

Penns Grove - Carneys Point Regional School District Board of Education Policy Manual

Students

Series 5000

Student Code of Conduct

Policy 5131

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July 21, 2008, November 17, 2008, April 20, 2009, August 17,
2009, January 4, 2010, March 14, 2011, August 29, 2011

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The Board believes that an effective instructional program requires an orderly school environment and an educational program that integrates a sound academic program with citizenship training and core ethical values that instill high standards of integrity, self-respect, recognition of the rights of others while accepting personal responsibility for all actions. The effectiveness of such an educational program is, in part, reflected in the behavior of pupils. Therefore, the purpose of this policy is to foster the health, safety, social and emotional well-being of pupils by supporting the establishment and maintenance of civil, safe, secure, supportive and disciplined school environments conducive to learning. Furthermore, the policy's goal is to promote achievements of high academic standards, prevent the occurrence of problem behaviors, establish parameters for the intervention and remediation of pupil problem behaviors at all stages of identification, and establish parameters for school responses to violations that take into account the severity of offenses, ages of pupil offenders and pupils' histories of inappropriate behaviors.

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 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 of Schools 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 those rules. The Superintendent of Schools shall 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 shall be made for informing parents/guardians whose primary language is other than English.

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In developing regulations to implement this policy, the Superintendent of Schools shall provide appropriate recognition for pupils who consistently maintain high standards of self-discipline and good citizenship.

The regulations shall:

- A. Require that pupils 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. Describe pupil responsibilities that include expectations for academic achievement, behavior and attendance;
- C. Describe behaviors that will result in suspensions or expulsions;
- D. Describe the rights of pupils to:
 - a. advance notice of behaviors that will result in suspension or expulsions
 - b. education that supports pupils' development into productive citizens
 - c. attendance in safe and secure school environments
 - d. attendance at school, regardless of the student's status or condition, including marriage, pregnancy or parenthood
 - e. due process and appeal procedures and policies, where appropriate
 - f. parent notification consistent with district policies and procedures
 - g. records and privacy protections as per state and federal laws and regulations
- E. Describe behavioral supports that promote positive pupil development and the pupils' abilities to fulfill the behavioral expectations established by the board of education, including:
 - a. positive reinforcement for good conduct and academic success
 - b. supportive intervention and referral services
 - c. remediation of problem behaviors that take into account the nature of the behaviors, the developmental ages of the pupils, and the pupils' histories of problem behaviors and performance
 - d. the behavior interventions and supports for students with disabilities
- F. Describe school responses to violations of the behavioral expectations that are graded according to the severity of the offenses, the developmental ages of the pupil offenders and the pupils' histories of inappropriate behaviors that must:
 - a. include a continuum of actions designed to remediate and, where necessary or required by law, to impose sanctions.
 - b. be consistent with other responses as required by law, such as firearms offenses, assaults with weapons offenses, and assaults on board of education members or employees
 - c. provide for the equitable application of all educational programs and procedures without regard to race, color, religion, ancestry, national origin, gender orientation, gender identify and expression, or a mental, physical or sensory disability or by any other distinguishing characteristic as per law

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- d. be consistent with the law concerning corporal punishment of pupils
- G. Establish the degree of order necessary to the educational program in which pupils are engaged.

Attendance and Lateness

In order for the Board of Education to fulfill its responsibility for providing a thorough and efficient education for each pupil, the complete cooperation of parents/guardians and pupils is required to maintain a high level of school attendance and a school climate conducive to learning.

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

A pupil must be in attendance for 164 or more school days in order to be considered to have successfully completed the instructional program requirements of the grade/course to which he/she is assigned. A pupil must not be absent for more than sixteen (16) days. The number of absences shall be prorated for courses of less than a full year.

Consistent with this policy's code of student conduct, specific policies and procedures on pupil attendance for each school are identified and described in the Absences & Excuses Policy 5113 and in their respective Student Handbooks.

Chronic Behavioral Problems

Pupils who display chronic behavioral or academic problems may be referred to the child study team by the Superintendent of Schools 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.

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Conduct Away from School Grounds

In accordance with New Jersey Administrative Code (*N.J.A.C.* 6A:16-7.6), 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 district board of education's code of student conduct, and may exercise this authority when:

- A. 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; and
- B. 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.

Suspension or Expulsion for Continued Danger

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.

Assault

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 thirty (30) calendar days from the date of the pupil's suspension.

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 (1) calendar year. The Superintendent of Schools may modify this suspension on a case-by-case basis.

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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 thirty (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 of Schools. The Principal shall also notify the appropriate law enforcement agency of a possible violation of the New Jersey Code of Criminal Justice.

The Superintendent of Schools shall 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.

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.

False Public Alarm

The Penns Grove-Carneys Point Regional School District recognizes the importance of maintaining a school climate, which is safe and free of the threat of violence. This district will take every reasonable measure to prosecute those who cause a false public alarm, which results in the evacuation of a school building or activity. To this end, any student found guilty of a bomb threat or similar action, which causes a false public alarm will be brought to the Board for an expulsion hearing. Expulsion is the permanent denial of a student's right to attend school. All due procedural rights will be afforded the student as outlined in *N.J.S.A.* Title 18A.

Student Conduct on School Buses

The Board of Education herein supports the need for a specific set of regulations that will govern the behavior of students who ride on school district provided vehicles. It thereby authorizes the Superintendent of Schools to design and maintain such regulations to protect the health, welfare and safety of students and personnel using such vehicles for any school-related reason.

The Board of Education will not tolerate unacceptable student conduct on school district provided vehicles. The bus represents an integral part of the school system and, as such, the same standards of conduct that apply to a school also apply to a school bus.

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Bus Driver Responsibility

All bus drivers of school district provided vehicles are expected to be familiar with the rules of behavior as set forth by each Building Principal, the Board of Education and state law. In cases where students violate rules of behavior, bus drivers are expected to report in writing said violations on the Bus Conduct Report to the appropriate Building Principal and/or designee no later than one day after the violation(s) occurs. Severe violations, such as fights, weapon use/possession, drug use/possession/distribution, vandalism, etc., are to be reported immediately. In those cases where the Building Principal and/or designee deems it necessary for the bus driver, if available, be present for a meeting, the bus driver shall make every effort to attend said meeting.

School Administrator Responsibility

At the beginning of each school year, all students riding on school district provided vehicles are to be informed by their Building Principal and/or designee as to their expected behavior when on such vehicles. This information is to be in written form and provided to students and their parents/guardians on or before the opening day of school.

All students riding on school district provided vehicles are expected to follow the rules of behavior as set forth by his/her Building Principal, the Board of Education and state law. Failure to do so will result in the student being reported to his/her Principal and/or designee.

Each Building Principal and/or designee is to review and respond to all written Bus Conduct Reports received involving violations of school bus behavior rules by students. The student's parent/guardian is to be notified of the violation(s) and what procedure will be followed for each subsequent violation/offense that may occur during the school year.

School Bus Behavior Violation Procedure

For each offense listed below, the Building Principal and/or designee is to discipline students in accordance with each school's Board of Education-approved discipline policy and within school district discipline guidelines.

The penalty for bus conduct violations shall apply to the bus route, to and from the destination on which the infraction occurred.

Absenteeism from school during any period of time the student is suspended from riding the school bus will be considered truancy in accordance with school policy on attendance.

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The following procedure is to be used by each School Principal and/or designee in dealing with students who are involved in violations of school bus behavior rules:

A. First Offense

Depending upon the violation, the student may receive a warning, a detention(s) or suspension from the bus for a period of up to five (5) school days. The student's parent/guardian is to be notified of the violation(s) and what procedure will be followed for each subsequent violation/offense that may occur during the school year. The parent/guardian of any student suspended from riding the school bus will be responsible for transporting the student to and from school during the suspension period.

B. Second Offense

Depending upon the violation, the student may receive a detention(s) or suspension from the bus for a period of up to ten (10) school days. The student's parent/guardian is to be notified of the violation(s) and what procedure will be followed for each subsequent violation/offense that may occur during the school year. The parent/guardian of any student suspended from riding the school bus will be responsible for transporting the student to and from school during the suspension period.

C. Third Offense

Depending upon the violation, the student will be suspended from the bus for a period of up to fifteen (15) school days. The student's parent/guardian is to be notified of the violation(s) and what procedure will be followed for each subsequent violation/offense that may occur during the school year. The parent/guardian of any student suspended from riding the school bus will be responsible for transporting the student to and from school during the suspension period.

D. Subsequent Offenses

Any further infractions may result in the student being suspended from the bus for a period of up to thirty (30) school days, suspended from school, or expulsion.

E. Permanent Loss of Bus Privilege

Any student who is permitted to ride a school bus as a "courtesy" by the school district and continuously violates school bus conduct rules or commits serious violations, such as fighting, drug use/possession/distribution, weapon use/possession, vandalism, etc., while riding on school district provided vehicles, may have his/her bus privileges suspended indefinitely for the remainder of the school year with the approval of the Superintendent of Schools.

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Any student transported as per state law in accordance with *N.J.A.C. 6A:27-1.2* and *N.J.A.C. 6A:27-2.2* who continuously violates school bus conduct rules or commits serious violations, such as fighting, drug use/possession/distribution, weapon use/possession, vandalism, etc., while riding on school district provided vehicles, may have his/her bus privileges suspended indefinitely for the remainder of the school year with the approval of the Board of Education.

Harassment, Intimidation or Bullying

The Board of Education prohibits acts of harassment, intimidation or bullying of students, employees, visitors, and volunteers.

A safe and civil environment in school is necessary for pupils to learn and achieve. High academic standards; harassment, intimidation or bullying, like other disruptive or violent behaviors, is conduct that disrupts both a pupil's ability to learn and a school's ability to educate its pupils in a safe environment; and since pupils learn by example, school administrators, faculty, staff and volunteers should be commended for demonstrating appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment, intimidation or bullying.

For the purposes of this policy, "harassment, intimidation or bullying" means any gesture or written, verbal or physical act or any use of an electronic communication device directed at a student that takes place on or off school grounds, at any school-sponsored function, or on a school bus as provided for in section 16 of P.L.2010, c.122 (C.18A:37-15.3) that:

- A. Targets a student and which may affect his/her educational program;
- B. Substantially disrupts, infringes or interferes with the orderly operation of the school or the rights of other students;
- C. Creates a hostile educational environment for a student(s) by infringing and/or interfering with a student(s)' education;
- D. Severely or pervasively causes physical or emotional harm to a student(s);
- E. Is motivated 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 disability; or,
- F. By any other distinguishing characteristic; and
- G. A reasonable person should know, under the circumstances, that the act(s) 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 person or damage to his property; or
- H. 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.

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*Electronic communication means a communication transmitted by means of an electronic device, including, but not limited to, a telephone, cellular phone, computer or pager, pursuant to *N.J.S.A. 18A:37-15.1*.

Acts of harassment, intimidation or bullying may also be a pupil or group of pupils exercising control over another pupil, in either isolated incidents (e.g., intimidation, harassment) or patterns of harassing or intimidating behavior (e.g., bullying).

The term “school grounds,” pursuant to *N.J.A.C. 6A:16-1.3*, means and includes land, portions of land, structures, buildings, and vehicles, when used for the provision of academic or extracurricular programs sponsored by the school district or community provider and structures that support these buildings, such as school district wastewater treatment facilities, generating facilities, and other central service facilities including, but not limited to, kitchens and maintenance shops. School property also includes other facilities as defined in *N.J.A.C. 6A:26-1.2*, playgrounds, and recreational places owned by local municipalities, private entities or other individuals during those times when the school district has exclusive use of a portion of such land.

For school staff to address HIB that occurs off school grounds there must be reason to believe, at a minimum, that the alleged HIB has substantially disrupted or interfered with the orderly operation of the school or the rights of other students. Once this determination has been made, school staff must implement the provisions of this policy and the code of student conduct of the district.

Anti-Bullying Coordinator

The Superintendent of Schools shall appoint a district anti-bullying coordinator, who shall be responsible for overseeing and strengthening the anti-bullying initiatives and policies of this district to prevent, identify and address harassment, intimidation or bullying of students. The district anti-bullying coordinator shall also:

- A. Collaborate with the school anti-bullying specialist(s), the Board of Education and the Superintendent of Schools to prevent, identify and respond to harassment, intimidation or bullying of students in the district;
- B. Provide data in collaboration with the Superintendent of Schools, to the New Jersey Department of Education regarding harassment, intimidation or bullying of students;
- C. Execute such other duties related to school harassment, intimidation or bullying as requested by the Superintendent of Schools; and,
- D. Meet at least twice per school year (once in the first semester and once in the second semester) with the school anti-bullying specialist(s) to discuss and strengthen procedures and policies to prevent identify and address harassment, intimidation or bullying in the district.

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School Safety Team

In addition, a school safety team, consisting of school principal or designee, a teacher in the school, the school anti-bullying specialist, a parent of student in the school, and other individuals as determined by the principal, shall be established in each school to foster and maintain a positive school climate within the schools. Any parent/guardian who serves on the school safety team shall not participate in any activity of the team that may compromise the confidentiality of students.

School Anti-Bullying Specialist

The Principal or Superintendent of Schools must appoint the currently employed school guidance counselor, school psychologist or other similarly trained individual as the school anti-bullying specialist. If there is no such individual meeting these criteria, the Principal or Superintendent of Schools must appoint another currently employed individual in the school to the position of school anti-bullying specialist.

The school anti-bullying specialist shall:

- A. Chair the school safety team;
- B. Lead investigations of incidents of harassment, intimidation or bullying in the school; and,
- C. Act as the primary school official responsible for preventing, identifying and addressing incidents of harassment, intimidation or bullying in the school.

The Superintendent of Schools/designee shall develop a list of appropriate responses to actions of harassment, intimidation or bullying occurring off school grounds, in cases in which a school employee is made aware of such actions. These responses shall be consistent with the district's code of student conduct and other provisions of this policy and in accordance with the provisions of state and federal laws.

Expected Behavior

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

The Board of Education believes that standards for pupil behavior must be set cooperatively through interaction among the pupils, parents/guardians, staff and community members, producing an atmosphere that encourages pupils to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for district and community property on the part of pupils, staff and community members. Pupil behavior standards are included as part of the district's code of student conduct, as described in the Students Conduct and Discipline Policy.

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The Board of Education believes that the best discipline is self-imposed, and that it is the responsibility of staff to use disciplinary situations as opportunities to help pupils learn to assume and accept responsibility for their behavior and the consequences of their behavior. Staff members who interact with pupils shall apply best practices designed to prevent discipline problems and encourage pupils' abilities to grow in self-discipline.

Cyber-bullying

The Board of Education expressly forbids cyber-bullying. For the purposes of this policy, “cyber-bullying” shall mean using the communication capacities of computers, the Internet and/or other digital communication devices to bully others by:

- Sending or posting cruel messages or images;
- Threatening others;
- Excluding or attempting to exclude others from activities or organizations;
- Starting or passing on rumors about others or the school system;
- Harassing or intimidating others;
- Sending angry, rude or vulgar messages directed at a person or persons privately or to an online group;
- Sending or posting harmful, untrue or cruel statements about a person to others;
- Pretending to be someone else and sending or posting material that makes that person look bad or places that person in potential danger;
- Sending or posting material about a person that contains sensitive, private or embarrassing information, including forwarding private messages or images; and/or,
- Engaging in tricks to solicit embarrassing information that is then made public.

Pupils found to be engaging in activities as describe above shall be subject to the terms and sanctions found in this policy and the discipline code of the district.

Public Participation

In consultation with the Penns Grove-Carneys Point Municipal Alliance, which includes parents/guardians, community-based social and health provider personnel, law enforcement officials, school employees, school volunteers, students, school administrators, and other community members, the Board of Education has developed intimidation, harassment and bullying guidelines for pupil conduct and directed the development of detailed regulations suited to the age levels of the pupils and the mission and physical facilities of the individual schools.

Board policy requires all pupils in the district to adhere to the rules and regulations established by the school district and to submit to such disciplinary measures as are appropriately assigned for infraction of these rules.

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The school principal shall provide annually to pupils and their parents/guardians the rules of the district regarding pupil conduct, and the policy shall appear in all publications of the school district's comprehensive rules, procedures and standards of conduct for schools within the school district, including the school's handbook. Provisions shall be made for informing parents/guardians whose primary language is other than English. These district rules shall:

1. Describe pupil responsibilities including the requirements for 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;
2. Address appropriate recognition for positive reinforcement for good conduct, self-discipline good citizenship and academic success.
3. Explain pupil rights; and,
4. Identify disciplinary sanctions and due process.

Consequences and Appropriate Remedial Actions

Consequences and appropriate remedial actions will be consistent with the Student Code of Conduct provisions as described in *N.J.A.C. 6A:16-7*. In determining the appropriate response to pupils who commit one or more acts of harassment, intimidation or bullying, the school principal and/or designee will consider the following factors:

- A. the developmental and maturity levels of the parties involved,
- B. the levels of harm,
- C. the surrounding circumstances,
- D. the nature of the behavior(s),
- E. past incidences or past or continuing patterns of behavior,
- F. the relationships between the parties involved: and,
- G. the context in which the "alleged incidents occurred.

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. Consequences and appropriate remedial action for pupils who commit acts of harassment, intimidation or bullying may range from positive behavioral interventions up to and including suspension or expulsion.

Consequences of students involved with threats, bullying, intimidation, harassment or false accusations of others will result in the following administrative actions:

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- A. First Offense – Extended After-School Detention and Guidance Conference
- B. Second Offense – In-School or Out-of-School Suspension and Parent Conference
- C. Third Offense – Out-of-School Suspension and Parent Conference
- D. Fourth Offense – Out-of-School Suspension and Superintendent Hearing
- E. Other Offenses – Out-of-School Suspension and Board of Education Hearing

Remedial Measures

- A. Personal;
- B. Restitution and restoration;
- C. Mediation;
- D. Peer support group;
- E. Recommendations of a student behavior or ethics council;
- F. Corrective instruction or other relevant learning or service experience;
- G. Supportive student interventions, including participation of the intervention and referral services team;
- H. Behavioral assessment or evaluation, including, but not limited to, a referral to the child study team, as appropriate;
- I. Behavioral management plan, with benchmarks that are closely monitored;
- J. Assignment of leadership responsibilities (e.g., hallway or bus monitor);
- K. Involvement of school disciplinarian;
- L. Student counseling;
- M. Parent conferences;
- N. Student treatment; or
- O. Student therapy.

Environmental (Classroom, School Building or School District)

- A. School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation or bullying;
- B. School culture change;
- C. School climate improvement;
- D. Adoption of research-based, systemic bullying prevention programs;
- E. School policy and procedures revisions;
- F. Modifications of schedules;
- G. Adjustments in hallway traffic;
- H. Modifications in student routes or patterns traveling to and from school;
- I. Supervision of students before and after school, including school transportation;

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- J. Targeted use of monitors (e.g., hallway, cafeteria, locker room, playground, school perimeter, bus);
- K. Teacher aides;
- L. Small or large group presentations for fully addressing the behaviors and the responses to the behaviors;
- M. General professional development programs for certificated and non-certificated staff;
- N. Professional development plans for involved staff;
- O. Disciplinary action for school staff who contributed to the problem;
- P. Supportive institutional interventions, including participation of the intervention and referral services team;
- Q. Parent conferences;
- R. Family counseling;
- S. Involvement of parent-teacher organizations.

Consequences of employees involved with threats, bullying, intimidation, harassment or false accusations of others will result in the following administrative actions:

- A. First Offense – Meeting with principal and/or affirmative action officer, letter of reprimand, and/or referral to law enforcement
- B. Second Offense – Meeting with superintendent and/or Board of Education hearing, and/or referral to law enforcement
- C. Other Offenses – Board of Education hearing and/or referral to law enforcement

Remedial Measures

- A. Personal;
- B. Restitution and restoration;
- C. Mediation;
- D. Support group;
- E. Recommendations of behavior or ethics council;
- F. Corrective action plan;
- G. Behavioral assessment or evaluation;
- H. Behavioral management plan, with benchmarks that are closely monitored;
- I. Involvement of school disciplinarian;
- J. Counseling;
- K. Conferences;
- L. Treatment; or
- M. Therapy.

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Environmental (Classroom, School Building or School District)

- A. School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation or bullying;
- B. School culture change;
- C. School climate improvement;
- D. Adoption of research-based, systemic bullying prevention programs;
- E. School policy and procedures revisions;
- F. Modifications of schedules;
- G. Supervision;
- H. Small or large group presentations for fully addressing the behaviors and the responses to the behaviors;
- I. General professional development programs for certificated and non-certificated staff;
- J. Professional development plans for involved staff;
- K. Disciplinary action;
- L. Supportive institutional interventions, including participation of the intervention and referral services team;
- M. Conferences;
- N. Counseling.

Staff

Any person who has been convicted of bias intimidation may disqualify that person for employment in this district. Consequences and appropriate remedial actions for any staff member who commits an act of harassment, intimidation or bullying may range from positive behavioral interventions up to disciplinary charges that could result in suspension or termination.

Consequences of visitors or volunteers involved with threats, bullying, intimidation, harassment or false accusations of others will result in the following administrative actions:

- A. First Offense – Meeting with principal and/or affirmative action officer, letter of reprimand, and/or referral to law enforcement
- B. Other Offenses – Meeting with superintendent and/or affirmative action officer, and/or referral to law enforcement

Remedial Measures

- A. Personal;
- B. Restitution and restoration;
- C. Mediation;

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- D. Peer support group;
- E. Recommendations of a student behavior or ethics council;
- F. Corrective instruction or other relevant learning or service experience;
- G. Supportive student interventions, including participation of the intervention and referral services team;
- H. Behavioral assessment or evaluation, including, but not limited to, a referral to the child study team, as appropriate;
- I. Behavioral management plan, with benchmarks that are closely monitored;
- J. Assignment of leadership responsibilities (e.g., hallway or bus monitor);
- K. Involvement of school disciplinarian;
- L. Counseling;
- M. Conferences;
- N. Treatment; or
- O. Therapy.

Reporting Incidents of Intimidation, Harassment or Bullying

The school principal and/or designee is responsible for receiving complaints alleging violations of this policy. All school employees are required to report alleged violations of this policy to the school principal and/or designee. All other members of the school community, including pupils, parents/guardians, volunteers and visitors, are encouraged to report any act that may be a violation of this policy. While submission of the report form is not required, the reporting party is encouraged to use the report form available from the school principal and/or designee or available at the school district office. Reports may include, but not limited to, oral reports, written reports, and electronic reports.

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

All acts of harassment, intimidation or bullying shall be reported verbally to the school principal on the same day when the school employee or contracted services provider witnessed or received reliable information regarding any such incident. The principal shall inform the parent(s)/guardian(s) of all students involved in the alleged incident, and may discuss, as appropriate, the availability of counseling and other intervention services. All acts of harassment, intimidation or bullying shall be reported in writing to the principal within 2 school days of when the school employee or contracted service provider witnessed or received reliable information that a student had been subjected to harassment, intimidation or bullying.

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In cases in which an incident of harassment, intimidation or bullying occurs exclusively among or between special education students or student with developmental disabilities in the context of a county special services school district or a separate program for special education students within a school district, the school employee who witnesses such an incident shall have the discretion to determine whether it is necessary to report the incident or if the incident may have been affected by the condition of the student(s) and thereby warrants an alternative approach more appropriate in the special education context.

Support for Victims of Harassment, Intimidation or Bullying

The Superintendent of Schools/designee shall establish procedures and practices for supporting victims of harassment, intimidation or bullying, incorporating the services of professional staff members within the district or as he/she deems appropriate. Procedures and practices for supporting victims of harassment, intimidation or bullying are included as part of each school's Student Handbook.

Investigation & Appeal

The school principal and/or designee is responsible for determining whether an alleged act constitutes a violation of this policy. In so doing, the school principal and/or designee shall conduct a prompt, thorough and complete investigation of the alleged incident.

School administrators who receive a report of harassment, intimidation or bullying from a district employee and fail to initiate or conduct an investigation, or who should have known of an incident of harassment, intimidation or bullying and fail to take sufficient action to minimize or eliminate the harassment, intimidation or bullying may be subject to disciplinary action.

The investigation shall be initiated by the principal within one school day of the report of the incident and shall be conducted by a school anti-bullying specialist. Additional personnel may be appointed by the principal to assist in the investigation. The investigation shall be completed within 10 school days from the date of the written report of the incident of harassment, intimidation or bullying. In the event there is information relative to the investigation that is anticipated, but not yet received by the end of the 10-day period, the school anti-bullying specialist may amend the original report of the results of the investigation to reflect the information.

The results of the investigation shall be reported to the Superintendent of Schools within 2 school days of the completion of the investigation and in accordance with the regulations promulgated by the NJ State Board of Education pursuant to the "Administrative Procedure Act," PL 1968, c410 (C.52:14B-1 et seq). The Superintendent of Schools may

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decide to provide intervention services, establish training programs to reduce harassment, intimidation or bullying and enhance school climate, impose discipline, or order counseling as a result of the findings of the investigation or take or recommend other appropriate actions.

The results of each investigation shall be reported to the Board of Education no later than the date of the Board of Education meeting next following the completion of the investigation along with information on any services provided, training established, discipline imposed or other actions taken or recommended by the Superintendent of Schools.

Parents/guardians of the students who are parties to the investigation shall be entitled to receive information about the investigation in accordance with federal and state law and regulations, whether the district found evidence of harassment, intimidation or bullying or whether discipline was imposed or services provided to address the incident. This information shall be provided in writing within 5 school days after the results of the investigation are reported to the Board of Education. A parent/guardian may request a hearing before the Board of Education after receiving the information and the hearing shall be held within 10 days of the request. The Board of Education shall meet in executive session for the hearing to protect the confidentiality of the student(s). At the hearing, the Board of Education may hear from the school anti-bullying specialist about the incident, recommendations for discipline or services and any programs instituted to reduce such incidents.

At the Board meeting following the receipt of the report, the Board of Education shall issue a decision, in writing to affirm, reject or modify the decision of the Superintendent of Schools. The decision of the Board of Education may be appealed to the NJ Commissioner of Education in accordance with the procedures set forth in law and regulation, no later than 90 days after the issuance of the decision of the Board of Education.

A parent/guardian or organization may file a complaint with the Division on Civil Rights within 180 days of the occurrence of any incident of harassment, intimidation or bullying based on membership in a protected group as enumerated in the "Law Against Discrimination," PL 1945, c169 (C. 10:5-1 et seq).

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Response to an Incident of Harassment, Intimidation or Bullying

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.

Consequences and appropriate remedial actions for pupils who commit an act of harassment, intimidation or bullying that occur on or off school grounds, including all forms of electronic communications (i.e., cyber-bullying, etc.), on school buses and school-sponsored events or activities range from positive behavioral interventions up to and including suspension or expulsion, as permitted under *N.J.S.A. 18A:37-1, et seq.*, as described in each school's Student Handbook.

Remedial actions for pupils, who commit an act of harassment, intimidation or bullying or makes false accusations will include, but not be limited, to the following:

1. referral to school's Intervention and Referral Services Committee for review and assignment of appropriate behavioral interventions, and/or
2. referral to school's guidance counselors, student assistance counselor, and/or
3. referral to appropriate out-of-district mental health or behavioral facility.

Remedial actions for employees or volunteers, who commit an act of harassment, intimidation or bullying or make false accusations, will include, but not be limited to the following:

1. referral to an in-district or out-of-district psychologist, psychiatrist, or mental health facility for evaluation, and/or
2. referral for treatment by an in-district or out-of-district psychologist, psychiatrist, or mental health facility.

Discipline of Pupils

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. Institutional (i.e., classroom, school building, school district) responses can range from school and community surveys, to mailings, to focus groups, to adoption of research-based bullying prevention program models, to training for certificated and non-certificated staff, to participation of parents and other community members and organizations, to small or large group presentations for fully addressing the actions and the school's response to the actions, in the context of

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the acceptable pupil behavior and the consequences of such actions and to involvement of law enforcement officers, including school resource officers.

The school district prohibits reprisal or retaliation against any person who reports an act of harassment, intimidation or bullying. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the administrator after consideration of the nature and circumstances of the act, in accordance with case law, federal and state statutes and regulations and district policies and procedures.

Consequences for False Accusation

The district prohibits the false accusation of others for harassment, intimidation or bullying. Consequences and appropriate remedial action for a pupil 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 Pupils*.

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.

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 principal and/or designee after consideration of the nature and circumstances of the act, including reports to appropriate law enforcement officials.

Administrative Procedure

The following procedure will be followed for all acts of harassment, intimidation or bullying of students, employees, visitors and volunteers:

1. All acts of harassment, intimidation or bullying are to be reported to the school administration as soon as possible and include the following information: name of victim(s); names of all individuals involved in the incident, if known; date and time of incident; location of incident; description of incident; and any other pertinent information.
2. The school principal and/or designee will conduct an investigation and document all reported acts of harassment, intimidation and bullying.

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3. Any individual(s) who has committed an act of harassment, intimidation or bullying that occurs on or off school grounds, at school-sponsored events/activities, on school buses, or by means of electronic communication will be subject to the consequences and appropriate remedial actions ranging from positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A. 18A:37-1, et seq.
4. Depending upon the circumstances, the school administration may provide or request that the victim(s) of any act of harassment, intimidation or bullying receives counseling or other services from district or out-of-district professionals or agencies.
5. The school principal and/or designee will review and discuss the district policy on harassment, intimidation and bullying with students annually during class meetings in September.

Policy Publication

This policy shall be posted on the school district's website and disseminated annually during each school's Back-to-School Night to all school staff, pupils and parents, along with a statement explaining that it applies to all acts of harassment, intimidation and bullying that occur on or off school property, at school-sponsored functions or on a school bus. A notice of this policy shall appear in each school's student handbook, and a copy of the policy will be sent to the county superintendent of schools.

A link to this policy shall be prominently posted on the home page of the district website and distributed annually to parents/guardians of students of this district. In addition, the name, school address, school phone number and email address of the district anti-bullying coordinator shall be listed on the district's website home page. The anti-bullying specialist for each school building shall also be listed on the webpage with school address, school phone number and email address both on the district website and the individual school website.

The Superintendent of Schools will direct all School Principals to discuss the school district policy on harassment, intimidation and bullying with pupils annually during class meetings in September.

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Training of Staff Members, Administrators & Board of Education Members

The training needs of district staff for the effective implementation of this policy, procedures and initiatives of the Board of Education shall be reviewed annually. The Board of Education shall also implement staff training programs consistent with this review. Such training shall include, but not be limited to information on and the relationship between the risk of suicide and incidents of harassment, intimidation or bullying and reducing the risk of suicide among students, especially for those students who are members of communities identified as having members at high risk of suicide.

By the 2011-2012 school year, all candidates for school administrator or teacher certification will be required to complete a program on harassment, intimidation or bullying prevention, and that training in this area will be a part of the professional development requirements for these individuals.

Within one year after being newly elected or appointed or being re-elected or re-appointed to the Board of Education, a Board Member shall complete a training program dealing with harassment, intimidation or bullying in schools and including a school district's responsibilities under PL 2002, c.83 (C.18A:37-13, et seq). This training shall be provided by the New Jersey School Boards Association in consultation with recognized experts in school bullying from a cross-section of academia, child advocacy organizations, nonprofit organizations, professional associations and governmental agencies. Board Members shall be required to complete the program only once.

The training course for any safe school resource officers and/or public school employees assigned by the Board of Education to serve as a school liaison to law enforcement must include training in the protection of students from harassment, intimidation or bullying.

Twice annually, at a public hearing, the Superintendent of Schools must report to the Board of Education, all acts of violence, vandalism and harassment, intimidation or bullying that occurred during the previous period. This report shall include, but not be limited to:

- A. The number of reports of harassment, intimidation or bullying the status of all investigations;
- B. The nature of the bullying based on one of the protected categories identified in Section 2 of PL 2002, c.83 (C18A:37-14);
- C. The names of the investigators;
- D. The type and nature of any discipline imposed on any student engaged in harassment, intimidation or bullying; and,
- E. Any other means imposed training conducted or programs implemented to reduce harassment, intimidation or bullying.

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The information shall also be reported once during each semester of the school year to the Department of Education. The report must include data broken down by the enumerated categories as listed in Section 2 of PL 2002, c.83 (C18A:37-14), and data broken down by each school in the district, in addition to district-wide data. The report will be used to grade schools and districts in their efforts to implement policies and programs with the “Anti-Bullying Bill of Rights Act”. It shall be a violation to improperly release any confidential information not authorized by federal or state law for public release.

The district shall be graded by the New Jersey Commissioner of Education on its efforts to identify harassment, intimidation or bullying and the School Report Card shall include data identifying the number and nature of all reports of harassment, intimidation or bullying.

The grade assessed for each school and the district shall be published on the district website, along with a link to the report. This information shall be posted on the district website within 10 days of the receipt of a grade by the school and district.

The Superintendent of Schools shall ensure that the rules for this policy are applied consistently with the district’s code of student conduct NJAC 6A:16-7 and all applicable laws and regulations and that all disciplinary sanctions are carried out with necessary due process.

A copy of this policy and any future revisions to it shall be transmitted to the County Executive Superintendent of Schools within 30 days of the adoption of the policy and/or any revisions to it.

Annually, the district shall conduct a re-evaluation, reassessment and review of this policy, making any necessary revisions and additions. The Board of Education shall include input from the school anti-bullying specialist(s) in conducting this review, re-evaluation, and reassessment.

The week beginning with the first Monday in October of each year has been designated as a “Week of Respect” in the State of New Jersey. This district shall observe the week by providing age-appropriate instruction focusing on preventing harassment, intimidation and bullying. In addition, the district shall provide ongoing age-appropriate instruction dealing with the prevention of harassment, intimidation and bullying, in accordance with the New Jersey Core Curriculum Content Standards.

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:

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- 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 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.

Community-Based Health and Social Service Provider Agencies

A current list of community-based health and social service provider agencies, such as Health Care Commons, SODAT, etc., that are available to support a student and a student's family is available from the district's Student Assistance Counselor.

Legal Resources

A list of legal resources, including the Salem County Prosecutor's Office, Salem County Court, Board of Education Solicitor, Carneys Point and Penns Grove Police Departments, etc., is available from each schools' building principal.

Implementation

The Superintendent of Schools 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 shall review all related policies on a regular basis.

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Legal References

NJSA 2A:4A-60 et al. Disclosure of juvenile information; penalties for disclosure
2C:12-1 Definition of assault
2C:33-19 Paging devices, possession by students
2C:39-5 Unlawful possession of weapons
18A:6-1 Corporal punishment of pupils
18A:11-1 General mandatory powers and duties
18A:25-2 Authority over pupils
18A:36-19a Newly enrolled students; records and identification
18A:37-1 et seq. Discipline of Pupils
18A:40A-1 et seq. Substance Abuse
18A:54-20 Powers of board (county vocational schools)

NJAC 6A:14-2.8 Discipline/suspension/expulsions
6A:16-1.1 et seq. Programs to Support Student Development
6A:16-17.6 Conduct Away from School Grounds
6:32-12.1 Reporting requirements
6:32-12.2 School-level planning

Public Law

PL 1968, c.410 (C.52:14B-1, et seq.), Administrative Procedure Act
PL 1945, c.169 (C.10:5-1, et seq.), Law Against Discrimination
PL 2002, c.83 (C.18A:37-13, et seq.), Anti-Bullying Bills of Rights

Possible Cross References

1220, 3517, 3541.33, 4148, 5000, 5010, 5020, 5113, 5114, 5124, 5127,
5131.5, 5131.6, 5131.7, 5132, 5145, 5145.2, 5145.4, 5145.6, 6145,
6164.4, 6171.4, 6172

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