

# **DELAWARE TOWNSHIP SCHOOL CODE OF STUDENT CONDUCT AND DISCIPLINARY CONSEQUENCES**

## **Purpose**

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

- A. Foster the health, safety, and social and emotional well-being of students;
- B. Support the establishment and maintenance of civil, safe, secure, supportive and disciplined school environments conducive to learning;
- C. Promote achievement of high academic standards;
- D. Prevent the occurrence of problem behaviors;
- E. Establish parameters for the intervention and remediation of problem student behaviors at all stages of identification; and
- F. Establish parameters for consistent responses to violations of the code of student conduct that take into account, at a minimum, the severity of offenses, the developmental ages of student offenders and students' histories of inappropriate behaviors as appropriate.

## **Student Rights and Responsibilities**

### Rights:

- Students have the right to a safe and secure school environment;
- Students have a right to receive a thorough and efficient education that prepares them to be productive citizens;
- Students have a right to advance notice of behaviors that will result in suspensions or expulsion;
- Students have a right to due process and appeal procedures in accordance with law and board policy;
- Students have a right to parent notifications consistent with board policy and law for law enforcement interviews, short-term and long-term suspensions, due process and appeal procedures, and attendance;
- Students have a right to record and privacy protections.

### Responsibilities:

- Students are responsible for their own behavior and to adhere to all established school rules and procedures as outlined in the DTS Handbook;
- Students are responsible for their own actions;
- Students are responsible for telling the truth when explaining their own behavior and when accusing others.
- Students are responsible to attend school regularly and to arrive on time;
- Students are responsible for setting personal and academic goals and evaluating their own progress toward accomplishing those goals;

- Students are responsible for contributing to the classroom and school; they share responsibility when working as members of a group;
- Students are responsible for treating all persons with respect and are responsible for demonstrating mutual respect and tolerance for individual differences;
- Students are responsible for treating school property and resources and the property of others with care and respect.
- Students are responsible for following the DTS 1:1 Mobile Device Procedures and will follow the Acceptable Use Guidelines for Virtual Instruction Academy.
- Students are responsible for keeping cell phones in their backpacks except in emergency situations.

**\* Students who do not meet these behavioral expectations will be denied privileges to participate in school sponsored activities. Other consequences may also follow as described under Disciplinary Procedures.**

### **Behavioral Supports**

The DTS curriculum embeds the NJ Social and Emotional Learning competencies throughout the grade levels and subject areas. This involves the process through which children and adults acquire and apply the knowledge, attitudes and skills necessary to understand and manage emotions, set and achieve positive goals, feel and show empathy for others, establish and maintain positive relationships, and make responsible decisions.

#### Positive Reinforcement

Students should expect positive reinforcement of their efforts and behaviors to promote positive academic and social outcomes. These may include, but not be limited to, stickers, 'Character Counts' certificates, classroom or school recognitions, extra privileges, honor roll and other academic or sports awards fitting their age and level of maturity.

#### Behavioral Intervention

Students who experience chronic behavior issues and/or repeated suspensions may be referred to the Intervention and Referral Services team for behavioral interventions and/or referred for evaluation to the child study team.

### **Disciplinary Procedures**

Disciplinary procedures shall be viewed as progressive to meet the severity and nature of any offense and to be appropriate for the age and maturity of the student involved. The foremost element of all discipline shall be to create a positive learning experience for the students, to highlight a sense of responsibility for ones actions, and to prevent future behaviors that may escalate in severity. Parental notification will accompany disciplinary action to foster a strong partnership between the home and school and demonstrate the significance of the effort to modify student behavior through the mutual efforts of the parent, teacher, administrator, and other school personnel.

Disciplinary consequences shall include but not limited to:

- Informal reprimand
- Formal reprimand
- Behavioral contract

- Time out
- Loss of privileges
- Detention (lunch or after school)
- In school suspension; duration will be commensurate with the age of the student and the severity of the offense
- Out of school suspension; duration will be commensurate with the age of the student and the severity of the offense
- Expulsion from school

\*Students in grades K-5 **cannot** lose recess time more than twice per week as a disciplinary action.

### **Detention**

Students assigned to detention must attend. Detention will take precedence over after school commitments by students. This includes participation in school and/or community sports activities. Failure to attend will result in an additional day or days of detention and could result in in-school suspension in cases of repeated failure to attend. Students must have a written excuse from parents to be excused from detention. Excused detentions will be rescheduled for the following day. Any teacher, for disciplinary reasons, may issue a "teacher detention." Failure to appear for a teacher detention will result in administrative intervention. Three teacher detentions (for the same violation) will result in an administrative after school detention. Administration assigns administrative detention for disciplinary reasons. This detention will take place in the office of an administrator or in the main office. The administration will inform parents whenever an administrative detention is assigned.

Administrative detention may involve performing service to the school. It will be assigned after school from 3:10-4:00 pm. Students who are not cooperative in performing assigned tasks or who are dismissed from detention for misconduct will be assigned two (2) additional detentions. The administration will inform the parents of this course of action. A second dismissal from detention may result in an in-school suspension.

**Students attending after school detention must be picked up by a parent/guardian at the conclusion of the detention before being released.**

### **In-School Suspension (ISS)**

In-school suspension is used when student behavior is such that the student continues to disregard established rules and procedures or the nature of the behavior is significant based on the level of the violation. Before it is issued, except in extraordinary circumstances, the student is entitled to a preliminary hearing at which the administration will afford due process. The student's notice and hearing must follow as soon as practical and feasible. Parents/guardians will be notified when an in-school suspension is to be given. The offense and previous disciplinary behavior will determine the length of time the ISS will be served.

In-school suspension will be served away from the general student population. Students in ISS receive work (age and ability level appropriate) to be completed during the day(s). Students in ISS will be dismissed at the end of the school day (3:10 pm). Students who are serving ISS are not eligible to participate in any school related functions (sports, dances, field trips, etc.) for the duration of the suspension.

## **Out of School Suspension (OSS)**

Students and parents must understand that out of school suspension is a very serious consequence of student behavior, which causes disruption of the educational program, danger to health and well-being of fellow students and/or faculty and staff, or damage to community property. OSS will be assigned by the administration and requires that parents/guardians meet with the administration to discuss the circumstances.

Before an out of school suspension, except in extraordinary circumstances, the student is entitled to a preliminary hearing at which the administration will afford due process. Where a student's presence poses a continuing danger to persons, property, or an ongoing threat of disrupting the learning process, the student may be removed immediately from school property. The student's notice and hearing must follow as soon as it is practical and feasible. Parents/guardians will be notified when a suspension is given. It is the responsibility of the student's parent/guardian to request classroom assignments from the teachers. These assignments are to be completed during the out of school suspension period. Students who are serving OSS are not eligible to participate in any school related functions (sports, dances, field trips, etc.) for the duration of the suspension and are restricted from school grounds for any reason.

## **Due Process**

Students will be afforded due process as outline in district policies and state statutes to present witnesses to incidents or to have their perspective and point of view heard prior to implementation of consequences as outlined in the Code of Student Conduct.

Parents have the right to appeal disciplinary actions to the next level of administration, up to and including the Board of Education.

## **Students with Disabilities**

Students with disabilities will be subject to the conditions of the Code of Student Conduct. Modifications of the Code shall be made in accordance with the IEP and in the best interest of the student as well as the safety of the school community. Suspensions of students with disabilities shall be in accordance with NJAC 6A:14-2.8. Services will be provided to any student suspended from school within 5 school days of the suspension in accordance with NJAC 6A:16-7.2.

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

The Delaware Township School policy 5131.1 prohibits all forms of harassment, intimidation, and bullying. As such, we are committed to providing a caring, friendly, and safe environment for all of our students. Bullying of any kind is unacceptable. If bullying does occur, it shall be dealt with promptly and in accordance with policy and law. Anyone who knows of any bullying is expected to report this to a school official immediately. Reporting forms can be found in the main office or on the school website. Depending on the situation, consequences for harassment, intimidation, and bullying will be in accordance with district policy as judged by the school administration, the anti-bullying specialist, and/or the superintendent.

The Code of Student Conduct classifies misbehavior into three levels (I, II, and III) for students in grades K-5 with possible consequences. Disciplinary forms will be completed for all Violations and a digital copy of each form will be sent to parents for behaviors that require administrative consequences.

**Level I Violations**

The following behaviors are considered minor offenses. Faculty and staff will complete disciplinary forms and submit the form to the administrator. First and second offenses at this level will result in written warnings. The third offense will result in an administrative consequence. Additional Level I Violations will result in referral to I&RS and the development of a behavior plan.

Behavior	Consequence
Failure to follow classroom rules	<ol style="list-style-type: none"> <li>1. Teacher warning or reprimand/completion of reflection form</li> <li>2. Consequence applied by teacher</li> <li>3. Peer mediation with school counselor</li> <li>4. Lunch detention</li> <li>5. Parent notification</li> <li>6. Parent conference</li> <li>7. Administrative warning or reprimand</li> </ol>
Arriving late and/or leaving class without permission	
Disruptive behavior in class, the hallway, or the cafeteria	
Tampering with another student's desk, cubby, locker, or property	
Unauthorized use of electronic devices	
Inappropriate language	
Inappropriate clothing that violates the dress code	
Throwing objects in class, the hallway, or in the cafeteria that jeopardizes the safety of others or damages property	
<b>Level I Bus Violations</b>	
Standing while bus is in operation	<ol style="list-style-type: none"> <li>1. Bus driver warning or reprimand</li> <li>2. Consequence applied by bus driver</li> <li>3. Referral to school counselor</li> <li>4. Parent notification</li> <li>5. Administrative warning or reprimand</li> </ol>
Not wearing seat belt	
General misconduct	
Yelling	
Opening or closing window without permission	

**Level II Violations**

The following behaviors are considered moderate offenses. Faculty and staff will complete disciplinary forms and submit the form to the administrator. First offense at this level will result in a consequence by the teacher; second offense will result in a consequence and parent conference. Third offense will result in an after school detention and a referral to the I&RS team. Four or more violations will result in an in school suspension and the development of a behavior plan.

<b>Behavior</b>	<b>Consequence</b>	<b>Additional Consequence</b>
Unacceptable language or gesture	<ol style="list-style-type: none"> <li>1. Verbal reprimand and consequence by teacher</li> <li>2. Lunch detention</li> <li>3. Referral to school counselor and behavior contract</li> <li>4. Referral to school administrator and parent conference</li> <li>5. After school detention</li> <li>6. In school suspension (1-3 days)</li> </ol>	
Forgery		
Cheating		
Plagiarism (academic dishonesty)		Zero credit for project
Lying to a staff member		
Violating "Acceptable Use of Technology" policy		Loss of privileges for period of time to be determined by administrator
Disrespect/insubordination		
Disruptive/disorderly behavior		
Three teacher detentions for the same violation.		
Use of cell phone without authorization		Confiscation of phone; to be picked up in office at end of day. For subsequent Violations, parent will need to pick up the phone in the office
<b>Level II Bus Violations</b>		
Extending body parts out of the bus	<ol style="list-style-type: none"> <li>1. Verbal reprimand and consequence by bus driver</li> <li>2. Referral to school counselor and behavior contract</li> <li>3. Referral to school administrator and parent conference</li> <li>4. In school suspension</li> </ol> <p>* Three bus violations at this level will result in a loss of bus privileges for a period of time determined by the administrator.</p>	
Throwing objects on or out of the bus		
Distracting the bus driver		
Failing to follow bus driver directions		

### **Level III Violations**

The following behaviors are considered major offenses. Faculty and staff will complete disciplinary forms and submit the form to the administrator immediately. Offenses at this level are of a serious nature and have been assigned specific consequences; repeat offenses at this level may result in expulsion and are handled on a case by case basis.

<b>Behavior</b>	<b>Consequence</b>	<b>Additional Consequence</b>
Physical contact/use of force (pushing, throwing objects, tripping, etc.)	<ol style="list-style-type: none"> <li>1. Immediate referral to administrator</li> <li>2. Detention</li> </ol>	

Stealing	<ol style="list-style-type: none"> <li>3. Restitution</li> <li>4. Parent conference</li> <li>5. Loss of privilege such as field trips, participation in special events or extracurricular activities</li> <li>6. In school or out of school suspension (3-10 days)</li> </ol>	
Fighting		
Vandalism (including defacing student work)		
Violating password protection of a computer system, download illegal software, download software to cause damage to a system or cause a security breach, or modify a system file		
Harassment, intimidation or bullying by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, disability, or other distinguishing characteristic		Handled at the administrative level. Consequences may include, but not limited to, counseling, peer mediation, in school suspension and/or disciplinary action as determined by administrator. Possible referral to I&RS team for behavior plan; police notification.
Violent threat towards any individual or group		
Possession and/or use of alcohol, tobacco, other drugs and/or paraphernalia (including vaping devices and/or e-cigarettes)		1-10 days out of school suspension, medical clearance to return to school, mandatory re-entry conference, possible child study team referral. Police notification.
Possession and/or use of a weapon or an object being used as a weapon (scissors, pocket knife, razor, etc.)		Minimum 1-10 days out of school suspension with required re-entry conference with Superintendent. Possible Board of Education hearing and one-year expulsion as per state law. Police notification.
Use of a digital device (including cell phone) inappropriately to record, capture, or transmit any audio, video, or images (Including for Virtual Academy Instruction)	Loss of digital device for a length of time determined by administration. Device may be subject to an electronic search for inappropriate material related to the incident.	

### **Community-based Health and Social Service Provider Agencies**

<https://www.tricountyresourcenet.org/search/hunterdon-county-board-of-social-services/>

<http://www.co.hunterdon.nj.us/depts/social/socserv.htm>

<https://fso-hsw.org/resources/>

<https://www.hunterdonhealthcare.org/service/behavioral-health/>

### **Legal Resources**

<https://www.lsnj.org/lsnwj/>

<https://www.huntcolaw.org/>