

CONDUCT/ DISCIPLINE

The Township of Franklin Board of Education believes that an effective instructional program requires an orderly school environment and that the effectiveness of the educational program is, in part, reflected in the behavior of pupils.

The Board of Education expects pupils to conduct themselves in keeping with their level of maturity, with a proper regard for the rights and welfare of other pupils, for school personnel, for the educational purpose underlying all school activities, and for the care of school facilities and equipment.

The Board of Education believes that standards of pupil behavior must be set cooperatively by interaction among the pupils, parents/guardians, staff and community, producing an atmosphere which encourages pupils to grow in self-discipline. Such an atmosphere must include respect for self and others, as well as for district and community property.

The best discipline is self-imposed, and pupils must learn to assume and accept responsibility for their own behavior, and for the consequences of their misbehavior. Staff members who interact with pupils shall use preventive disciplinary action and place emphasis on the pupils' ability to grow in self-discipline.

The Superintendent shall develop general guidelines for pupil conduct on school property and shall direct development of detailed regulations suited to the age level of the pupils and the physical facilities of the individual schools. Board policy requires each pupil of this district to adhere to the rules and regulations established by the administration and to submit to such disciplinary measures as are appropriately assigned for infraction of these rules. The Superintendent shall provide to pupils and their parents/guardians the rules of this district regarding pupil conduct and the sanctions which may be imposed for breach of those rules. Pupils shall conform to reasonable standards of socially acceptable behavior; respect the person, property and rights of others; obey constituted authority and respond to those who hold that authority.

Pupils who display chronic behavioral or academic problems may be referred to the child study team by the Principal for possible identification as disruptive or disaffected. Such referrals shall be in strict accordance with the due process regulations prescribed by the administrative code. Pupils so identified shall be provided with appropriate programs and services as prescribed by the child study team.

A pupil whose presence poses a continuing danger to persons or property, or an ongoing threat of disrupting the academic process, may be suspended or expelled, following due process.

Any pupil who commits an assault (as defined by N.J.S.A. 2C:12-1) upon a Board Member, teacher, administrator or other employee of the Board of Education shall be suspended from school immediately according to procedural due process, and suspension or expulsion proceedings shall begin no later than 30 calendar days from the date of the pupil's suspension.

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Substance Abuse

In accordance with statute and code, penalties shall be assigned for use, possession and distribution of proscribed substances and drug paraphernalia. The penalties shall be graded according to the severity of the offense. Infractions shall be reported to the local law enforcement agency in accordance with the district=s memorandum of agreement. Confidentiality shall be protected in accordance with federal and state law.

Weapons Offenses

Any pupil who is convicted or adjudicated delinquent for possession of a firearm or a crime while armed with a firearm or found knowingly in possession of a firearm on any school property or on a school bus or at a school-sponsored function shall be immediately removed from the school=s regular education program for a period of not less than one calendar year. The Superintendent may modify this suspension on a case-by-case basis. Each pupil so removed shall be placed in an alternative educational program or on home instruction and shall be entitled to a hearing before the Board. The hearing shall take place no later than 30 days following the day the pupil is removed from the regular education program and shall be closed to the public.

The Principal shall be responsible for the removal of such students and shall immediately report them to the Superintendent. The Principal shall also notify the appropriate law enforcement agency of a possible violation of the New Jersey Code of Criminal Justice.

The Superintendent shall determine at the end of the calendar year whether the student is prepared to return to the regular education program, in accordance with procedures established by the Commissioner of Education.

Teaching staff members and other employees of this Board having authority over pupils shall take such lawful means as may be necessary to control the disorderly conduct of pupils in all situations and in all places where such pupils are within the jurisdiction of this Board.

Disabled

Classified pupils are subject to the same disciplinary procedures as nondisabled pupils and may be disciplined in accordance with their IEP. However, before disciplining a classified pupil, it must be determined that:

1. The pupil=s behavior is not primarily caused by his/her educational disability;
2. The program that is being provided meets the pupil=s needs.

Staff shall comply with state and federal law and the regulations of the New Jersey Administrative Code in dealing with discipline and/or suspension of all pupils with disabilities.

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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 necessary due process.

Date: June 15, 1983

Revised: July 18, 2001

Legal References:

<u>N.J.S.A.</u> 2A:4A-60 <u>et seq.</u>	Disclosure of juvenile information; penalties for disclosure
<u>N.J.S.A.</u> 2C:12-1	Assault
<u>N.J.S.A.</u> 2C:33-19	Paging devices, possession by students
<u>N.J.S.A.</u> 2C:39-5	Unlawful possession of weapons
<u>N.J.S.A.</u> 18A:6-1	Corporal punishment of pupils
<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
<u>N.J.S.A.</u> 18A:25-2	Authority over pupils
<u>N.J.S.A.</u> 18A:37-1 <u>et seq.</u>	Discipline of pupils
<u>N.J.S.A.</u> 18A:40A-1 <u>et seq.</u>	Substance abuse
<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)
<u>N.J.A.C.</u> 6:8-2.1	Reporting requirements
<u>N.J.A.C.</u> 6:8-2.2	School-level planning
<u>N.J.A.C.</u> 6:29-6.1 <u>et seq.</u>	Substance abuse
<u>See particularly:</u>	
<u>N.J.A.C.</u> 6:29-6.3(c)	
<u>N.J.A.C.</u> 6:29-10.1 <u>et seq.</u>	Safe and drug free schools
<u>N.J.A.C.</u> 6A:14-2.8	Discipline/suspension/expulsion
<u>N.J.A.C.</u> 6A:24-4.1(i)7	Implementation of Whole School Reform Model

New Jersey State Board of Education Resolution, September 3, 1980, encourages develop

New Jersey State Board of Education Resolution, September 4, 1985, urges boards to consider expectations for pupil behavior developed by statewide advisory panel, and to develop and adopt appropriate expectations of behavior for district pupils.

20 U.S.C.A. 1415(k) Individual with Disabilities Education Act Amendments of 1997

Bethel School District No. 403, v. Fraser, 478 U.S. 675 (1986)

Hazelwood v. Kuhlmeier 484 U.S. 260 (1988)

Honig v. Doe, 484 U.S. 305 (1988)

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Legal References: (continued)

Manual for the Evaluation of Local School Districts (August 2000)

A Uniform State Memorandum of Agreement Between Education and Law

Enforce

Possible

<u>Cross References:</u>	*1220	<u>Ad hoc</u> advisory committees
	3517	Security
	*3541.33	Transportation safety
	4148	Employee protection
	4284	Employee protection
	5000	Concepts and roles in pupil personnel
	5010	Personal goals and objectives for pupils
	*5020	Role of parents/guardians
	*5113	Absences and excuses
	*5114	Suspension and expulsion
	*5124	Reporting to parents/guardians
	*5127	Commencement activities
	*5131.5	Vandalism/violence
	*5131.6	Drugs, alcohol, tobacco (substance abuse)
	*5131.7	Weapons and dangerous instruments
	5132	Dress and grooming
	5145	Rights
	5145.2	Freedom of speech/expression
	*5145.4	Equal educational opportunity
	*5145.6	Pupil grievance procedure
	*6145	Extracurricular activities
	*6164.4	Child study team
	*6171.4	Special education
	*6172	Alternative educational programs

*Indicates policy is included in the Critical Policy Reference Manual.

Key Words

Conduct, Discipline, Pupil Conduct, Student Conduct, Weapons, Vandalism