respond once an incident of harassment, intimidation or bullying is identified; and
 - (d) Consequences, discipline and remedial action for a person who commits an act of harassment, intimidation or bullying, who engages in an act of reprisal or retaliation against a person who reports such action, or who falsely accuses another of bullying as a means of harassment, intimidation or bullying.
- G. The chief school administrator shall take all necessary steps to publicize this policy, and shall inform students and staff that harassment, intimidation or bullying is prohibited when they are within the jurisdiction of the board, including while participating in any school-sponsored function. This information shall also be incorporated into the student handbook, the code of student conduct and employee training programs.

IX. CURRENT LIST OF COMMUNITY RESOURCES

- A. The following represents a list of community-based health and social service provider agencies available to support a student and the student's family, as appropriate:
- (a) Community Resource Council of Bergen Council
 - (b) Care Plus N.J.
 - (c) Bergen Family Center
 - (d) Juvenile/Family Crisis Unit
- B. The following represents a list of legal resources available to serve the community:
- (a) Bergen County Legal Services
 - (b) State Division of Civil rights

ATTACHMENT A

ANNA C. SCOTT ELEMENTARY SCHOOL

Attending Anna C. Scott Elementary School (hereinafter referred to as "ACS") are students from a wide developmental range presenting varied developmental needs. Younger students are just beginning to acquire basic social competencies; older students are expected to regularly display those competencies in their peer and adult relationships. The nature of primary education requires a steady focus upon social learning as a necessary component of academic progress.

ACS students who are conducting themselves appropriately are

- Courteous and kind;
- Punctual;
- Respectful of other people;
- Respectful of other people's property;
- Respectful of themselves;
- Ready to learn and engaged in learning; and
- Mindful of and responsive to adult direction.

Appropriate conduct is expected during the school day, to and from school, on school buses, on school trips and at school events.

Misconduct is the opposite of appropriate conduct. The following are examples of very serious behavior violations that hurt others and prevent learning:

- Fighting with or hurting others;
- Harassing, bullying or intimidating others, including doing so using electronic devices;
- Using profanity;
- Verbally or physically abusing others;
- Possessing illegal substances, e.g., drugs and/or alcohol;
- Stealing and vandalizing property; and
- Engaging in terroristic threats.

The school will support and enforce these expectations through several means. Appropriate conduct will be taught and rewarded. Teachers will do so directly within the school's classrooms and corridors. The entire school staff will be responsible for implementing an age appropriate and effective social learning program. Individual counseling will be provided to those who require additional reinforcement of necessary social competencies. In those cases where it is warranted, students may be detained after school under a teacher's supervision and/or referred to the Principal's office for further consideration. School exclusion should be applied in only the most serious of instances as may be necessary to ensure the safety of the school and of individuals. In all instances, school personnel will attempt to work with parents to reinforce the school's conduct expectations.

ATTACHMENT B

LEONIA MIDDLE SCHOOL

As middle school students, pre-teenagers and young adolescents require a secure, orderly environment which supports the continuing discovery of healthy self-identity. Developmentally, middle school students are distinguished by an emerging awareness of their autonomy in the context of influential peer relationships. Positive growth builds upon the social foundation of the elementary years: students acquire a sense of future purpose -- foreseeing themselves as prospective adults, capable of making decisions, solving problems, and forming relationships. At the same time, they depend upon caring adults as a source of high expectation, manageable challenge, and necessary structure.

At Leonia Middle School, students who are conducting themselves appropriately are:

- Courteous and kind in their daily interactions with peers and adults within the classrooms and corridors of the school as well as on school grounds and buses;
- Punctual as evidenced by their school and class attendance record;
- Honest in the presentation of their own schoolwork;
- Respectful of self as evidenced by their capacity to manage their emotions, safeguard their physical welfare, and refrain from risky behavior;
- Respectful of other people as evidenced by their consideration of others' rights to access educational opportunity free of any form of emotional and physical interference; they cooperate with peers and adults to safeguard a school climate conducive to learning; they resolve conflicts through peaceful negotiation that allows for full consideration of others' perspectives and feelings;
- Respectful stewards of the environment;
- Careful in their use of school facilities and equipment and respectful of the personal property rights of peers and adults;
- Ready to learn and engaged in learning as evidenced by their attentive response to instruction, their sustained exertion in relation to learning goals, and their committed self-reliance in meeting multiple learning demands; and
- Mindful of and responsive to adult direction.

The following categories of misconduct illustrate the range of behavior that is unacceptable and that will trigger appropriate sanctions and remedial responses:

- Fighting with or hurting others;
- Stealing the personal property of others;
- Destroying and/or vandalizing private and public property;
- Possessing weapons;
- Harassing, bullying or intimidating others, including doing so using electronic devices;
- Engaging in terroristic threats;
- Using profanity;
- Cheating (including plagiarism);
- Verbally or physically abusing others; and/or
- Possessing and using illegal substances, e.g., drugs and/or alcohol.

Most of these forms of misconduct invert the standards of appropriate conduct described above. Since the school relies upon these standards to maintain necessary good order, it is imperative that staff use a range of evidence-based strategies to minimize and respond to misconduct. Since the school functions as

a public place of learning, it is imperative that staff use a range of appropriate strategies to teach and reinforce necessary social skills.

The Board believes that context plays a major role in shaping individual behavior and that this well accepted premise is especially true in understanding adolescent conduct in school settings. Understanding should inform how the school organizes itself to reduce misconduct, react to misconduct and remediate misconduct. The Board expects staff to deploy within the school environment a variety of social-emotional and behavioral “supports” that include:

- High quality academic programs that engage all students in meaningful learning;
- Affirmative staff-student relationships that encourage all students to regard themselves as valued learners within the school setting;
- Wide-ranging opportunities for students to be recognized for their growth and accomplishments; and
- Meaningful and varied venues for developing student leadership.

The Board recognizes that student misconduct will occur even in those schools that are most sophisticated in addressing the social learning needs of adolescents. The Board hereby directs staff to respond progressively to misconduct by accounting for the following:

- The student’s age, developmental and maturity level;
- The social context of the misconduct and the relationships between the involved parties; and
- The nature and severity of prior incidences of misconduct or of continuing patterns of misconduct

In all instances, staff response to individual student misconduct should aim to assist the student in learning to regulate his/her conduct at the same time as it safeguards the rights of other students affected by such misconduct.

ATTACHMENT C

LEONIA HIGH SCHOOL

High school provides a protected environment that encourages teenagers to internalize the expectations of competent adulthood. Ready or not, high school students become adults when they cross the graduation stage and receive their diplomas. For some, high school reinforces the lessons of adult responsibility that parents teach around the dinner table. Other students encounter these essential lessons within high school and come to terms with their implications through their response to the school's social norms. No matter the degree of social learning available to them outside or within school, impending adult roles and responsibilities will challenge all students. No matter the degree of social learning available to students elsewhere, high school is place where all students have the opportunity to prepare themselves to meet those challenges. Through their own conduct, all students are responsible for safeguarding the school as a place of learning.

At Leonia High School, students who are conducting themselves appropriately are

- Courteous and kind in their daily interactions with peers and adults within the classrooms and corridors of the school as well as on school grounds and busses; they are aware that the sharing of social space requires self-regulation in relation to reasonable norms of civility;
- Punctual as evidenced by their school and class attendance record;
- Honest and forthright in the presentation of their own schoolwork;
- Respectful of self as evidenced by their capacity to manage their emotions, safeguard their physical welfare, and refrain from risky behavior;
- Respectful of other people as evidenced by their consideration of others' rights to access educational opportunity free of any form of emotional and physical interference; they accept individual differences as a community resource while also appreciating such universal human needs as security and dignity; they cooperate with peers and adults to safeguard a school climate conducive to learning; they resolve conflicts through peaceful negotiation that allows for full consideration of others' perspectives and feelings;
- Respectful stewards of the environment;
- Careful in their use of school facilities and equipment and respectful of the personal property rights of peers and adults;
- Ready to learn and engaged in learning as evidenced by their attentive response to instruction, their sustained exertion in relation to learning goals, and their committed self-reliance in meeting multiple learning demands; and
- Mindful of and responsive to adult direction.

The following categories of misconduct illustrate the range of behavior that is unacceptable and that will trigger appropriate sanctions and remedial responses:

- Fighting with or hurting others;
- Stealing the personal property of others;
- Destroying and/or vandalizing private and public property;
- Possessing weapons;
- Harassing, bullying or intimidating others, including doing so using electronic devices;
- Engaging in terroristic threats;
- Using profanity;
- Cheating (including plagiarism);
- Verbally or physically abusing others; and/or

- Possessing and using illegal substances, e.g., drugs and/or alcohol.

Most of these forms of misconduct invert the standards of appropriate conduct described above. Since the school relies upon these standards to maintain necessary good order, it is imperative that staff use a range of evidence-based strategies to minimize and respond to misconduct. Since the school functions as a public place of learning, it is imperative that staff use a range of appropriate strategies to teach and reinforce necessary social skills.

The Board believes that context plays a major role in shaping individual behavior and that this well accepted premise is especially true in understanding adolescent conduct in school settings. Understanding should inform how the school organizes itself to reduce misconduct, react to misconduct and remediate misconduct. The Board expects staff to deploy within the school environment a variety of social-emotional and behavioral “supports” that include:

- High quality academic programs that engage all students in meaningful learning;
- Affirmative staff-student relationships that encourage all students to regard themselves as valued learners within the school setting;
- Wide-ranging opportunities for students to be recognized for their growth and accomplishments; and
- Meaningful and varied venues for developing student leadership.

The Board recognizes that student misconduct will occur even in those schools that are most sophisticated in addressing the social learning needs of adolescents. The Board hereby directs staff to respond progressively to misconduct by accounting for the following:

- The student’s age, developmental and maturity level;
- The social context of the misconduct and the relationships between the involved parties; and
- The nature and severity of prior incidences of misconduct or of continuing patterns of misconduct

In all instances, staff response to individual student misconduct should aim to assist the student in learning to regulate his/her conduct at the same time as it safeguards the rights of other students affected by such misconduct.