

CONDUCT/DISCIPLINE

The board 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 that 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 board directs the chief school administrator to develop and implement a code of student conduct which establishes standards, policies and procedures for positive student development and student behavioral expectations on school grounds, including on a school bus or at school sponsored functions, and as appropriate, conduct away from school grounds. The board will 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 those rules. The chief school administrator will provide to pupils and their parents/guardians the rules of this district regarding pupil conduct and the sanctions that may be imposed for breach of those rules. Provisions will be made for informing parents/guardians whose primary language is other than English.

In developing the standards, policies and procedures to implement this policy, the chief school administrator will ensure that the code of student conduct:

- A. Is based on parent, student and community involvement which represents, where possible, the composition of the schools and community;
- B. Is based on locally determined and accepted core ethical values;
- C. Is board approved

The chief school administrator will develop regulations that:

- A. Require pupils to 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;
- B. Establish the degree of order necessary to the educational program in which pupils are engaged.

CONDUCT/DISCIPLINE (continued)

The board will annually review and update the code of student conduct and this process will include:

- A. Parent, student and community involvement which represents, where possible, the composition of the schools and community;
- B. Consideration of the findings of the annual reports of student conduct, suspensions and expulsions; and incidences reported under the Electronic Violence and Vandalism Reporting System.

The chief school administrator will annually:

- A. Disseminate the code of student conduct to all staff, students and parents;
- B. Report on the implementation of the code of student conduct to the board of a education at public meeting in accordance with N.J.A.C. 6A:16-7.1(a) 5, i-iv
- C. Report to the New Jersey Department of Education on student conduct, including all student suspension and expulsion and incidences reported under the Electronic Violence and Vandalism Reporting System.

Pupils who display chronic behavioral or academic problems may be referred to the child study team by the chief school administrator for possible identification as disruptive or disaffected. Such referrals will be in strict accordance with the due process regulations prescribed by the administrative code. Pupils so identified will 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 will be suspended from school immediately according to procedural due process, and suspension or expulsion proceedings will begin no later than 30 calendar days from the date of the pupil's suspension.

Substance Abuse

In accordance with statute and code, penalties will be assigned for use, possession and distribution of proscribed substances and drug paraphernalia. The penalties will be graded according to the severity of the offense. Infractions will be reported to the local law enforcement agency in accordance with the district's memorandum of agreement. Confidentiality will 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 will be immediately removed from the school's regular education program for a period of not less than one (1) calendar year. The chief school administrator may modify this suspension on a case-by-case basis. Each pupil so removed will be placed in an alternative educational program or on home instruction and will be entitled to a hearing before the board. The hearing will take place no later than 30 days following the day the pupil is removed from the regular education program and will be closed to the public.

The principal will be responsible for the removal of such students and will immediately report them to the chief school administrator. The principal will also notify the appropriate law enforcement agency of a possible violation of the New Jersey Code of Criminal Justice.

The chief school administrator will determine at the end of the year whether the student is prepared to return to the regular education program, in accordance with procedures established by the Commissioner of Education.

CONDUCT/DISCIPLINE (continued)

Teaching staff members and other employees of this board having authority over pupils will 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.

Harassment, Intimidation or Bullying

The board of education expects pupils 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 a pupil's ability to learn and a school's ability to educate its pupils in a safe environment.

The board prohibits acts of harassment, intimidation or bullying against any pupil.

"Harassment, intimidation or bullying" is defined as any gesture, any 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, gender, disability, sexual orientation, gender identity or expression, national origin or ethnicity, 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 pupil or damaging the pupil's property, or placing a pupil 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 pupil or group of pupils in such a way as to cause substantial disruption in, or substantial interference with, the orderly operation of the school.

"Electronic communication" means a communication that is transmitted by means of an electronic device, including, but not limited to a telephone, cellular phone, computer, or pager, that takes place on school property, at any school-sponsored function or on a school bus.

Any school employee, pupil or volunteer who has witnessed, or has reliable information that a pupil has been subject to harassment, intimidation or bullying, must report the incident to the appropriate school official designated by the administration. The board will not tolerate an act of reprisal or retaliation against any person who reports an act of harassment, intimidation or bullying

The chief school administrator will develop appropriate procedures addressing:

- A. A mechanism for reporting acts of harassment, intimidation or bullying, including a means of anonymous reporting. However, no formal disciplinary action will be based on an anonymous report;
- B. The prompt investigation of reports of such acts, identifying either the principal or the principal'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. Responses, at a minimum, will include support for victims and corrective actions for documented systemic problems related to harassment, intimidation, or bullying; 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.

The board will annually review the training needs of district staff for the effective implementation of this policy and procedures. The board will also implement locally determined staff training programs consistent with this review.

The chief school administrator will take all necessary steps to publicize this policy, and will inform pupils and staff that harassment, intimidation or bullying is prohibited on school property or any school-sponsored function. This will include development of a process to annually discuss the policy with students. This information will also be incorporated into the student handbook and employee training programs.

CONDUCT/DISCIPLINE (continued)

The board will also annually review the extent and characteristics of harassment, intimidation and bullying behavior in the district's schools, and implement locally determined programmatic, or other responses, if appropriate. These programs or other services will be planned in consultation with parents, and other community members, including appropriate community-based social and health provider agencies, law enforcement officials, school employees, school volunteers, students, and school administrators, as appropriate.

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:

- A. The pupil's behavior is not primarily caused by his/her educational disability;
- B. The program that is being provided meets the pupil's needs.

Staff will 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.

Dissemination and Implementation

This policy will be posted on the district website and parents/guardians and students notified that the policy is available on the district website.

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

The board will review all related policies on a regular basis.

**Approved by the Morris Plains Board of Education      Date: August 18, 2009**

<b><u>Legal References:</u></b>	<u>N.J.S.A. 2A:4A-60 et al.</u>	Disclosure of juvenile information; penalties for disclosure
	<u>N.J.S.A. 2C:12-1</u>	Definition of assault
	<u>N.J.S.A. 2C:33-19</u>	Paging devices, possession by students
	<u>N.J.S.A. 2C:39-5</u>	Unlawful possession of weapons
	<u>N.J.S.A. 18A:6-1</u>	Corporal punishment of pupils
	<u>N.J.S.A. 18A:11-1</u>	General mandatory powers and duties
	<u>N.J.S.A. 18A:25-2</u>	Authority over pupils
	<u>N.J.S.A. 18A:36-19a</u>	Newly enrolled students; records and identification
	<u>N.J.S.A. 18A:37-1 et seq.</u>	Discipline of Pupils
	<u>See particularly:</u>	
	<u>N.J.S.A. 18A:37-15</u>	Harassment, intimidation, and bullying
	<u>N.J.S.A. 18A:40A-1 et seq.</u>	Substance Abuse
	<u>N.J.S.A. 18A:54-20</u>	Powers of board (county vocational schools)
	<u>N.J.A.C. 6A:14-2.8</u>	Discipline/suspension/expulsions
	<u>N.J.A.C. 6A:16-1.1 et seq.</u>	Programs to Support Student Development
	<u>See particularly:</u>	
	<u>N.J.A.C. 6A:16-1.4,-2.4,-4.1,-5.1,-6.1,-6.2,-7.1,-7.9</u>	
	<u>N.J.A.C. 6A:32-12.1</u>	Reporting requirements
	<u>N.J.A.C. 6A:32-12.2</u>	School-level planning

P.L. 2007, c.129, amends N.J.S.A. 18A:37-15 and includes electronic communication in the definition of public school "harassment, intimidation or

LEGAL REFERENCES (continued)

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)

See also Commissioners’ Decisions indexed under “Pupils – Punishment of” in Index to N.J. School Law Decisions

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

L.W. v. Toms River Regional Schools Board of Education, N.J., No. A-111-05

(Feb. 22, 2007), 2007 N.J. LEXIS 184. The New Jersey Supreme Court ruled that a school district may be held liable under the New Jersey Law Against Discrimination (LAD), N.J.S.A. 10:5-1 to -49, when students harass another student because of his perceived sexual orientation. A district school will be liable for such harassment if it knew or should have known of the harassment but failed to take reasonable remedial actions. The matter was remanded to the Director of the Division of Civil Rights.

Manual for the Evaluation of Local School Districts

A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials

<b><u>Cross References:</u></b>	1220	<u>Ad hoc</u> advisory committees
	1410	Local units
	3517	Security
	3541.33	Transportation safety
	4131/	Staff development; inservice education/visitation conferences
	4131.1	
	4148	Employee protection
	4231/	Staff development; inservice education/visitation conferences
	4231.1	
	4248	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
	5145.1	Questioning and apprehension
	5145.1	Search and seizure
	6145	Extracurricular activities
	6164.4	Child study team
	6171.4	Special education



**Code of Character and Respect**  
**2011-2012**  
**Morris Plains Borough School**  
**Self Discipline and Mutual Respect**

At Morris Plains Borough School, school environment matters. Students are successful when they feel welcomed, safe, and included. All students have the right to be treated with respect and compassion and to learn according to their individual ability. With rights come responsibilities. Everyone must work together to achieve the positive environment at Borough School; therefore, all students have the responsibility to practice positive character traits.

Responsibility: I will

- Do my very best at all times.
- Complete my class work and homework to the best of my ability.
- Accept responsibility for my decisions, actions, and their consequences.
- Have the courage to apologize when I make a mistake that is unkind toward others.
- Demonstrate that I have PRIDE in Borough School by my actions.

Respect: I will

- Show that I have respect for myself by my actions.
- Treat others (adults and peers) with respect and courtesy.
- Use good manners at all times.
- Demonstrate tolerance of others regardless of differences in gender, race, ethnicity, religion, physical ability, and learning styles.

Kindness: I will

- Be polite and caring at all times.
- Have the courage to "stick up" for others if they are treated meanly.
- Refrain from participating in bullying behavior.
- Show that I am part of Borough School's Community of Caring by my actions.

Fairness: I will

- Listen and follow directions at all times.
- Respect the rights of others.
- Only turn in school work that is mine.

Trustworthiness: I will

- Have the courage to tell the truth at all times.
- Have the courage to do what I know is right.
- Respect the belongings of others.
- Be a faithful friend.

Citizenship:

- Respect my school programs and building.
- Work to make my school the best school possible.
- Care about my environment.
- Follow school rules.

Students at Borough School practice these important character skills at all times in our classrooms, hallways, auditorium, bathrooms, buses, and playground. We understand that everyone must work together to maintain our positive environment at Borough School.

If a situation occurs that requires disciplinary action, parents will be notified by school personnel.

Consequences may be one or more of the following:

1. Loss of recess time.
2. Loss of lunchroom privilege.
3. Loss of a classroom privilege.
4. Loss of use of attendance at a school function (assembly, party etc.)
5. Teacher Detention (time determined by teacher)
6. School Detention (30 minutes)
7. In-school suspension.
8. Out of school suspension.

My child and I have reviewed and discussed the Borough School Code of Character and Respect and are aware that disciplinary measures will be taken should inappropriate behavior occur.

Child's Name: \_\_\_\_\_

Child's Signature: \_\_\_\_\_

Parent Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## Morris Plains Borough School Revised Demerit System for Grades 6, 7, 8

Stressing the importance for proper behavior within the school community.

The following list of demerits may be assigned for particular offenses in our school community. This is not intended to be an all-inclusive list, but rather a list that is comprehensive enough to give each student, teacher, and parent clear guidelines to follow:

NUMBER	DESCRIPTION OF OFFENSE	DEMERITS
1	Reporting to school/class unprepared as defined by your teachers.	1
2	Chewing gum in school.	1
3	Littering school grounds.	1
4	Unacceptable behavior in the classroom, hallways and/or stairwells.	2
5	Missing school/teacher assigned detention without permission/pass.	2
6	Disrespect towards teachers/staff, insubordination, disobeying school rules.	3
7	Submitting plagiarized or copied work (tests, quizzes, homework), falsified letters or signatures from home.	3
8	Habitual tardiness to school or to class. Habitually unprepared for class.	3
9	Rude or disruptive behavior at an assembly.	3
10	Cursing and/or using abusive language at anytime.	3
11	Leaving or entering the classroom without permission.	3
12	Inappropriate behavior towards a substitute teacher and/or support staff.	3
13	Intimidating and/or bullying behavior towards other students.	3
14	Cursing and/or using inappropriate language and tone towards teachers and staff.	5
15	Suspension for any reason; demerits will be assigned as deemed appropriate by the school principal.	5 or more
*	Defacing or destruction of school property.	
*	Assault on any teacher or staff member, either verbal and/or physical.	
*	Fighting, pushing, shoving, etc.	
*	Use of alcohol, drugs, or being under the influence of alcohol or drugs.	
*	Theft of school and/or a person's belongings.	
*	Other offenses as assigned by the principal.	

\*Denotes offenses that are severe enough to warrant a meeting between the principal, the teacher, and the class advisor. Demerits to be assigned as deemed appropriate by the school principal.

Grade level advisors will monitor student efforts in these areas, keep a running tally and maintain contact with parents as necessary.

**Please note:** After the 8<sup>th</sup> grade class trip, demerits will begin again. Any student accumulating 5 demerits after the Washington trip will not be permitted on the Pt. Pleasant trip. If a student receives 10 demerits they will not be permitted on the Pt. Pleasant trip or Graduation Dance; 15 demerits the student will not participate on the Pt. Pleasant Trip, Graduation Dance or Graduation Ceremony.

This Demerit System is cumulative; students exceeding 25 demerits will not be permitted to go on the grade-level class trips.