

POLICY

Ocean County Vocational Technical School Board of Education

Section: Students

5600. STUDENT DISCIPLINE /CODE OF ETHICS (M)

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The Board of Education adopts this Student Discipline/Code of Conduct Policy to establish standards, policies, and procedures for positive student development and student behavioral expectations on school grounds and, as appropriate, for conduct away from school grounds. Every student enrolled in this district shall observe promulgated rules and regulations and the discipline imposed for infraction of those rules.

The Superintendent of Schools will establish a process for the annual review and update of the district's Student Discipline/Code of Conduct Policy that may involve a committee of parents, students, and community members that represent, where possible, the composition of the district's schools and community. The Superintendent will report to the Board the process used for the annual review of this Policy and will recommend to the Board updates, if any, to the Student Discipline/Code of Conduct Policy.

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

The Board provides for the district's Student Discipline/Code of Conduct's equitable application. Student discipline and the Code of Student Conduct will be applied without regard to race; color; religion; ancestry; national origin; nationality; sex; gender; sexual orientation; gender identity or expression; marital, domestic-partnership, or civil union; mental, physical or sensory disability; or by any other distinguishing characteristic, pursuant to N.J.S.A. 10:5.-1 et seq.

For students with disabilities, subject to Individualized Education Programs in accordance with 20 U.S.C. §1400 et seq., the Individuals with Disabilities Education Improvement Act and accommodation plans under 29 U.S.C. §§ 794 and 705(20), the Code of Student Conduct shall be implemented in accordance with the components of the applicable plans.

The Student Discipline/Code of Conduct is established for the purposes outlined in N.J.A.C. 6A:16-7.1(b).

Policy 5600 includes a description of student responsibilities that include expectations for academic achievement, behavior, and attendance, pursuant to N.J.A.C. 6A:32-8 and 13.1; a description of behaviors that will result in suspension or expulsion, pursuant to N.J.S.A. 18A:37-2; and a description of student rights pursuant to N.J.A.C. 6A:16-7.1(c)3.i through vii.

The Board of Education approves the use of comprehensive behavioral supports that promote positive student development and the students' abilities to fulfill the behavioral expectations established by the Board. These behavioral supports include, but are not limited to, positive reinforcement for good conduct and academic success including the programs that honor and reward student conduct and academic achievement; supportive intervention and referral services including those services outlined in Policy 2417; remediation of problem behaviors that take into account the behavior's nature, the students' developmental ages and the students' histories of problem behaviors and performance; and for students with disabilities, the behavior interventions and supports shall be determined and provided pursuant to N.J.A.C. 6A:14.

Policy 5600 includes a description of school responses to violations of behavioral expectations established by the Board that, at a minimum, are graded according to the severity of the offenses, and consider the developmental ages of the student offenders and their histories of inappropriate behaviors pursuant to N.J.A.C. 6A:16-7.1(c)5.

Students are required to be in compliance with Policy 5200 – Attendance pursuant to N.J.A.C. 6A:16-7.6 and Policy 5512 – Harassment, Intimidation, and Bullying pursuant to N.J.A.C. 6A:16-7.7.

The Building Principal shall maintain a current list of community-based health and social service provider agencies available to support a student and the student's family, as appropriate, and a list of legal resources available to serve the community.

The Building Principal or designee shall have the authority to assign discipline to students. School authorities also have the right to impose a consequence on a student for conduct away from school grounds that is consistent with the district's

Code of Student Conduct pursuant to N.J.A.C. 6A:16-7.5. This authority shall be exercised only when it is reasonably necessary for the student's physical or emotional safety, security, and well-being or for reasons relating to the safety, security, and well-being of other students, staff, or school grounds, pursuant to N.J.S.A. 18A:25-2 and 18A:37-2. This authority shall be exercised only when the conduct that is the subject of the proposed consequence materially and substantially interferes with the requirements of appropriate discipline in the operation of the school. Consequences pursuant to N.J.A.C. 6A:16-7.5 shall be handled in accordance with Policy 5600, pursuant to N.J.A.C. 6A:16-7.1, and as appropriate, in accordance with N.J.A.C. 6A:16-7-2, 6A:16-7.3, or 6A:16-7.4. School authorities shall respond to harassment, intimidation, or bullying that occurs off school grounds, pursuant to N.J.S.A. 18A:37-14 and 15.3 and N.J.A.C. 6A:16-1.3, 7.1, and 7.7.

Consequences and appropriate remedial action for a student who commits one or more acts of harassment, intimidation, or bullying may range from positive behavioral interventions up to and including suspension or expulsion. The factors for determining consequences and remedial measures and examples of consequences and remedial measures are listed in Policy 5512 – Harassment, Intimidation, and Bullying. Consequences for a student who commits an act of harassment, intimidation, or bullying shall be varied and graded according to the nature of the behavior, the developmental age of the student and the student's history of problem behaviors and performance, and shall be consistent with this Policy and the school district's Student Discipline/Code of Conduct Policy pursuant to N.J.A.C. 6A:16-7.1. Remedial measures for one or more acts of harassment, intimidation, or bullying shall be designed to correct the problem behavior; prevent another

occurrence of the problem; protect and provide support for the victim of the act; and take corrective action for documented systemic problems related to harassment, intimidation, or bullying.

Consequences and remedial measures to address acts or incidents of dating violence at school shall be consistent with the school district's Student Discipline/Code of Conduct Policy. The factors for determining consequences and remedial measures and examples of consequences and remedial measures are included in Policy 5519 – Dating Violence at School and shall be used to address the act or incident as well as serve as remediation, intervention, education, and prevention for all individuals involved. The responses shall be tiered with consideration given to the seriousness and the number of previous occurrences of acts or incidents in which both the victim and aggressor have been involved. Consequences for acts or incidents of dating violence at school may range from admonishment to suspension or expulsion. Retaliation towards the victim of any act or incident of dating violence shall be considered when administering consequences to the aggressor based on the severity of the act or incident. Remedial measures/interventions for acts or incidents of dating violence at school may include, but are not limited to: parent conferences, student counseling (all students involved in the act or incident), peer support groups, corrective instruction or other relevant learning or service experiences, supportive student interventions (Intervention and Referral Services - I&RS), behavioral management plans, and/or alternative placements.

Any student to be disciplined shall be provided the due process procedures for students and their families as set forth in Policy 5600 and N.J.A.C. 6A:16-7.2 through 7.4.

In accordance with the provisions of N.J.A.C. 6A:16-7.8, when a student transfers to a public school district from another public school district, all information in the student's record related to disciplinary actions taken against the student by the school district and any information the school district has obtained pursuant to N.J.S.A. 2A:4A-60, Disclosure of Juvenile Information, Penalties for Disclosure, shall be provided to the receiving public school district, in accordance with the provisions of N.J.S.A. 18A:36-19(a) and N.J.A.C. 6A:32-7.5.

The Superintendent may be required to submit a report annually to the New Jersey Department of Education on student conduct, including all student suspensions and expulsions, and the implementation of the Student Discipline/Code of Conduct Policy in accordance with the format prescribed by the Commissioner of Education. The Superintendent shall report to the Commissioner of Education each incident of violence, including harassment, intimidation, and bullying, vandalism, and alcohol and other drug offenses, pursuant to N.J.A.C. 6A:16-4.3, in the school district utilizing the Electronic Violence and Vandalism Reporting System, pursuant to N.J.A.C. 6A:16-5.3.

Disciplinary Infractions and Consequences:

The following list indicates infractions, points and disciplinary action that may be taken for each. This list is not all-inclusive, and the building administrator may use his/her discretion in determining the appropriate disciplinary action and the number of disciplinary points regarding a student's violation of rules and regulations.

Students accumulating (25) or more disciplinary points may jeopardize their vocational placement and may be subject to a parent conference.

NOTE: The Principal/Vice Principal has the right to impose out-of-school suspension and request a parent conference at any time for a serious disciplinary infraction.

<i>Violations</i>	<i>Consequences</i>
Inappropriate behavior, profanity, continued & willful disobedience, disruptive conduct, insubordination	<p>20 pts</p> <ol style="list-style-type: none"> 1. Supervised Study 1-3 days. <ol style="list-style-type: none"> a. Parent(s) or legal guardian(s) written notification and a conference, if appropriate. 2. Out-of-School suspension 1-9 days. <ol style="list-style-type: none"> a. Parent(s) or legal guardian(s) written notification and a conference, if appropriate
Smoking, tobacco use, usage of electronic or simulated smoking devices	<p>15 pts</p> <ol style="list-style-type: none"> 1. Supervised Study 1-3 days. <ol style="list-style-type: none"> a. Parent(s) or legal guardian(s) written notification and a conference, if appropriate. 2. Out-of-School suspension 1-9 days. <ol style="list-style-type: none"> a. Parent(s) or legal guardian(s) written notification and a conference, if appropriate. 3. Notification of law enforcement authorities. <ol style="list-style-type: none"> a. Possible fine.
Bus misconduct	<p>10 pts</p> <p>Supervised Study 1-3 days</p> <p>Out of school suspension 1-3 days</p>

	Possible suspension of bus privilege from one week to remainder of the school year. In the case of bus suspension, the student must provide his/her transportation
Physical assault of school Personnel	<p>25 pts</p> <ol style="list-style-type: none"> 1. Out of school suspension 1-9 days. <ol style="list-style-type: none"> a. Parent(s) or legal guardian(s) written notification and a conference, if appropriate. 2. Notification of law enforcement authorities. <ol style="list-style-type: none"> a. Possible prosecution. 3. Recommendation for withdrawal from the Ocean County Vocational Technical School 4. Board Hearing: <ol style="list-style-type: none"> a. Possible withdrawal from school. b. Possible expulsion.
Physical assault/fighting (students)	<p>25 pts</p> <ol style="list-style-type: none"> 1. Out-of-school suspension 1-9 days. <ol style="list-style-type: none"> a. Parent(s) or legal guardian(s) written notification and a conference, if appropriate. b. Possible prosecution.
Improper School attire that does not meet safety standards, is offensive, and/or disruptive to the school environment.	<p>10 pts</p> <ol style="list-style-type: none"> 1. Change of clothing 2. In school suspension 1-3 days <ol style="list-style-type: none"> a. Parent(s) or legal guardian(s) written notification and a conference, if appropriate.
Cheating	<p>10 pts</p> <ol style="list-style-type: none"> 1. Failure for assignment

	<p>a. Parent(s) or legal guardian(s) written notification and a conference, if appropriate.</p> <p>2. Supervised Study 1-3 days.</p>
<p>Theft; Taking or attempting to take personal property or money</p>	<p>25 pts</p> <p>1. Supervised Study 1-3 days.</p> <p>a. Parent(s) or legal guardian(s) written notification and a conference, if appropriate.</p> <p>2. Out-of-School suspension 1-9 days.</p> <p>a. Parent(s) or legal guardian(s) written notification and a conference, if appropriate.</p> <p>3. Restitution</p> <p>4. Notification of law enforcement authorities.</p>
<p>Truancy, cutting, excessive absences, excessive lateness, inciting others</p>	<p>10 pts</p> <p>Supervised Study 1-3 days.</p> <p>Parent(s) or legal guardian(s) written notification and a conference, if appropriate.</p> <p>Out-of-School suspension 1-9 days.</p> <p>Parent(s) or legal guardian(s) written notification and a conference, if appropriate.</p> <p>Possible course failure due to poor performance.</p> <p>An accumulation of three cuts or truancy may result in the student being returned to the sending school.</p> <p>Tardiness: 1 pt. for each day; 5 tardies may result in an absence.</p>
<p>Misuse of fire equipment, false alarm, causing a fire, fireworks</p>	<p>1. Supervised Study 1-3 days.</p> <p>a. Parent(s) or legal guardian(s) written notification and a conference, if appropriate.</p>

	<ol style="list-style-type: none"> 2. Out-of-School suspension 1-10 days. <ol style="list-style-type: none"> a. Parent(s) or legal guardian(s) written notification and a conference, if appropriate. 3. Notification of appropriate authorities. <ol style="list-style-type: none"> a. Possible prosecution.
<p>Harassment/sexual harassment; HIB, racial slurs/bias</p>	<p>15 pts</p> <ol style="list-style-type: none"> 1. Supervised Study 1-3 days. <ol style="list-style-type: none"> b. Parent(s) or legal guardian(s) written notification and a conference, if appropriate. 2. Out-of-School suspension 1-9 days. <ol style="list-style-type: none"> b. Parent(s) or legal guardian(s) written notification and a conference, if appropriate. 3. Referral to district Affirmative Action Officer. 4. Notification of law enforcement authorities.
<p>Possession and use of electronic equipment including, but not limited to, radios, Walkman, tape players, TV's, CD players, MP3 players and I-pods.</p>	<p>1st Offense: 5 pts</p> <p>2nd Offense: 24-hour confiscation of: Electronic device, Supervised Study or Suspension.</p> <p>3rd Offense: Parent must retrieve; parent conference may be required; Supervised Study or Suspension</p> <ol style="list-style-type: none"> 1. Confiscation and contact with parent(s) or legal guardian(s).
<p>Gambling, forgery</p>	<p>Supervised Study 1-3 days.</p> <p>Parent (s) or legal guardian(s) written notification and a conference, if appropriate.</p>

	<p>Out-of-School suspension 1-9 days.</p> <p>Parent(s) and legal guardian(s) written notification and a conference, if appropriate.</p> <p>Notification of law enforcement.</p> <p>Possible prosecution</p>	
<p>Vehicle Violation; Unauthorized or improper use of vehicle</p>	<p>10 pts</p> <ol style="list-style-type: none"> 1. Supervised Study 1-3 days. <ol style="list-style-type: none"> a. Parent(s) or legal guardian(s) written notification and a conference, if appropriate. 2. Out-of-School suspension 1-9 days. <ol style="list-style-type: none"> a. Parent(s) or legal guardian(s) written notification and a conference, if appropriate. 3. Loss of driving privilege. <ol style="list-style-type: none"> a. One week – remainder of the school year <p>Notification of law enforcement authorities.</p>	
<p>Alcohol/drug use, possession, and/or distribution</p>	<p>Removal from school & immediate physicians' examination within 24 hours. Failure to comply will result in suspension & DCP&P will be contacted in accordance with the N.J.A.C. 6A: 16-4.1 (c).</p>	

	<p>Students who violate the substance abuse rules will be disciplined as follows; repeated violations will warrant stricter disciplinary measures.</p> <ol style="list-style-type: none"> 1. 1- 9 days out of school suspension, counseling 2. 1-9 days out of school suspension, possible long term suspension, counseling 3. 1-9 days out of school suspension, possible long term suspension, counseling
<p>Vandalism; destruction of property</p>	<p>25 pts</p> <ol style="list-style-type: none"> 1. Supervised Study 1-3 days. <ol style="list-style-type: none"> a. Parent(s) or legal guardian(s) written notification and a conference, if appropriate. 2. Restitution. 3. Out-of-School suspension 1-9 days. <ol style="list-style-type: none"> a. Parent(s) or legal guardian(s) written notification and a conference, if appropriate. 4. Notification of law enforcement. <ol style="list-style-type: none"> a. Possible prosecution.
<p>Weapons offense, firearm possession (#1-4 mandatory)</p>	<ol style="list-style-type: none"> 1. Immediate removal from school program for one calendar year. <ol style="list-style-type: none"> a. Parent(s) or legal guardian(s) written notification and a conference, if appropriate. 2. Review of case by Superintendent. 3. Board Hearing. 4. Notification of law enforcement authorities.

<p>Weapons offense; dangerous instrument</p>	<p>a. Possible prosecution.</p> <ol style="list-style-type: none"> 1. Out-of-School suspension 1-9days. <ol style="list-style-type: none"> a. Parent(s) or legal guardian(s) written notification and a conference, if appropriate. b. Possible dismissal. 2. Notification of law enforcement authorities. <ol style="list-style-type: none"> a. Parent(s) or legal guardian(s) notification and or conference. b. Possible prosecution.
<p>Safety violation</p>	<p>10 pts</p> <ol style="list-style-type: none"> 1. Supervised Study 1-3 days. <ol style="list-style-type: none"> a. Parent(s) or legal guardian(s) notification and or conference. 2. Out-of-School suspension 1-9 days. <ol style="list-style-type: none"> a. Parent(s) or legal guardian(s) notification and/or conference. 3. Notification of law enforcement authorities. <ol style="list-style-type: none"> a. Recommendation for withdrawal from the program.

Implementation

The Superintendent shall ensure that the rules for this policy are applied consistently and uniformly, and that all disciplinary sanctions are carried out with the necessary due process.

The Board shall review all related policies on a regular basis.

Academy Student Discipline

It is recognized by the Board of Education that in order for a thorough and efficient education to take place there must be an organized and controlled environment. It is also recognized that due to the nature of vocational and technical training, the safety of students, staff members and others is of utmost importance.

In accordance with Title 18A:37-2, "Any pupil who is guilty of continued and willful disobedience, or of open defiance of the authority of any teacher or person having authority over him/her, or of the habitual use of profanity or of obscene language, or who shall cut, deface or otherwise injure any school property, shall be liable to punishment and to suspension or expulsion from school.

It is, therefore, the responsibility of the building administrator, under the direction of the Superintendent's office, to promote and maintain a positive educational environment that discourages the least amount of disruption to the educational program and individual safety.

Therefore, student suspension and/or termination from school are permissible under the following guidelines:

Suspension

A student suspension for a period of 1-9 days is permissible if the following conditions are met:

1. It is been determined by the building administration that the student's behavior and actions require temporary removal (suspension) from the school.
2. All pertinent information is documented to support such action.
3. The student involved in given due process in accordance with the Board policy.

Due Process

The following procedure will be followed in the implementation of the discipline procedure:

1. The student will be confronted by a building administrator with a description of the alleged misconduct.
2. The student will be given an opportunity to present his/her side of the story.
3. An administrative determination will be made on the basis of the information available.
4. This procedure may result in disciplinary action; if suspension or termination is deemed necessary, the student and parent(s) or legal guardian(s) will be informed directly of this decision.

N.J.S.A. 18A:6-1; 18A:36-25.1; 18A:25-2; 18A:36-19a;

18A:37-1 et seq.; 18A:37-13.1 et seq.

N.J.A.C. 6A:16-7.1 et seq.; 6A:14-1.1 et seq.

Cross reference: Policy Guide Nos. 2460, 5500, 8330

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