



# Orange Township Public School District

## Code of Student Conduct

Parent/Student Guide

**Gerald Fitzhugh, II, Ed.D.**  
**Superintendent of Schools**



**ORANGE TOWNSHIP PUBLIC SCHOOL DISTRICT**  
**NONDISCRIMINATION STATEMENT**

The Orange Board of Education subscribes to a policy of equal opportunity. The School District believes that commitment to principles of fairness and respect for all helps create a climate that is favorable to the free and open exchange of ideas, and the Board of Education seeks to reach out as widely as possible in order to attract the ablest individuals as students, faculty and staff. For these reasons, decisions concerning programs with the Board of Education, as well as employment decisions in all departments and offices, are made on the basis of an individual's qualifications that contribute to meeting the School District's educational objectives and its institutional needs. In applying this policy, the Board is committed to the principle of not discriminating against individuals on the basis of personal beliefs or characteristics such as political views, religion, national or ethnic origin, race, color, sex, sexual orientation, age, marital status, veteran status, or disability unrelated to the job or program requirements.

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Lincoln Avenue School  
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Park Avenue School  
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Scholars Academy  
STEM Academy

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Supervisor of Special Services  
Supervisor of Guidance  
Principal, Oakwood Avenue Community School

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Nyree Delgado  
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Devonii L. Reid  
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Lyle Wallace  
Terence Wesley

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Assistant Principal, Orange Preparatory Academy  
Assistant Principal, Forest Street Community School  
Assistant Principal, OHS  
Assistant Principal, STEM  
Assistant Principal, Park Avenue School  
Assistant Principal, OHS  
Assistant Principal, Rosa Parks Community School

# **Vision**

“The Orange Township Public School District commits to provide a safe and caring environment where each student is expected to grow and succeed. We pledge to prepare all students with equitable opportunities for college and career readiness, leading to lifelong learning and responsible citizenship in a competitive global community.”

## **Mission Statement**

The Orange Township Public School District in collaboration with all stakeholders is responsible for promoting the academic, social, emotional and personal success of all students.

With a commitment to academic excellence, the district provides teachers, families, and administrators the tools needed for all students to reach their full potential.

The district serves all students in our schools, acknowledging their unique backgrounds, cultural perspectives and learning styles.

The district recognizes that curiosity, discipline, integrity, responsibility and respect are necessary for success.

The district cultivates a community of 21<sup>st</sup> century learners where students take ownership of the learning process, achieve high standards of excellence, and focus on academics.

**“Good to Great”**

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**PARENT AND STUDENT AGREEMENT FORM  
DISTRICT CODE OF CONDUCT**

We have read and fully understand the Student Code of Conduct and are aware that this signed form must be returned to the homeroom teacher immediately so that it may be placed in the student's cumulative folder.

Date: \_\_\_\_\_

Parent/guardian                  Print Name \_\_\_\_\_

Parent/guardian                  Signature \_\_\_\_\_

Student                                  Print Name \_\_\_\_\_

Student                                  Signature \_\_\_\_\_

Grade: \_\_\_\_\_

Homeroom: \_\_\_\_\_

Email: \_\_\_\_\_

Cell Phone Number: \_\_\_\_\_

Emergency Phone Number: \_\_\_\_\_

# INTRODUCTION



The Orange Township Public School district is committed to providing every student with the opportunity to attend school in a safe environment that promotes learning for all children. The goal of the Code of Student Conduct is to provide clear and concise parameters for student conduct and discipline. The purpose is to establish an atmosphere for discipline, which creates support for positive personal growth and achievement.

All students, staff, and parents of the OPS district must fully understand the expectations for student behavior while attending our schools, attending school-sponsored activities, or utilizing bus services provided by the district. We expect students to behave responsibly, to respect the property of others, and to work cooperatively with all members of the school community. Thus, when students commit an offense, they must be redirected to grow as citizens and to ensure they obtain maximum benefit from the educational offerings. The Orange Township Public School district has developed strategies that are fair and consistent, designed to improve behavior while ensuring the rights of all.

The administration must take responsibility to create and maintain a safe school environment in collaboration with staff, students, parents, and the school community. All schools must have established practices and routines that teach and reinforce appropriate student behavior in school and classrooms. The Code of Student Conduct represents a proactive approach to establish a school environment that is safe and encourages student self-discipline to minimize the use of exclusionary interventions for students who violate the Discipline Policy.

## **Law Enforcement Unit**

The OPS district has a Law Enforcement Unit in each school that is responsible for maintaining video footage. The Law Enforcement Unit includes the principal, security guard, and secretary. The Unit is responsible for maintaining video footage and could share that video footage with law enforcement agencies. The video footage would not be considered part of the student's record.

## **Search and Seizure**

Conditions under which OPS staff members may conduct a search of a student's person or property and/or seize student property are set forth in District Policy 5770, Pupil Rights of Privacy. Every effort will be made to conduct searches and seizures in a manner which will minimize disruption of the normal school routine and minimize embarrassment to students affected.



School officials authorized to conduct a search and/or seizure include a principal, assistant principal, teacher, OPS Department of School Safety and Security staff member and/or a school-based security staff member and a teacher on a school-sponsored trip who has been so designated in writing by the principal/designee and who has been trained in conducting searches.

A locker, storage cubicle, or other such school-supplied item is not considered a student's personal possession, and search of such school-supplied items does not require the reasonable belief of a violation. However, student possessions within the locker or storage cubicles (e.g., backpacks or purses) may only be searched subject to the reasonable belief of a violation, and an additional OPS staff member must be present at the time of any search of a student and/or the student's possessions. At the conclusion of the student search, a reasonable attempt will be made to contact the parent/guardian of the student searched to provide information related to the reason for the search and its outcome. Pupils shall be notified in writing at the beginning of each year that inspections of their lockers, desks, and other storage facilities on school district property may be conducted. The school Principal or designee is directed to conduct, without further notice, the regular inspection of such facilities provided to pupils for the storage of property.

A student's refusal to permit a lawful search may result in disciplinary action.

## **POSITIVE EXPECTATIONS FOR STUDENT CONDUCT**

Students shall be provided with expectations about how they should conduct themselves at school, at school sponsored events, and on OPS buses and other OPS vehicles.

Positive statements include:

- My words, actions, and attitudes demonstrate respect for myself and others at all times.
- I demonstrate pride in myself, in my future, and in my school by arriving on time, dressed appropriately, and prepared to focus on my studies.
- I always seek the most peaceful means of resolving conflict and obtain the assistance of teachers, administrators, or school staff when I am unable to resolve conflicts peacefully on my own.
- I seek to correct any harm that I have caused to others in the school community.
- I take pride in promoting a safe and clean learning environment at my school.

## **STAFF RESPONSIBILITIES**

Caring adults in schools play an important role in building strong relationships with students, which facilitates students' connection to school and decreases their likelihood of engaging in disruptive behaviors. All school staff members will seek ways to develop meaningful relationships with students, because students who have meaningful relationships with an adult in their school are less likely to engage in disruptive behaviors in class, be absent, or drop out of school.

### **All staff members must:**

- Engage in professional development to focus on Social Emotional Learning and day-to-day developmentally appropriate practices.
- Strive to recognize and eliminate disproportionality in discipline, and administer discipline rules consistently, fairly, and equitably.
- Involve families, students, staff members, and the community in the process of fostering positive behavior and student engagement.
- Ensure clear, developmentally and age-appropriate and proportional consequences are applied to misbehavior in a way that supports personal growth and learning opportunities for all students.
- Include appropriate procedures for students with disabilities and due process for all, consistent with federal and state requirements.
- Remove students from the classroom only as a last resort and return students to class as soon as possible.
- Be equal partners to achieve successful student learning.
- Treat each student with respect.
- Teach students to solve problems in a nonviolent, positive manner through Social Emotional Learning and Restorative Practices.
- Establish clear expectations for behavior and take an instructional approach to discipline.
- Reward and acknowledge positive and appropriate conduct by students.

## **PARENTS/GUARDIANS RESPONSIBILITIES**

### **Parents/guardians should:**

- Partner with schools on initiatives to create positive, safe, supportive, and welcoming environments. They are encouraged to provide supportive services, mentoring, and other resources to assist school staff in implementing restorative practices and addressing student discipline matters, consistent with the expectations in this *Student Code of Conduct*.
- Work with schools to help their children access supportive groups or programs designed to improve their conduct, such as counseling, after-school programs, and mental health services within the school and community.
- Work collaboratively with OPS staff to address behavioral problems that their children may experience.
- Parents/guardians should talk with their children about appropriate conduct at school and help their children be active participants in creating and promoting a positive, supportive, safe, and welcoming school environment that is conducive to teaching and learning
- Ensure attendance and punctuality of their children.
- Send their children to school prepared and ready to learn.
- Provide adequate time for students to study and to complete homework on a daily basis.
- Review the Code of Student Conduct and discuss its contents.
- Attend conferences related to their child's academic or behavioral performance.
- Encourage involvement in extracurricular activities.
- Send their children to school in the proper attire to meet the district dress code.

## PROMOTION OF HIGH ACADEMIC STANDARDS

The Orange Township Public Schools district is dedicated to promoting **equity and high academic standards** both in the classroom and through extended day, week, and year-long programs.

All students averaging below 72% in any subject receive an action plan developed by the teacher, student, and parent. The district employs multi-tiered systems of support to address academic and behavioral concerns. Student athletes must maintain a minimum 2.0 GPA and must attend daily tutoring during their sports' season(s). Additionally, gifted and talented students in Grades K-8 attend Scholars Academy one day per week for classes in STEM. High school students have opportunities to take Advanced Placement and dual enrollment courses from Syracuse University, Fairleigh Dickinson University, Rutgers University, New Jersey Institute of Technology, Seton Hall University, and Bard College.

Students are encouraged to participate in competitions, including but not limited to the following:

- Spelling Bee
- Geography Bee
- Law Day
- Robotics
- Film Competitions
- Page Turners
- Art Expos
- Band Competitions
- Vocal Music Competitions
- Poetry Slam
- NFTE Entrepreneurship
- Math 24
- Middle School Math
- DECA
- Debate
- HOSA
- Skills USA
- Bridge
- International Thespian Society
- Juniors Achievement
- Incentives from on-line programs

Students create academic goals at the beginning of the year in each class and meet with their teachers at predetermined intervals to measure their growth towards their goals and the New Jersey Student Learning Standards (NJSLs). Additionally, academic achievement is recognized through the Seal of Biliteracy, School Honor Roll, Principal's Honor Roll, Superintendent's Honor Roll, National Junior Honor Society, National Honor Society, BETA, and RhoKappa, among others.

College and career pathways are established early, including STEM and summer camps aimed at exposing students to a variety of post-high school possibilities.

With a comprehensive plan for students' academic success, Orange Township Public Schools continually promotes high academic standards, which are measured through formative, summative, and authentic assessments. The data from multiple sources is analyzed and used to promote academic achievement.

# SOCIAL EMOTIONAL LEARNING AND RESTORATIVE PRACTICES

## Social Emotional Learning (SEL):

The Orange Township Public School district is committed to the Social Emotional Learning (SEL) of its students by providing safe, nurturing, and inviting learning environments.

SEL is broken down into five categories:

- Self-Awareness: recognizing emotions and how they translate to behavior
- Self-Management: Ability to regulate one’s feelings and behavior
- Social Awareness: Being willing to understand and respect other’s experiences
- Relationship Skills: Being able to develop healthy relationships
- Responsible Decision-Making: Making safe and healthy choices.

Long-term SEL improves our students’ attitudes toward learning and self-efficacy, bolsters graduation rates, increases enrollment in higher institutions, builds greater capacity for workplace success and improves mental health.



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## **Promoting Positive Student Behavior**

School culture and climate have a profound impact upon students' academic progress and their relationships with peers and adults. Each school is expected to promote a positive school culture that provides students with a supportive environment in which to grow both socially and academically.

Schools are expected to take a proactive role in nurturing students' pro-social behavior. Social-emotional learning must be a basic component of a school's program of universal prevention for all students. Effective social-emotional learning helps students develop fundamental life skills, including:

*Recognizing and managing emotions*



*Handling challenging situations constructively and ethically*



*Developing caring and concern for others*



*Making responsible Establishing positive decisions relationships*

When students develop these skills, they experience more positive relationships with peers, engage in more positive social behaviors and are less likely to engage in misconduct.

Establishing a schoolwide tiered framework of behavioral supports and interventions is essential to implementing progressive discipline. The goal of behavioral supports is to foster resiliency, help students understand and follow school rules, and support them in developing the skills they need to meet behavioral expectations.

School staff members are also responsible for addressing inappropriate student behaviors that disrupt learning. Administrators, teachers, counselors, and other school staff are expected to engage all students in intervention and prevention strategies that address a student's behavioral issues and discuss these strategies with the student and his/her parent(s).

Intervention and prevention strategies include, but are not limited to:

- support and services to address personal and family circumstances;
- social-emotional learning;
- conflict resolution;
- peer mediation;
- collaborative negotiation;
- restorative practices (e.g., circles, formal restorative conferences),

- anger management;
- stress management;
- collaborative problem solving;
- communication skills acquisition;
- the use of alternate instructional materials and/or methods; enrichment services and/or
- development or review of functional behavioral assessments and behavioral intervention plans, which should be developed and/or reviewed as an early intervention strategy.

If, at any time, school officials suspect that a student's difficulties may be the result of a disability which may require special education services, the student should be referred immediately to the Child Study Team (CST).

Through the use of supports and intervention strategies that engage students and give them a clear sense of purpose, school staff members facilitate students' academic and social-emotional growth and assist them in following school rules and policies.

Equally important, student engagement is integral to creating a positive school culture that fosters students' social-emotional growth and academic achievement. Providing students with multiple opportunities to participate in a wide range of pro-social activities and, at the same time, bond with caring, supportive adults can help prevent negative behaviors. Examples can include:

- meaningful opportunities to share ideas and concerns and participate in schoolwide initiatives (e.g., student government, regularly held student forums; schoolwide community service projects, etc.);
- student leadership development;
- co-curricular afterschool activities (e.g., student clubs, including sports related clubs; service organizations; team sports; etc.)
- periodic recognition of students' achievements in a wide range of academic and co-curricular areas;

Such opportunities, coupled with a comprehensive program of prevention and intervention support services, provide students with the experiences, strategies, skills, and support they need to thrive.



## **Restorative Practices**

Restorative Practices are processes that proactively work to build healthy relationships and create a sense of, and a commitment to, a community that helps to prevent and address conflict and wrongdoing, as follows:

- Involve and empower the affected community; however, participation is always voluntary;
- Challenge the mindset of all involved to examine their roles, attitudes, beliefs and behaviors specifically around wrongdoing; and
- Utilize techniques to proactively build community, such as recognizing and celebrating desirable community actions and behaviors, and establishing community expectations.

Restorative Practices do not negate the need for disciplinary consequences; rather, they enable students to examine their attitudes and behaviors in a supportive environment while working to repair harm in a way that is meaningful to those who were affected. When employed with fidelity, restorative practices encourage a positive school climate that promotes and sustains teaching and learning.

Restorative Justice is a philosophy that challenges members of a school community to:

- Focus on the harm caused by wrongdoing more than the rule or law that was broken;
- Empower victims and demonstrate equal concern for their needs within the discipline process;
- Support students who have harmed others while encouraging them to take personal responsibility for their actions and understand, accept, and fulfill their obligation to repair the harm that has occurred;
- Encourage collaboration and reintegration, rather than punishment and isolation;
- Involve individuals who have harmed others in the decision-making around consequences; and
- Anticipate and address situations that may challenge a school community, such as physical conflict or re-entry of members into the community who have been apart for disciplinary reasons.

A Restorative approach to discipline changes the fundamental questions that are asked when a behavioral incident occurs. Instead of asking who is to blame and how those engaged in the misbehavior will be punished, a restorative approach asks four key questions:

- What happened?
- Who was harmed or affected by the behavior?
- What needs to be done to make things right?
- How can people behave differently in the future?

## Types of Restorative Practices:

**Circle Process:** Regular use of restorative circles within the instructional program of a school is a significant prevention and intervention strategy. The circle process enables a group to build relationships and establish understanding and trust, create a sense of community, learn how to make decisions together, develop agreements for the mutual good, resolve difficult issues, and address other issues as they arise.

Students are the largest group of stakeholders in a school community and its greatest natural resource in creating and sustaining a safe and supportive school environment. Building community among students and between students and staff member is integral to creating a supportive and inclusive school culture. When students feel accepted, valued, respected, and included, they build a positive connection to school and foster resiliency. Community building circles focus on:

- Safety and Trust: community members need a sense of safety and trust to connect with one another.
- Honor: Members interact with fairness and integrity and acknowledge their personal responsibility for their actions.
- Openness: Community members feel free to share their thoughts and feelings.
- Respect: To bond as a community, members must feel they are valued and respected as individuals, and they must respond respectfully to one another.
- Empowerment: A sense of empowerment is a crucial element and a desired outcome of being a member of a community. Community support enables members to gain a new view of themselves and a new sense of confidence in their abilities.

When used as an intervention measure to address inappropriate student behavior, restorative circles empower community members to take responsibility for the well-being of others; prevent or deal with conflict before it escalates; address underlying favors that lead youth to engage in inappropriate behavior and build resilience; increase the pro-social skills of participants, particularly those who have harmed others; and provide wrongdoers with the opportunity to be accountable to those they have harmed and enable them to repair the harm to the extent possible. A circle can also be used in response to a particular issue that affects the school community.

**Collaborative Negotiation:** Using the collaborative negotiation process enables an individual to talk through an issue or conflict directly with the person with whom he/she disagrees to arrive at a mutually satisfactory resolution. Training in collaborative negotiation includes learning active listening and other conflict resolution communication skills.

**Peer Mediation:** An impartial, third party mediator (in a school, a student who has been trained to serve as a peer mediator) facilitates the negotiation process between conflicting parties so they can come to a mutually satisfactory resolution. Mediation recognizes that there is validity to conflicting points of view that disputants bring to the table and helps disputants work out a solution that meets both sets of needs. Disputants must choose to use mediation and must come to the process willingly. Mediation is not used where one individual has been victimized (for example, in cases of harassment or bullying) by another.

**Formal Restorative Conference:** A conference is facilitated by an individual who has received specific training in bringing together individuals who have acknowledged causing harm with those who have been harmed. Regardless of the circumstances, the mental and physical health, safety, and welfare of the individual who was harmed are of paramount importance when considering this option in a school setting, both sides may bring supporters to the circle who have also been affected by the incident. The purpose of the conference is for the harm-doer and the harmed to understand each other's perspective and come to a mutual agreement that will repair the harm as much as it is able to be repaired. A formal restorative conference may be used as an intervention in conjunction with a disciplinary response (e.g., a student participates in a formal

restorative conference in conjunction with a teacher removal or a principal or superintendent suspension) or may be used as a disciplinary intervention to address misconduct that does not require teacher removal or suspension.

## **INTERVENTION & REFERRAL SERVICES (I&RS)**

As mandated by state code (N.J.A.C. 6A:16-8), each school must establish and implement a coordinated system in which general education students are served, for the planning and delivery of intervention and referral services that are designed to assist students who are experiencing learning, behavior or health difficulties and to assist staff who have difficulties in addressing students' learning, behavior or health needs.

The Orange Township Public School district has selected a collaborative model for the operation of the school-based I&RS Team. The intervention and referral services shall be provided to aid students in the general education program by identifying the specific student challenges and through collaboration, development and implementation of an action plan to address the student's specific needs.

### **The purposes of an Intervention and Referral Services Program are:**

- To identify learning, behavior, and health concerns of students.
- To collect thorough information on the identified learning, behavior, and health concerns.
- To develop and implement action plans which provide for appropriate school or community interventions and referrals to school and community resources.
- To collaboratively develop action plans that address desired outcomes for individual students.
- To support evaluate and continue the necessary process.

### **Members of the I&RS Committee include:**

- Principal or Designee
- General Education Teacher
- School Counselor
- School Social Worker
- School Nurse
- Child Study Team Members

Pursuant to N.J.A.C. 6A: 16-7.2a6, parents must be actively involved in the development and implementation of I&RS action plans.

## ATTENDANCE

The Orange Board of Education requires the students enrolled in the schools of this district to attend school regularly in accordance with New Jersey State Law. The educational program offered by the Orange Township Public School district is predicated on the presence of the student and requires continuity of instruction and classroom participation. The regular contact of students with one another in the classroom and their participation in a well-planned instructional activity under the tutelage of a competent teacher are vital to this purpose.

NJ State Law requires that we document all days when a student is absent from school. As such, the school will monitor student attendance and timely arrival throughout the year. **Students who have missed 18 or more days of school, excused or unexcused, will be labeled as “chronically absent” by the State of New Jersey.**

### DEFINITIONS

“**Chronic Absenteeism**” is defined in New Jersey’s ESSA State Plan as the percentage of a school’s students who are not present for 10 percent or more of the days that they were “in membership” at a school.

“**Cumulative Days in Membership**” is an element in NJ SMART defined as the number of school days in session in which a student is enrolled/registered during the annual reporting period from July 1 through June 30. The count will commence the first day the student is expected to start, even if they do not actually attend that day.

- ❖ **School Day in Session** is a day on which the school is open and students are under the guidance and direction of a teacher(s); and the day must be 4 hours or more to be considered a full day (or at least 2½ hours for kindergarten) (N.J.A.C. 6A:32-8.3(a) and (b)).
- The number of possible days in session for a student on home instruction is the same as for other students in the program in which the student is enrolled (N.J.A.C. 6A:32- 8.1(f)).
- Schools must be in session a minimum of 180 days.
- The number of school days in session does not include summer school.
- The extended school year is included in the calculation up to June 30 and only when it is required for all students.
- ❖ **Five allowable reasons for absence:** A school may have a day in session that would not be counted as a day in membership for a particular student for the following reasons (New Jersey School Register, Ch.3):
  - Religious observance (N.J.A.C. 6A:32-8.3(h));
  - A college visit (up to 3 days per school year, only for students in grades 11 and 12);
  - “Take Our Children to Work Day” (pursuant to the memo issued by the Commissioner to all districts on April 25, 2017) or other rule issued by the Commissioner;
  - Participation in observance of Veterans Day (N.J.S.A. 18A: 36-13.2) or district board of election membership activities (N.J.S.A. 18A: 36-33); or
  - The closure of a busing district that prevents a student from having transportation to the receiving school.

**“Cumulative Days Present”** is an element in NJ SMART defined as the number of school days a student is present (not absent) when the school is in session during the annual reporting period (July 1 through June 30) and the student is recorded under the guidance and direction of a teacher in the teaching process (N.J.A.C. 6A:32-8.3). Whether a student absence is due to illness, disciplinary action, or other reason, the student may not be considered present at school unless home instruction is received. A student with an “excused” absence per district board of education policy can NEVER be considered as present.

- ❖ **Time present – Full Day:** For a school in session during morning and afternoon, the student must be present for at least one hour in the morning and at least one hour in the afternoon to be considered as present for a full day; for a school in session during either morning or afternoon, the student must be present at least two hours to be recorded as present for the full day (N.J.A.C. 6A:32-8.3(k)), for example, twilight programs. For a half day preschool or kindergarten session, the student must be present for at least one hour to be considered present for a full day.
- ❖ **Time present – Half Day:** A student must be present at least one hour during any morning, afternoon, or evening session to be recorded as present one-half day (New Jersey School Register, Ch.3).
- ❖ **Home Instruction:** A student receiving home instruction is considered present and in membership under the following circumstances:
  - A student with a *temporary or chronic health condition* receives home instruction by a certified teacher for the number of days and length of time sufficient to continue the student’s academic progress. A student with a disability must receive home instruction consistent with the student’s Individualized Education Program (N.J.A.C. 6A:16-10.1).
  - A general education student, for *reasons other than a temporary or chronic health condition*, receives 10 or more hours of home instruction per week by a certified teacher on at least three separate days and no fewer than 10 hours per week additional guided learning experiences (N.J.A.C. 6A:16-10.2).
  - A student, *when placed on home instruction through an IEP*, receives 10 or more hours of instruction per week on at least three separate days by an appropriately certified teacher or teachers (N.J.A.C. 6A:14-4.8).
- ❖ **School-sponsored education programs:** A student participating in a school-sponsored educational program under the guidance and direction of a teacher, pursuant to N.J.A.C. 6A:32- 8.3, even if not located in the school, is considered present and in membership (e.g., field trip, structured learning experience, community-based instruction).
- ❖ **In-school suspensions:** A student temporarily removed from his or her regular classroom to in-school suspension is considered present and in membership, provided the student is afforded the opportunity to continue to:
  - Appropriately participate in the general curriculum; and
  - For students with disabilities, receive the services specified on the child’s IEP, and participate with nondisabled children to the extent they would have in their current placement.
- ❖ **Out-of-school suspensions:** A student on out-of-school suspension is considered in membership and not present unless he or she receives home instruction as defined above. Students receiving short-term suspension must be provided with academic instruction that addresses the New Jersey Student Learning Standards within five days of the suspension (N.J.A.C. 6A:16-7.2(a)5). Students receiving long-term suspension must be provided with educational services (academic instruction and support services) within five days of the suspension (N.J.A.C. 6A:16-7.3(a)9).
- ❖ **Extended non-illness absences:** School districts should develop a policy that determines when to record a student who is not in school for an extended period of time for reasons other than illness (e.g., travel with family) as a dropout. A student may be considered a transfer during the extended leave when the student is re-enrolled in and attending another school (in the U.S. or abroad).
- It is recommended that “each school should have a policy that a student must attend a specified number of days out of the 180 required days in order to be considered for promotion to the next grade or for graduation” (*New Jersey School Register*, Section 2.7.3). *District Policy 5200 Attendance*

## **PROMOTING POSITIVE STUDENT BEHAVIOR GRADES Pre-K-2**

The goal of the early childhood program is to provide each child with a high quality experience from preschool through grade two and individualized supports as needed for school success. Young children entering preschool and early childhood programs come from widely divergent backgrounds and typically display a range of social and emotional behavior on the developmental continuum. There is a possibility that some young children will exhibit challenging behavior, which, if unaddressed, can negatively impact the classroom environment. Challenging behaviors exhibited by young children must be addressed in the context of a comprehensive approach to behavior support that is designed to teach, nurture and encourage positive social behaviors.

In regard to the suspension or expulsion of young students, it is essential to remind all superintendents, supervisors, principals and directors of the following under [Public Law, 2016, Chapter 45; 18A:37-2c](#):

“1. a. Notwithstanding the provisions of N.J.S.18A:37-2 or any other provision of law to the contrary, a student who is enrolled in grades kindergarten through two in a school district or charter school shall not be expelled from school, except as provided pursuant to the “Zero Tolerance for Guns Act,” P.L.1995, c.127 (C.18A:37-7 et seq.).”

b. Notwithstanding the provisions of N.J.S. 18A:37-2 or any other provision of law to the contrary, a student who is enrolled in grades kindergarten through two in a school district or charter school shall not receive an out-of-school suspension, except when the suspension is based on conduct that is of a violent or sexual nature that endangers others.

c. Notwithstanding the provisions of N.J.S. 18A:37-2 or any other provision of law to the contrary, a student who is enrolled in preschool in a district or charter school shall not be suspended, and shall not be expelled from school, except as provided pursuant to the “Zero Tolerance for Guns Act,” P.L. 1995, c.127 (c.18a:37-7 et seq.).

This also applies to “partial suspension” or situations in which children are removed from their classroom and daily program, or sent home early due to challenging or inappropriate behavior. Our goal for early childhood programs is to prepare young children to be successful in school, and suspending and/or expelling young students interrupts their learning and serves as a hindrance to accomplishing that goal. More importantly, suspending or expelling young children is not an age-appropriate method for addressing behavioral problems. Additionally, there are no beneficial short-term or long-term outcomes for a child when he/she cannot be in class and school to receive the needed support services due to out of class or school disciplinary measures.

All school districts are also required under Public Law, 2016, *Chapter 45*; 18A:37-2b

“...to implement an early detection and prevention program that identifies students in preschool through grade two who are experiencing behavioral or disciplinary problems; and provides behavioral supports for these students, which may include, but need not be limited to, remediation of problem behaviors, positive reinforcements, supportive interventions, and referral services. An early detection and prevention program may be incorporated into the intervention and referral services required to be established in each school pursuant to State Board of Education regulations.”

Schools should seek to involve families, administrators, teachers and other auxiliary staff to provide support to children and prepare them for successful preschool and early childhood experiences. Schools should

utilize New Jersey's Social and Emotional Learning Competencies and Sub-Competencies, which are guidelines for integrating social-emotional learning across all grades, content areas and learning domains. They focus on areas of social-emotional learning, including self-awareness, self-management, social awareness, responsible decision-making and relationship building. These competencies can help children develop the necessary knowledge, attitudes and skills for managing emotions, self-regulation, constructive goal setting, positive relationship building and responsible decision making. A variety of resources to assist schools and families to help students develop social and emotional competence, can be found on the [Department's Social and Emotional Learning webpage](#). These resources include: Social Emotional Learning Resources in New Jersey, Information and Resources, Lesson Plans and Activities, Character Education Programs, Parent Tool-Kit, Parent Fact Sheet, Parent resources for Social and Emotional Development and for the Center on the Social and Emotional Foundations for Early Learning.



## **DISCIPLINARY RESPONSE MATRIX GRADES 3-12**

This Disciplinary Response Matrix represents the Orange Township Public Schools District Code of Student Conduct. The Matrix provides a suggested continuum of tiered disciplinary responses.

If principals determine that there are unique or exceptional circumstances, or an imminent threat of serious harm to students or staff, that warrant an intervention or disciplinary response at a level that is above the highest level or below the lowest level indicated on the Matrix, principals must consult with the Superintendent or his designee.

# DISCIPLINARY RESPONSES

<b>Behavioral Contract</b>	Correcting inappropriate or disruptive student behavior through a formal plan designed by school staff to offer positive behavioral interventions, strategies, and supports.
<b>Check-in with School Counselor</b>	Student is prompted by school staff to have an informal check-in with a school counselor, school social worker, or coach who has a relationship with the student.
<b>Community SerAssistant</b>	Allowing students to participate in an activity that serves and benefits the community (cleaning up public spaces, in school or elsewhere)
<b>Conflict</b>	(School-based or Outside-facilitated) Using strategies to assist students in taking responsibility for resolving conflicts peacefully. Students, parents/guardians, teachers, school staff, and/or principals engage in activities that promote problem-solving skills and techniques, such as conflict and anger management, active listening, and effective communication.
<b>Detention</b>	Requiring a student to report to a designated classroom before school, during lunch, after school, Saturday detention or for a set period of time. Schools should strive to notify parents/guardians before students serve an after-school detention.
<b>Expulsion</b>	<p>The exclusion of the student from the student’s regular school program for 45 school days or longer, with notice to the parent/guardian, which may occur only under the following circumstances:</p> <ul style="list-style-type: none"> <li>• The superintendent of schools’ designee has determined that the student’s return to school prior to the completion of the expulsion period poses an imminent threat of serious harm to other students or staff;</li> <li>• The superintendent of schools’ designee limits the duration of the exclusion to the shortest period practicable; and</li> <li>• The school system provides the excluded student with comparable educational services and appropriate behavioral support services to promote successful return to the student’s regular academic program.</li> <li>• The Board of Education has the authority to expel a student (N.J.S.A.18.18A:37-2)</li> </ul>
<b>Functional Behavioral Assessment</b>	<p>A <i>Functional Behavioral Assessment (FBA)</i> is a process that identifies specific target behavior, the purpose of the behavior, and what factors maintain the behavior that is interfering with the student’s educational process.</p> <p><i>Positive Behavioral Intervention Plan (PBIP)</i> – the purpose of a PBIP is to document the steps staff are taking to impact behavior that is interfering with the student’s educational process.</p>
<b>In-school Intervention</b>	<p>Removing a student within the school building from their regular education program for no more than 3 days but the student is still afforded the opportunity to continue to:</p> <ul style="list-style-type: none"> <li>• appropriately progress in the general curriculum;</li> <li>• receive the special education and related services specified in the student’s IEP, if the student is a student with a disability in accordance with the law;</li> <li>• receive instruction commensurate with the program afforded to the student in the regular classroom; and</li> <li>• participate with peers as they would in their current education program to the extent appropriate.</li> </ul>
<b>Mentoring Program</b>	Pairing students with mentors (e .g ., counselor, teacher, staff member, fellow student, or community member) who help their personal, academic, and social development .
<b>Parent</b>	Collaborating and partnering with parents to address/solve behaviors that interfere with the educational process.

## Disciplinary Responses (continued)

<b>Parent/Guardian and Student/Teacher Conference</b>	Involving students, parents/guardians, teachers, school staff, and/or principals in discussion about the student’s behavior and potential solutions that address social, academic, and personal issues related to the behavior.
<b>Peer</b>	Employing a form of conflict resolution in which trained students serve as mediators and help their peers deal with and develop solutions to conflicts.
<b>Positive Behavioral Intervention Plan</b>	<i>Positive Behavioral Intervention Plan (PBIP)</i> – the purpose of a PBIP is to document the steps staff are taking to impact behavior that is interfering with the student’s educational process.
<b>Recommend for Further Action</b>	Recommending a student to a school administrator(s) for long-term suspension, expulsion, referral to alternative instructional, or contact with law enforcement.
<b>Referral to Alternative Education</b>	Following the District’s referral guidelines for placement in an alternative program.
<b>Referral to Appropriate Substance Abuse Counseling Services</b>	In consultation with principal or designee, referring students to services, both in and out of school, such as a local health department or a community-based serAssistant for counseling related to substance abuse.
<b>Referral to Community-based Organizations</b>	In consultation with principal or designee, referring students for a variety of services, including after-school programming, individual or group counseling, leadership development, conflict resolution, and/or tutoring.
<b>Referral to Health/ Mental Health Services</b>	In consultation with principal or designee, referring students to school-based or community-based health and mental health clinics or other social services for the purpose of providing counseling and assessments to students in need. Students are encouraged to privately share issues or concerns that lead to inappropriate or disruptive behavior or negatively affect academic success and discuss goals and learn techniques that help them overcome personal challenges. These services may include anger-management classes and formal or informal behavior coaching.
<b>Removal from Extracurricular Activities/Loss of Privileges</b>	In consultation with principal or designee, revoking a student’s privilege to participate in extracurricular activities, including sports and clubs, or revoking a student’s privilege to participate in school events or activities, such as attending a field trip or participating in a school dance. If the behavior warrants this consequence, any monies paid by the student for the missed activity should be refunded, if possible. Students may not be denied recess more than twice per week for a violation of the Code of Student Conduct or HIB investigation and these students shall be provided restorative justice activities during the recess.
<b>Restitution</b>	Requiring a student to compensate others for any loss, damage, or injury that has resulted because of a student’s behavior. Compensation may be made monetarily or by a student’s assignment to a school work project, or both.
<b>Restorative Practices</b>	Restorative practices are used proactively to establish and maintain a positive school climate and establish a structured approach to teaching appropriate social skills. Restorative practices employ interventions, responses, and practices designed to identify and address the harm.

## Disciplinary Responses (continued)

### **Suspension (Short-term, Out-of-School)**

The removal of a student from school for up to, but no more than, three school days for disciplinary reasons by the principal, with notice to the parent/guardian .

### **Suspension (Long-term, Out-of-School)**

The removal of a student from school for a time period between 4 and 10 school days for disciplinary reasons by the principal with the approval of Superintendent or his designee, with notice to the parent/guardian .

### **Suspension (Extended, Out-of-School)**

The exclusion of a student from a student's regular school program for an extended suspension (for a time period between 11 and 45 school days), with notice to the parent/guardian, will only under the following circumstances with Board of Education approval.

1. The superintendent of schools' designee has determined that—
  - a . the student's return to school prior to the completion of the suspension period would pose an imminent threat of serious harm to other students and staff; or
  - b . The student has engaged in chronic and extreme disruption of the educational process that has created a substantial barrier to learning for other students across the school day, and other available and appropriate behavioral and disciplinary interventions have been exhausted.
2. The superintendent of schools' designee limits the duration of the exclusion to the shortest period practicable.
3. The school system provides the excluded student with comparable educational services and appropriate behavioral support services to promote a successful return to the student's regular academic program.

## SPECIAL EDUCATION DISCIPLINE, SUSPENSION AND EXPULSION

### 6A:14-2.8 Discipline/suspension/expulsions

❖ For disciplinary reasons, school officials may order the removal of a student with a disability from his or her current educational placement to an interim alternative educational setting, another setting, or a suspension for up to 10 consecutive or cumulative school days in a school year. Such suspensions are subject to the same district board of education procedures as nondisabled students. However, at the time of removal, the principal shall forward written notification and a description of the reasons for such action to the case manager and the student's parent(s).

• The district board of education is not required by 20 U.S.C. §§1400 et seq. or this chapter to provide services during periods of removal to a student with a disability who has been removed from his or her current placement for 10 school days or less in that school year, provided that if services are provided to general education students for removals of 10 or fewer days duration, students with disabilities shall be provided services in the same manner as students without disabilities during such time periods for removals of 10 or fewer days.

❖ School district personnel may, on a case-by-case basis, consider any unique circumstances when determining whether or not to impose a disciplinary sanction or order a change of placement for a student with a disability who violates a school code of conduct.

❖ Removals of a student with a disability from the student's current educational placement for disciplinary reasons constitutes a change of placement if:

• The removal is for more than 10 consecutive school days; or  
• The student is subjected to a series of short-term removals that constitute a pattern because they cumulate to more than 10 school days in a school year and because of factors such as the length of each removal, the total amount of time the student is removed and the proximity of the removals to one another.

❖ Disciplinary action initiated by a district board of education which involves removal to an interim alternative educational setting, suspension for more than 10 school days in a school year or expulsion of a student with a disability shall be in accordance with 20 U.S.C. § 1415(k), as amended and supplemented. (See chapter Appendix A.) However, the period of removal to an interim alternative educational setting of a student with a disability in accordance with 20 U.S.C. § 1415(k) shall be for a period of no more than 45

calendar days.

❖ In the case of a student with a disability who has been removed from his or her current placement for more than 10 cumulative or consecutive school days in the school year, the district board of education shall provide services to the extent necessary to enable the student to progress appropriately in the general education curriculum and advance appropriately toward achieving the goals set out in the student's IEP.

• When it is determined that a series of short-term removals is not a change of placement, school officials, in consultation with the student's special education teacher and case manager shall determine the extent to which services are necessary to enable the student to progress appropriately in the general curriculum and advance appropriately toward achieving the goals set out in the student's IEP.

• When a removal constitutes a change of placement, and it is determined that the behavior is not a manifestation of the student's disability, the student's IEP team shall determine the extent to which services are necessary to enable the student to progress appropriately in the general curriculum and advance appropriately toward achieving the goals set out in the student's IEP.

❖ In the case of a removal for drug or weapons offenses, or because the student caused a serious bodily injury under 20 U.S.C. § 1415(k) and its implementing regulations, at 34 CFR §§ 300.1 et seq., or a removal by an administrative law judge for dangerousness consistent with 20 U.S.C. § 1415(k) and its implementing regulations, at 34 CFR §§ 300.1 et seq., the district board of education shall provide services to the student with a disability consistent with 20 U.S.C. § 1415(k) and its implementing regulations, at 34 CFR §§ 300.1 et seq., incorporated herein by reference. However, the period of removal to an interim alternative educational setting of a student with a disability in accordance with 20 U.S.C. §1415(k) shall be for a period of no more than 45 calendar days.

# LEVELS OF RESPONSES

Consequences can be tailored to address individual circumstances; therefore, they may be listed below in more than one level.

<b>LEVEL 1</b>	<b>Examples of Classroom and Teacher-led Responses</b>	
	<p>These responses are designed to teach appropriate behavior so that students are respectful and can learn and contribute to a safe environment . Teachers are encouraged to implement a variety of teaching and classroom management strategies . When appropriate, teachers may engage the student’s support system to ensure successful learning and consistency of responses, and change the conditions that contribute to the student’s inappropriate or disruptive behavior . These responses should be used in a graduated fashion .</p> <ul style="list-style-type: none"> <li>• Classroom-based responses (e.g., verbal correction, written reflection/apology, reminders/redirection, role play, daily progress sheet)</li> <li>• In – School Intervention</li> <li>• Restorative practices</li> <li>• Peer mediation</li> <li>• School-based conflict resolution</li> <li>• School-based conferencing</li> <li>• Parent/guardian outreach (contact parent/guardian via telephone, e-mail, or text)</li> <li>• Informal and/or preventative school-based mentoring</li> <li>• Check-in with school counselor/resource specialists</li> </ul>	
<b>LEVEL 2</b>	<b>Examples of Teacher-led/referred and Administrative Supported Responses</b>	
	<p>These responses are designed to teach appropriate behavior so that students are respectful and can learn and contribute to a safe environment . Many of these responses engage the student’s support system and are designed to alter conditions that contribute to the student’s inappropriate or disruptive behavior . These responses aim to correct behavior by stressing its severity and acknowledging potential implications for future harm, while still keeping the student in school . These responses should be used in a graduated fashion . A teacher referral for administrative support is required for any serious incident or other incident that may impact or implicate the health or well being of students .</p> <table style="width: 100%; border: none;"> <tr> <td style="text-align: center; vertical-align: top;"> <p><b>TEACHER-LED</b> <i>May be implemented at classroom level</i></p> <ul style="list-style-type: none"> <li>• Classroom-based responses (e.g., verbal correction, written reflection/apology, reminders/redirection, role play, daily progress sheet)</li> <li>• Behavioral contract</li> <li>• Parent/guardian outreach (contact parent/guardian via telephone, e-mail, or text)</li> <li>• Check-in with school counselor/resource specialists</li> <li>• In – School Intervention</li> <li>• Temporary removal from class</li> <li>• Parent/guardian and student conference (with teacher)</li> <li>• Informal and/or preventative school-based mentoring</li> <li>• Restorative practices</li> </ul> </td> <td style="text-align: center; vertical-align: top;"> <p><b>TEACHER REFERRED</b> <i>Implemented with administrative support</i></p> <ul style="list-style-type: none"> <li>• Functional Behavioral Assessment/Behavioral Intervention Plan in cases of extreme behaviors</li> <li>• Referral to appropriate substance abuse counseling services</li> <li>• Referral to community-based organization</li> <li>• Referral to health/mental health services</li> <li>• Restorative practices</li> <li>• Loss of privileges/removal from extracurricular activities</li> <li>• Restitution</li> <li>• Community serAssistant</li> <li>• School-based or outside facilitated conflict resolution</li> <li>• School-based or community conferencing</li> <li>• Peer mediation</li> <li>• Referral to student support team</li> </ul> </td> </tr> </table>	<p><b>TEACHER-LED</b> <i>May be implemented at classroom level</i></p> <ul style="list-style-type: none"> <li>• Classroom-based responses (e.g., verbal correction, written reflection/apology, reminders/redirection, role play, daily progress sheet)</li> <li>• Behavioral contract</li> <li>• Parent/guardian outreach (contact parent/guardian via telephone, e-mail, or text)</li> <li>• Check-in with school counselor/resource specialists</li> <li>• In – School Intervention</li> <li>• Temporary removal from class</li> <li>• Parent/guardian and student conference (with teacher)</li> <li>• Informal and/or preventative school-based mentoring</li> <li>• Restorative practices</li> </ul>
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## Levels of Responses (continued)

<b>LEVEL 3</b>	<b>Examples of Administrative Supported and/or Removal Responses</b>
	<p>These responses engage the student’s support system to ensure successful learning and to alter conditions that contribute to the student’s inappropriate or disruptive behavior . These responses aim to correct behavior by stressing its severity and acknowledging potential implications for future harm, while still keeping the student in school . These responses may involve in-school suspensions or in-school interventions . Such a removal should be limited as much as practicable without undermining its ability to adequately address the behavior . These responses should be used in a graduated fashion with administrative support .</p> <ul style="list-style-type: none"> <li>• Classroom-based responses (e.g., verbal correction, written reflection/apology, reminders/redirection, role play, daily progress sheet)</li> <li>• Behavioral contract</li> <li>• Community serAssistant</li> <li>• Parent/guardian and student conference (with administrator)</li> <li>• Informal/preventative/formal mentoring</li> <li>• Referral to community-based organization</li> <li>• Referral to student support team</li> <li>• Detention</li> <li>• Temporary removal from class</li> <li>• In-school suspension</li> <li>• In-school intervention</li> <li>• Community conferencing</li> <li>• Functional Behavioral Assessment/Behavioral Intervention Plan in cases of extreme behaviors</li> <li>• School-based or outside facilitated conflict resolution</li> <li>• Referral to appropriate substance abuse counseling services</li> <li>• Referral to health/mental health services</li> <li>• Restorative practices</li> <li>• Loss of privileges/removal from extracurricular activities</li> <li>• Restitution</li> </ul>
<b>LEVEL 4</b>	<b>Examples of Administrative Supported, and Short-Term Out-of-School Exclusionary Responses</b>
	<p>These responses address serious behavior while keeping the student in a school . When necessary, due to the nature of the behavior or potential implications for future harm, a student may be removed from the school environment . These responses promote safety of the school community by addressing self-destructive and dangerous behavior, and should be used in a graduated fashion with administrative support.</p> <ul style="list-style-type: none"> <li>• Parent/guardian and student conference (with administrator)</li> <li>• Loss of privileges/removal from extracurricular activities</li> <li>• Restitution</li> <li>• In-school suspension</li> <li>• Functional Behavioral Assessment/Behavioral Intervention Plan in cases of extreme behaviors</li> <li>• Formal mentoring program</li> <li>• Short-term out-of-school suspension (1–3 days)</li> <li>• Restorative practices</li> </ul>
<b>LEVEL 5</b>	<b>Examples of Long-term Administrative Supported, Out-of-School Exclusionary, and Referral Responses</b>
	<p>These responses remove a student from the school environment for an extended period of time because of the severity of the behavior and potential implications for future harm. They may involve the placement of the student in a safe environment that provides additional structure and services. These responses promote the safety of the school community by addressing self-destructive and dangerous behavior, and should be used in a graduated fashion with administrative support.</p> <ul style="list-style-type: none"> <li>• Restorative practices</li> <li>• Recommend for further action</li> <li>• Referral to alternative education</li> <li>• Referral to student support team</li> <li>• Restitution</li> <li>• Loss of privileges/removal from extracurricular activities</li> <li>• Out-of-school suspension Long-term (4–10 days) Extended (11–44 days)</li> <li>• Expulsion (exclusion from regular program for 45 days or longer)</li> </ul>



**GRADES 3-12**

**Lowest level should be considered first, followed by progressively more intensive consequences, based on severity, age, and repetition behavior.**

<b>Inappropriate or Disruptive Behavior</b>	<b>LEVEL 1</b> Classroom and Teacher-led Responses (e.g., written apology, talk with school counselor, detention)	<b>LEVEL 2</b> Teacher-led/referred and Administrative Supported Responses (e.g., community serAssistant, peer mediation, temporary removal from class)	<b>LEVEL 3</b> Administrative Supported and/or Removal Responses (e.g., restorative practices, in-school suspension, in-school intervention)	<b>LEVEL 4</b> Administrative Supported and Short-Term Out-of-School Exclusionary Responses (e.g., restorative practices, mentoring programs, short-term suspension)	<b>LEVEL 5</b> Long-Term Administrative Supported, Out-of-School Exclusionary, and Referral Responses (e.g., long-term suspension, expulsion)
<b>Class Cutting</b> <i>(District Policy 5200)</i>	Failing to attend a class after arrival at school without an excused reason.				
	Persistently failing to attend a scheduled class after arrival at school without excused reasons.				
<b>Tardiness</b> <i>(District Policy 5240)</i> Elementary and Secondary level students who are late should not be given any punitive or exclusionary consequences, but parents/guardians should be notified.	Arriving late more than once to class or school without an excused reason.				
	Persistently arriving late to class or school without an excused reason.				
<b>Truancy</b> <i>(District Policy 5200)</i> Elementary and Secondary level students with excessive absences and/or tardies both lawful and unlawful, maybe referred for appropriate intervention. At the discretion	Being absent from school without an excused reason.				
of the principal/designee students who demonstrate a pattern of absences may be referred to appropriate staff and/or outside agencies for intensive interventions designed to increase regular attendance.  Student who accumulates 3 or more unexcused absences will receive an attendance letter from the school. At 10 unexcused absences, truancy court proceedings will begin.	Repeated Truancy.				

**GRADES 3-12**

**Lowest level should be considered first, followed by progressively more intensive consequences, based on severity, age, and repetition of behavior.**

**Inappropriate or Disruptive Behavior**

<b>LEVEL 1</b> Classroom and Teacher-led Responses (e.g., written apology, talk with school counselor, detention)	<b>LEVEL 2</b> Teacher-led/referred and Administrative Supported Responses (e.g., community serAssistant, peer mediation, temporary removal from class)	<b>LEVEL 3</b> Administrative Supported and/or Removal Responses (e.g., restorative practices, in-school suspension, in-school intervention)	<b>LEVEL 4</b> Administrative Supported and Short-Term Out-of-School Exclusionary Responses (e.g., restorative practices, mentoring programs, short-term suspension)	<b>LEVEL 5</b> Long-Term Administrative Supported, Out-of-School Exclusionary, and Referral Responses (e.g., long-term suspension, expulsion)
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<p><b>Disrespect</b> (District Policy 5600) <i>*Insubordination has been incorporated into disrespect.</i></p>	<p>Making inappropriate or offensive gestures, verbal or written comments, or symbols to others (e.g., verbal put-downs, cursing, talking back).</p>			
	<p>Repeatedly or persistently defying or refusing to follow directions of teachers, staff, or administrators.</p>			
<p><b>Disruption</b> (District Policy 5560) Disrespect may become disruption, if the conduct is persistent or habitual and significantly impacts the learning environment.</p>	<p>Engage behavior that distract from the learning environment.</p>			
	<p>Engaging in behavior that distracts from the learning environment (e.g., talking out of turn, throwing small items, horseplay).</p>			
	<p>Engaging in moderate to serious behavior that distracts from teaching and learning and directly affects the safety of others (e.g., throwing harmful items; sending or posting incendiary texts/social media messages; videos; disrupting a fire drill; interrupting an exam; verbal abuse of staff).</p>			
<p><b>Inappropriate Use of Personal Electronics</b> (District Policy 5516) Excluding use of a deAssistant in an emergency or preapproved situation. Cyberbullying or social media harassment is covered under other behaviors.</p>	<p>Using or displaying a personal mobile deAssistant, after student has been warned.</p>			
	<p>Persistently using or displaying a personal mobile deAssistant, in defiance of school rules, or to disseminate photos/videos of school misconduct.</p>			

**GRADES 3-12**

**Lowest level should be considered first, followed by progressively more intensive consequences, based on severity, age, and repetition of behavior.**

**Inappropriate or Disruptive Behavior**

<b>LEVEL 1</b> Classroom and Teacher-led Responses (e.g., written apology, talk with school counselor, detention)	<b>LEVEL 2</b> Teacher-led/referred and Administrative Supported Responses (e.g., community serAssistant, peer mediation, temporary removal from class)	<b>LEVEL 3</b> Administrative Supported and/or Removal Responses (e.g., restorative practices, in-school suspension, in-school intervention)	<b>LEVEL 4</b> Administrative Supported and Short-Term Out-of-School Exclusionary Responses (e.g., restorative practices, mentoring programs, short-term suspension)	<b>LEVEL 5</b> Long-Term Administrative Supported, Out-of-School Exclusionary, and Referral Responses (e.g., long-term suspension, expulsion)
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<p><b>Drugs/Controlled Substances</b> <i>(District Policy 5530/5533)</i> The Board of Education recognizes that a pupil’s abuse of harmful substances seriously impedes that pupil’s education and threatens the welfare of the entire school.</p> <ul style="list-style-type: none"> <li>- <i>E-cigarettes</i></li> <li>- <i>Tobacco</i></li> <li>- <i>Alcohol</i></li> <li>- <i>Inhalants</i></li> <li>- <i>Vaper or vaper alternative</i></li> </ul>		<p>Unauthorized use, possession, or being under the influence of non-illegal drugs (e.g., prescription or non-prescription medication).</p>
		<p>Using, possessing or being under the influence of illegal drugs.</p>
		<p>Distributing or selling non-illegal or illegal drugs.</p>

<p><b>Academic Dishonesty</b> <i>(District Policy 5516/5701)</i>  Defined as stealing or use without acknowledgement of the ideas, words, formulas, textual materials, on-line computer, computer programs etc. of another person or in any way presenting the work of another person as one’s own.</p>	<p>Plagiarizing, such as by taking someone else’s work or ideas (for students in Grades 3–12); forgery, such as by faking a signature of a teacher or parent/guardian; or cheating.</p> <p>Sharing or otherwise distributing information contained on assessments or other graded work.</p>	
		<p>Tampering with, or assisting another to tamper with, the computer network or exams.</p> <p>Repeatedly or widely distributing information contained on assessments or other graded work.</p>

**GRADES 3-12**

**Lowest level should be considered first, followed by progressively more intensive consequences, based on severity, age, and repetition of behavior.**

**Inappropriate or Disruptive Behavior**

	<b>LEVEL 1</b> Classroom and Teacher-led Responses (e.g., written apology, talk with school counselor, detention)	<b>LEVEL 2</b> Teacher-led/referred and Administrative Supported Responses (e.g., community serAssistant, peer mediation, temporary removal from class)	<b>LEVEL 3</b> Administrative Supported and/or Removal Responses (e.g., restorative practices, in-school suspension, in-school intervention)	<b>LEVEL 4</b> Administrative Supported and Short-Term Out-of-School Exclusionary Responses (e.g., restorative practices, mentoring programs, short-term suspension)	<b>LEVEL 5</b> Long-Term Administrative Supported, Out-of-School Exclusionary, and Referral Responses (e.g., long-term suspension, expulsion)
<b>Theft</b> <i>(District Policy 5600)</i> Schools should consider the following factors: <ul style="list-style-type: none"> <li>• The student’s age</li> <li>• The student’s purpose in taking the property</li> <li>• The monetary value of the property</li> <li>• Whether the student acted in the heat of the moment, as opposed to intentionally planning ahead</li> <li>• Whether the student knew the property was valuable or expensive to replace</li> <li>• Whether the property was returned or recovered</li> </ul>	Taking or obtaining property of another without permission and/ or knowledge of the owner of school and teacher property				
				Persistently or habitually taking or obtaining property of another without permission and/or knowledge of the owner	
				Taking or obtaining property of another without permission and/ or knowledge of the owner (teacher/school property eg. chrome books, cell phones..), where the theft is especially serious based on the listed factors.	
<b>Destruction of Property</b> <i>(District Policy 7610)</i> Schools should consider the following factors: <ul style="list-style-type: none"> <li>• The monetary value of the destroyed property</li> <li>• Whether the student knew the property was valuable or expensive to replace</li> <li>• The student’s age</li> <li>• Whether the student acted in the heat of the moment, as opposed to intentionally planning ahead</li> <li>• The reason the student destroyed the property</li> </ul>	Causing accidental damage.				
		Causing intentional damage to property of staff or other students, where the level of response is determined based on the listed factors.			
<b>Sexual Behavior</b> <i>(District Policy 5751)</i> As part of any disciplinary response, school staff should refer students to appropriate counseling.	Behavior of a sexual nature (e.g., indecent exposure and sexual acts on school property).				

**GRADES 3-12**

**Lowest level should be considered first, followed by progressively more intensive consequences, based on severity, age, and repetition of behavior.**

**Inappropriate or Disruptive Behavior**

<b>LEVEL 1</b> <b>Classroom and Teacher-led Responses</b> (e.g., written apology, talk with school counselor, detention)	<b>LEVEL 2</b> <b>Teacher-led/referred and Administrative Supported Responses</b> (e.g., community service, peer mediation, temporary removal from class)	<b>LEVEL 3</b> <b>Administrative Supported and/or Removal Responses</b> (e.g., restorative practices, in-school suspension, in-school intervention)	<b>LEVEL 4</b> <b>Administrative Supported and Short-Term Out-of-School Exclusionary Responses</b> (e.g., restorative practices, mentoring programs, short-term suspension)	<b>LEVEL 5</b> <b>Long-Term Administrative Supported, Out-of-School Exclusionary, and Referral Responses</b> (e.g., long-term suspension, expulsion)
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<p><b>Sexual Attack</b> <i>(District Policy 5751)</i> As part of any disciplinary response, school staff should refer students to appropriate counseling.</p>		<p>Engaging in behavior toward another that is physically, sexually aggressive.</p>
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<p><b>Sexual Harassment</b> <i>(District Policy 5751)</i> As part of any disciplinary response, schools should emphasize intervention strategies, and refer students to appropriate counseling.</p>		<p>Unwelcome sexual advances; requests for sexual favors; and/or other inappropriate verbal, written, or physical conduct of a sexual nature; directed toward others; inappropriate use of electronic devices/social media in such context. (Consideration would need to be given to the age, grade, developmental level, prior offenses, intentionality and circumstances in determining an appropriate course of action and consequences.)</p>
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<p><b>Bullying/Harassment</b> <i>(District Policy 5512)</i> As part of any disciplinary response, schools should emphasize intervention strategies, and refer students to appropriate counseling.</p>		<p>In accordance with New Jersey law, conduct, including verbal, physical, or written conduct or an intentional electronic communication that creates a hostile educational environment by substantially interfering with a student’s educational benefits, opportunities, or performance, or with a student’s physical or psychological well-being, and is—</p> <p>(1) Either (a) motivated by an actual or a perceived personal characteristic, including race, ethnicity, color, ancestry, national origin, religion, immigration status, sex, gender, gender identity, gender expression, sexual orientation, family/parental status, marital status, age, physical or mental disability, poverty and socioeconomic status, language, or other legally or constitutionally protected attributes; (b) sexual in nature; or (c) threatening or seriously intimidating.</p> <p>and</p> <p>(2) Either (a) occurs on school property, at a school-sponsored activity or event, or on a school bus; or (b) substantially disrupts the orderly operation of a school.</p> <p>Cyberbullying is a form of bullying, harassment, and intimidation. “Cyberbullying” means a communication transmitted by means of an electronic device, and includes the use of social media sites. Cyberbullying shall include any future applications that fall under “electronic communication.” “Electronic Communication” means a communication transmitted by means of an electronic device, including a telephone, cellular phone, computer or tablet.</p>
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**GRADES 3-12**

**Lowest level should be considered first, followed by progressively more intensive consequences, based on severity, age, and repetition of behavior.**

**Inappropriate or Disruptive Behavior**

	<b>LEVEL 1</b> Classroom and Teacher-led Responses (e.g., written apology, talk with school counselor, detention)	<b>LEVEL 2</b> Teacher-led/referred and Administrative Supported Responses (e.g., community serAssistant, peer mediation, temporary removal from class)	<b>LEVEL 3</b> Administrative Supported and/or Removal Responses (e.g., restorative practices, in-school suspension, in-school intervention)	<b>LEVEL 4</b> Administrative Supported and Short-Term Out-of-School Exclusionary Responses (e.g., restorative practices, mentoring programs, short-term suspension)	<b>LEVEL 5</b> Long-Term Administrative Supported, Out-of-School Exclusionary, and Referral Responses (e.g., long-term suspension, expulsion)
<b>Threat to Adult</b> <i>(District Policy 5612)</i> Any student who commits an assault on a district board of education, as defined under N.J.S.A. 2C:12-1	Threatening language (verbal or written/electronic; implicit or explicit) or physical gestures directed toward a staff member or anyone else.				
<b>False Alarm</b> <i>(District Policy 5611)</i>	Initiating a warning of a fire or other catastrophe without cause, either over a phone or in person (e.g., pulling a fire alarm, misuse of 911); discharging a fire extinguisher without cause.				
<b>Bomb Threat</b> <i>(District Policy 8420)</i> School should conduct a threat assessment and refer students to counseling.				Making a bomb threat or threatening a school shooting.	
<b>Trespassing</b> <i>(District Policy 5600)</i>				Being on school property without permission, including while on suspension or expulsion.	
<b>Leaving School Grounds</b> <i>(District Policy 5600)</i>	Leaving school grounds without school permission.				
<b>Profanity/Inappropriate Language</b> <i>(District Policy 5610)</i>	The use of obscene language, gesturing, profanity, suggestive comments, either written or verbal.				
<b>Extortion</b> <i>(District Policy 5615)</i> Schools should conduct a threat assessment.				Using a threat, fear, or force (without a weapon) to get a person to turn over property.	
				Using a threat, fear, or force (with a weapon) to get a person to turn over property.	



**GRADES 3-12**

**Lowest level should be considered first, followed by progressively more intensive consequences, based on severity, age, and repetition of behavior.**

**Inappropriate or Disruptive Behavior**

<b>LEVEL 1</b> Classroom and Teacher-led Responses (e.g., written apology, talk with school counselor, detention)	<b>LEVEL 2</b> Teacher-led/referred and Administrative Supported Responses (e.g., community serAssistant, peer mediation, temporary removal from class)	<b>LEVEL 3</b> Administrative Supported and/or Removal Responses (e.g., restorative practices, in-school suspension, in-school intervention)	<b>LEVEL 4</b> Administrative Supported and Short-Term Out-of-School Exclusionary Responses (e.g., restorative practices, mentoring programs, short-term suspension)	<b>LEVEL 5</b> Long-Term Administrative Supported, Out-of-School Exclusionary, and Referral Responses (e.g., long-term suspension, expulsion)
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<b>Arson/Fire</b> <i>(District Policy 5600)</i>	Setting or attempting to set a fire or helping others to set a fire without intent to endanger others.	
		Setting a fire or helping others to set a fire with intent to endanger others or destroy property.
<b>Dress Code</b> <i>(District Policy 5530)</i>		
	Persistently violating dress code after student has been warned.	

<p><b>Fighting</b></p> <p><b>Attack on Student</b></p> <p>Schools should consider multiple factors, including the following:</p> <ul style="list-style-type: none"> <li>• Whether the student acted in the heat of the moment, as opposed to planning ahead</li> <li>• Whether the student was verbally provoked or if the student provoked others to fight</li> <li>• Whether the student acted in self-defense</li> <li>• Whether the student was intervening in fight</li> </ul>	Engaging in shoving, pushing, or otherwise being physical aggressive toward another (e.g., body check, intentionally bumping, but NOT horseplay).	
		Engaging in behavior that unintentionally causes serious bodily injury, or loss of consciousness.
	Engaging in shoving, pushing, or otherwise being physically aggressive toward another (e.g., body check, intentionally bumping, but NOT horseplay).	

**GRADES 3-12**

**Lowest level should be considered first, followed by progressively more intensive consequences, based on severity, age, and repetition of behavior.**

**Inappropriate or Disruptive Behavior  
(Identified by state suspension code)**

<b>LEVEL 1</b> Classroom and Teacher-led Responses (e.g., written apology, talk with school counselor, detention)	<b>LEVEL 2</b> Teacher-led/referred and Administrative Supported Responses (e.g., community mediation, peer removal from class)	<b>LEVEL 3</b> Administrative Supported and/or Removal Responses (e.g., restorative practices, in-school suspension, in-school intervention)	<b>LEVEL 4</b> Administrative Supported and Short-Term Out-of-School Exclusionary Responses (e.g., restorative practices, mentoring programs, short-term suspension)	<b>LEVEL 5</b> Long-Term Administrative Supported, Out-of-School Exclusionary, and Referral Responses (e.g., long-term suspension, expulsion)
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<p><b>Firearms</b> <i>(District Policy 5611)</i> Apply to a student who is convicted or adjudicated delinquent for possession of a firearm on school grounds, convicted or adjudicated delinquent for committing a crime while in possession of a firearm on school grounds, or found knowingly in possession of a firearm on school grounds</p>	<p>Possessing a firearm</p>			
<p><b>Other Guns</b> <i>(District Policy 5611)</i></p>	<p>Possessing, using, and/or threatening to use firearm facsimiles, gun-like toys, and/or other similar items such as a water gun.</p>			
<p><b>Knives and Other Weapons</b> <i>(District Policy 5611)</i></p>			<p>Possessing a knife or other implement that could cause serious bodily harm, with or without intent to use as a weapon.</p>	<p>Using or threatening to use a knife or other implement as a weapon with intent to cause serious bodily harm.</p>
<p><b>Explosives</b> <i>(District Policy 5610)</i></p>	<p>Possessing an incendiary or explosive deAssistant, material, or any combination of combustible or explosive substances, other than a firearm, that can cause harm to people or property (e.g., firecrackers, smoke bombs, flares; but NOT “snap pops,” which should be treated as a disruption).</p> <p>Detonating or possessing and threatening to detonate an incendiary or explosive deAssistant or material, as described above.</p>			



## **MEMORANDUM OF AGREEMENT/DUE PROCESS**

### **Memorandum of Agreement:**

In New Jersey, this is a uniform Memorandum of Agreement (MOA) between school districts and law enforcement officials. The MOA, which is approved by the NJ Department of Law and Public Safety and the NJ and Public Safety and the NJ Department of Education, documents the commitment for schools and law enforcement agencies to work together as equal partners to enforce the law on school grounds. The MOA also details how schools are to report suspected incidents involving alcohol or drugs, weapons, child abuse, hazing, harassment, intimidation and bullying, or problems that compromise school security or safety. School administrators use the MOA to determine their course of action when faced with matters that rise to this level.

### **Due Process:**

Parents and students have procedural due process rights under the Fourteenth Amendment with respect to discipline that involves the possibility of serious sanction and consequences such as suspension or expulsion.

## Resources

### **Orange Public Schools Policies and Regulations**

[https://www.orange.k12.nj.us/cms/lib/NJ01000601/Centricity/Domain/7/Orange\\_Regulation.pdf](https://www.orange.k12.nj.us/cms/lib/NJ01000601/Centricity/Domain/7/Orange_Regulation.pdf)

### **Montgomery Public Schools: Student Conduct 2018-2019**

[https://www.montgomeryschoolsmd.org/uploadedFiles/students/rights/1182%2018\\_2018\\_2019\\_STUDENT\\_Code%20of%20Conduct\\_WEB.pdf](https://www.montgomeryschoolsmd.org/uploadedFiles/students/rights/1182%2018_2018_2019_STUDENT_Code%20of%20Conduct_WEB.pdf)

### **Paterson Public Schools: Student Conduct 2018-2019**

<http://www.paterson.k12.nj.us/PDF/18-19/2018-19%20PPS%20Handbook%20for%20Students%20and%20Parents.pdf>

### **Preschool Student Suspension/Expulsion Guidance**

<https://www.nj.gov/education/ece/psguide/suspension.htm>

### **Citywide Behavioral Expectations – NYC Schools**

<https://www.schools.nyc.gov/docs/default-source/default-document-library/discipline-code-kindergarten-grade-5-english>

### **The Collaborative for Academic, Social, and Emotional Learning (CASEL)**

<https://casel.org/what-is-sel/>

### **International Institute for Restorative Practice**

<https://www.iirp.edu/restorative-practices/what-is-restorative-practices>

### **State of NJ US Education**

<https://www.state.nj.us/education/code/current/title6a/chap14.pdf>