

**Regulation**

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CODE OF STUDENT CONDUCT

**GENERAL STATEMENT**

The Alloway Township School District Code of Student Conduct is established in order to:

- A. Foster the health, safety, social, and emotional wellbeing of students;
- B. Support the establishment and maintenance of civil, safe, secure, supportive, and disciplined school environments conducive to learning;
- C. Promote achievement of high academic standards;
- D. Prevent the occurrence of problem behaviors;
- E. Establish parameters for the intervention and remediation of student problem behaviors at all stages of identification;
- F. Establish parameters for school responses to violations of the student discipline/code of conduct that take into account, at a minimum, the severity of the offenses, the developmental ages of the student offenders, and student's histories of inappropriate behaviors;
- G. Promote character in students;
- H. Teach students about appropriate behavior and citizenship in school and in society.

**STAFF RESPONSIBLE**

The following chart lists the staff members responsible for the implementation of the regulation and summarizes their responsibilities:

<b>Position</b>	<b>Summary of Main Responsibilities</b>
Chief School Administrator	<ul style="list-style-type: none"><li>• General policy procedure oversight within the district</li><li>• Ensure the annual review and implementation of the code of student conduct</li><li>• Ensure implementation of referral procedures</li><li>• Ensure appropriate training for school staff</li><li>• Develop and maintain list of community resources to assist students and families involved in drugs and alcohol</li></ul>
Building principal	<ul style="list-style-type: none"><li>• Primary responsibility for implementing and enforcing student code of conduct procedures</li><li>• Disciplining students</li><li>• Liaison with law enforcement re: reports of criminal activities by students</li><li>• Maintaining the student discipline records</li><li>• Participate in the annual review of the code of student conduct</li><li>• Ensure support for student transitions to and from health and social service agencies</li><li>• Annual dissemination of student code of conduct to all staff and students</li></ul>

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Teaching staff members	<ul style="list-style-type: none"> <li>• Primary responsibility for implementing enforcing procedures</li> <li>• Disciplining students</li> </ul>
Support staff members	<ul style="list-style-type: none"> <li>• Reporting violations to teaching staff members</li> </ul>
Bus driver	<ul style="list-style-type: none"> <li>• Primary responsibility for implementing, enforcing good order while transporting students</li> </ul>

**SCOPE/PURPOSE**

This regulation supports and is incorporated into policy 5131. It applies to student conduct within all school facilities and each school vehicle used to transport students. This regulation also addresses off-campus conduct to the extent that such implementation is allowed under the laws of New Jersey.

The intent underlying the adoption of policy 5131 and this supporting procedure is to ensure the health and safety of students, employees, vendors and visitors to district facilities and board approved activities and to ensure the orderly operation of the schools. The administration will at all times seek to ensure health, safety, and discipline through supportive remedial measures, but reserves the right to impose discipline to achieve the purpose of policy 5131.

**DEFINITIONS**

"Assault" means purposely or recklessly causes bodily injury to another; or negligently causing bodily injury to another with a deadly weapon; or attempting to put another in fear of imminent serious bodily injury.

"Bodily injury" means physical pain, illness or any impairment of physical condition.

"Serious bodily injury" means bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

"Significant bodily injury" means bodily injury which creates a temporary loss of the function of any bodily member or organ or temporary loss of any one of the five senses.

**PROCEDURES**Behavioral Expectations

All students have a responsibility to comply with State statutes and administrative codes for academic achievement, behavior, and attendance, pursuant to N.J.A.C. 6A:32-8 and 13.1.

To promote an environment for positive student development and achievement, that enhances learning and leads to success in school, students are encouraged to emulate the following student expectations:

- A. Prepare mentally and physically for the process of learning;
- B. Be nourished, rested, clean, properly dressed and groomed;
- C. Be free of drugs and alcohol;
- D. Come to school prepared to learn;
- E. Demonstrate respect for people and property;
- F. Be honest, courteous and polite;
- G. Respect the property of others;

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- H. Accept the rights of others to their own opinions;
- I. Settle differences peacefully;
- J. Display good sportsmanship at school-related functions;
- K. Actively participate in the maintenance and cleanliness of school facilities and property;
- L. Take responsibility for individual behavior and learning;
- M. Recognize that school is work and academic development is the primary purpose of being in school;
- N. Complete all homework, class work and exams on time;
- O. Make personal choices based on reasonable decision making processes;
- P. Accept constructive criticism and disagreement when necessary and appropriate;
- Q. Accept the consequences of individual actions;
- R. Attend school and classes regularly and punctually;
- S. Use library/media center time for school work;
- T. Use books, school technology and other equipment appropriately;
- U. Access and use the internet safely and only for school related work;
- V. Share responsibilities when working as a member of a group;
- W. Cooperate, contribute and share in the work of the group;
- X. Accept and assume leadership when appropriate; and
- Y. Obey and comply with the instruction of the school staff.

Comprehensive Behavioral Supports

Students who fulfill the district behavioral expectations and/or exceed the expectations shall be encouraged to continue compliance with the code of student conduct by staff. The staff may utilize rewards, recognition and/or other positive reinforcement as deemed appropriate to encourage compliance with the code of student conduct. These may include:

- A. Reinforcement for good conduct and academic success (policy 5126 Awards for Achievement):

A student will be provided positive reinforcement for good conduct and academic success which may include, but not limited to, those programs listed in each school's student handbook.

- B. Supportive intervention and referral services (policy 6164.1 Intervention and Referral):

A student experiencing academic, behavioral, and/or emotional issues that adversely affect their school performance or attendance may be referred to the school's intervention and referral services team.

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- C. Remediation for problem behaviors: policies 6164.1 Intervention and Referral, 6164.4 Child Study Team, 6171.1 Remedial Instruction and 6164.2 Guidance Services; and
- D. Support for students with disabilities: 6171.4 Special Education.

Student Rights

The student shall have the right to:

- A. Be free from corporal punishment;
- B. Advance notice of behaviors that will result in suspension and expulsion: policy 5114 Suspension/Expulsion;
- C. Education that supports student development toward becoming a productive citizen;
- D. Behavioral supports that promote positive student development and ability to fulfill behavioral expectations contained in the code of student conduct;
- E. A safe and secure school environment;
- F. Attend school if married, pregnant or is a parent: policy 5134 Pregnant Students;
- G. Due process and appeal procedures: policy 5145.6 Student Grievance, and 5114 Suspension and Expulsion, Regulation;
- H. A list of community-based health and social service provider agencies and list of legal resources available to serve the community;
- I. All notifications as required by law: N.J.A.C. 6A:16-6.2, 7.2, 7.3, 7.8 including:
  - 1. School officials shall notify the student's parents/guardians when the student is the target of the law enforcement investigation;
  - 2. Parents/guardians shall be notified as soon as possible whenever a student is arrested for violating a law prohibiting the possession, sale or other distribution of a controlled dangerous substance, including anabolic steroids, drug paraphernalia, or a firearm or other deadly weapon;
  - 3. Parents/guardians shall be notified of their due process rights for short term and long-term suspension;
  - 4. Parents/guardians shall be notified of the transfer of student records.
- J. Records and privacy protection established by law and policy: 5125 Student Records, 5145.11 Questioning and Apprehension, 5145.12 Search and Seizure.

School Bus Conduct

Violations of the rules regarding student conduct on school buses will be handled as follows:

- A. The bus driver will report unacceptable conduct to the principal of the school in which the student is enrolled by submission of a completed written report that includes the name of the student, the school, and the student's conduct.
- B. The principal or designee will investigate the matter, which may include meeting with the bus driver, bus aide, other students on the school bus, and the student who was reported by the bus driver.
- C. The parent will be notified of the student's reported conduct.

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- D. The principal or designee will make a determination if the student violated behavioral expectations and the discipline to be administered in accordance with the code of student conduct.
- E. If it is determined the misconduct is severe, the student may be suspended from the bus pending a conference with the parent.

Discipline

Board of education policy in accordance with the laws of governing public education in this state, specifically N.J.S.A. 18A:37-1 requires each student to comply with the rules and regulations established for each school. Each student is expected to pursue the prescribed course of study for which he/she is enrolled and shall submit to the authority of the teacher, or other staff member, as specified in N.J.S.A. 18A:25-2, with each student being held accountable for his or her behavior during scheduled school hours as well as on the way to and from school.

Any student who is guilty of continued and willful disobedience, or of open defiance of the authority of any teacher or person having authority over him, or of the habitual use of profanity or of obscene language, or who shall cut, deface, or otherwise injure any school property, shall be liable to punishment and to suspension or expulsion from school, N.J.S.A. 18A:37-2.

“Conduct” which shall constitute good cause for suspension or expulsion shall include, but not be limited to, any of the following:

- A. Continued and willful disobedience;
- B. Open defiance of the authority of any teacher or person having authority over a student;
- C. Actions that constitute a continuing danger to the physical well-being of other students;
- D. Physical assault upon another student, a teacher, or any school employee with or without a firearm or other weapon;
- E. Taking, or attempting to take, personal property or money from another student whether by force or fear;
- F. Willfully causing, or attempting to cause, substantial damage to school property;
- G. Taking part in any unauthorized occupancy of a district facility and refusing to leave promptly when directed to do so by a person in authority;
- H. Inciting others to take part in an unauthorized occupancy;
- I. Inciting other students to truancy;
- J. Truancy and class cutting; leaving school property without permission;
- K. Poor attendance and lateness;
- L. Use or possession of unsafe or illegal articles;
- M. Use of any tobacco product on school property;
- N. Use, possession or sale of a controlled dangerous substance, drug paraphernalia, anabolic steroids or alcohol;

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- O. Use of profanity or abusive language;
- P. Turning in a false alarm;
- Q. Tampering with or damaging property of other students or staff members;
- R. Selling or buying lottery tickets or any other gambling paraphernalia on school property;
- S. Harassment, intimidation and bullying.

Disciplinary Measures

The following disciplinary measures may be applied as appropriate to the student's violation of school rules. The measures are sequential and are organized in order of severity. The age of the student, nature of the offense and circumstances surrounding the offense will all be taken into account when discipline is being applied. In all cases, before a classified student is subjected to a suspension of more than ten consecutive or cumulative school days in a school year, administration shall notify the IEP team who shall conduct a manifestation determination.

## A. Admonishment

A school staff member in authority may admonish the student for his/her unacceptable conduct and warn the student that additional misconduct may warrant a more severe penalty. Teachers will settle less serious discipline issues in the classroom. A conference, a phone call to the parent or a teacher assigned detention will settle most cases. Students will be sent to the office in more severe cases.

## B. Deprivation of Privileges

Students may be deprived of the following privileges for disciplinary reasons:

1. Moving freely about the school building;
2. Participation in co-curricular or extracurricular activities;
3. Participation on sports teams, or in competitions;
4. Attendance at a school-related social or sports activity;
5. Participation in a graduation ceremony;
6. Parking on school grounds;
7. Transportation by school bus; or
8. Assignment to an alternative educational setting;
9. Any other privilege the principal or designee determines may be appropriate and consistent with policy 5131 Conduct and Discipline, and N.J.A.C. 6A:16-7.1 et seq.

## C. Temporary Removal from Classroom/Transportation

1. The classroom teacher may direct the student report to the office of the administrator in charge of student discipline;
2. The teacher will complete a form that indicates the student's name and the conduct that has caused the student's removal from the teacher's room;
3. The administrator in charge of discipline will interview the student and determine which, if any, additional consequences shall be imposed;

## D. Detention

1. The student may be required to report before or after the school day to detention for a period of supervised study, lunch detention may also be assigned;

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2. The teacher or faculty member assigning detention shall ensure that the student has appropriate class work to complete during the detention;
3. Transportation will be the responsibility of the student's parents or legal guardians;
4. The student may be excused from detention only for an unavoidable commitment previously made; any such excused detention must be made up on another day.

## E. Grading

A student who has cheated on a test or assignment, plagiarized material, falsified sources, refused to submit assignments, or otherwise indulged in academic dishonesty or negligence may suffer a reduced grade by virtue of the disqualified work. In no other instance may a student's grade be lowered as a direct penalty for misconduct.

## F. In-school Suspension

1. The student may be removed from his/her regular classes and required to report to an in-school suspension program for supervised study;
2. In-school suspension will not be imposed without the due process set forth in policy 5114 Suspension and Expulsion;

## G. Suspension from School

1. The student may be denied the right to attend school for a period of time pursuant to N.J.S.A. 18A:37-2, N.J.A.C. 6A:16-7.2 and N.J.A.C. 6A:16-7.3 and policy 5114 Suspension and Expulsion;
2. Suspension from school will not be imposed without the due process set forth in policy 5114 Suspension and Expulsion.

## H. Expulsion

1. The board may expel a general education student from school, pursuant to N.J.S.A. 18A:37-2, N.J.A.C. 6A:16-7.4 and policy 5114 Suspension and Expulsion;
2. Expulsion is an extremely serious disciplinary measure and will not be imposed without the due process set forth in policy and regulation 5114 Suspension and Expulsion.

Students with Disabilities

For students with disabilities, disciplinary measures shall be according to the students' individualized education programs (IEP). When it is determined the behavioral infraction was not a manifestation of the student's disability, remedial and disciplinary actions shall be aligned with the code of student conduct.

Annual Review

Each school code of student conduct shall be reviewed annually and maintained by a committee. The members of the committee shall include parents, guardians and students, the chief school administrator, members of the board of education and community members. The committee may also include teachers and other staff and administrators as desired or required. The committee shall assess the effectiveness of the implementation of policy 5131 by completing the Department of Education Compliance Checklist (see: primary resource 1). The annual review shall also include consultation with local organizations licensed by the Department of Human Services, more information can be found at: <http://www.state.nj.us/humanservices/clients/addiction/>.

The revised/updated code of student conduct shall be distributed annually to all students, staff, and parents. The chief school administrator shall ensure that training on the proper implementation of the code of student conduct is provided to all staff annually and is provided to all new employees reasonably after service commences.

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Discipline infractions that may not have been addressed in the code of student conduct will be subject to review at the discretion of the school administration. The code of student conduct may be reviewed during the school year. If changes to the code are implemented, students, staff and parents affected by the change will be notified. For definitions and additional information regarding disciplinary infractions, please refer to the Student Safety Data System (SSDS) Incident Definitions (see: <https://homeroom4.doe.state.nj.us/ssds/> ).

Minor Offenses

Behavior	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Chewing gum			
Copying work			
Disregarding staff instructions			
Disrupting class			
Disruption in the cafeteria			
Disruption on the school bus			
Dress code violation			
Eating/drinking in class			
Harassment, intimidation and bullying (name calling)			
Inappropriate behavior to another student			
Leaving the classroom without permission			
Littering			
Missing an assignment			
Not being in assigned location/no hall pass			
Parking violation			
Running in hallway			
Sleeping in class			
Tardy to school			
Tardy to the class			
Throwing objects: bus/class/hallway/cafeateria			
Unprepared for class			
Vandalism (writing in pencil on the desk)			
Vulgar/profane language			
Writing or passing notes			
Inappropriate use of personal cell phone/electronic device Violation of <u>N.J.S.A. 2C:33-19.</u>			



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Behavior	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Academic dishonesty, plagiarism			
Cutting class			
Cutting detention			
Cutting school			
Dating violence			
Defiance/insolence to staff			
Driving rule violation on school property			
Forging any note or required signature			
Harassment, intimidation and bullying (including, physical altercation, cyber bullying, verbal or physical threats)			
Leaving school grounds			
Obscene or sexual behavior or language			
Physical altercation/minor without harm			
Possession of tobacco			
Racism			
Under the influence of alcohol			
Vandalism (writing in ink, paint, marker, etching, willfully destroying school books or other school property)			
Violation of technology acceptable use agreement			
Smoking			
Possession of pornography			

**Very Serious Offenses**

Behavior	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Arson	<ul style="list-style-type: none"> <li>• Parent/guardians notification</li> <li>• Police notification</li> <li>• Suspension</li> <li>• Notification of due process rights</li> </ul>		
Assault with a weapon	<ul style="list-style-type: none"> <li>• Parent/guardians notification</li> </ul>		

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	<ul style="list-style-type: none"> <li>• Police notification</li> <li>• Expulsion</li> <li>• Notification of due process rights</li> </ul>		
Assault with or without a weapon of a staff member or board member	<ul style="list-style-type: none"> <li>• Parent/guardians notification</li> <li>• Police notification</li> <li>• Suspension/expulsion</li> <li>• Notification of due process rights</li> </ul>		
Assault, physical altercation with physical harm	<ul style="list-style-type: none"> <li>• Parent/guardians notification</li> <li>• Police notification</li> <li>• Suspension</li> <li>• Notification of due process rights</li> </ul>		
Bomb threat	<ul style="list-style-type: none"> <li>• Parent/guardians notification</li> <li>• Police notification</li> <li>• Suspension</li> <li>• Notification of due process rights</li> </ul>		
Dating violence			
Extortion			
Harassment, intimidation and bullying (including cyber bullying, serious offenses, multiple prior offenses, part of a group bullying any individual or group)			
Hazing			
Misuse of fire safety equipment or alarms			
Possession and distribution or sale of drugs or alcohol	<ul style="list-style-type: none"> <li>• Parent/guardians notification</li> <li>• Police notification</li> <li>• Suspension</li> <li>• Notification of due process rights</li> </ul>		
Possession of a weapon	<ul style="list-style-type: none"> <li>• Parent/guardians notification</li> <li>• Police notification</li> <li>• Expulsion</li> <li>• Notification of due process rights</li> </ul>		
Possession of drugs or alcohol			
Robbery			
Sexual harassment/sexual offense			
Terroristic threats			
Theft			

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Unlawful assembly			
Vandalism (significant and willful destruction of school property)			
Possession of child pornography			

**DISCIPLINARY REPORTING PROCEDURE**

- A. When a disciplinary incident involving a student has been safely resolved, the building principal/designee shall determine whether an SSDS report must be generated.
- B. The principal/designee shall investigate the incident and shall direct employees who were witnesses to the incident to report details surrounding the incident as fully and faithfully as possible.
- C. The building principal/designee shall be familiar with the School Safety Data System (SSDS) and should refer to the SSDS manual (see: <https://homerom4.doe.state.nj.us/ssds/> ) to ensure accuracy and consistency in reporting student-involved incidents to that system.
- D. Incidents that need not be reported through the SSDS should nevertheless, be investigated and reported using the district code of student conduct incident reporting form.
- E. The SSDS incident report shall be completed as soon as possible after the incident, but in all cases within 10 days. If additional time is needed to complete the report due to unavailability of witnesses or other obstacles to a complete and thorough investigation, the principal/designee shall document the reasons for any necessary extension and establish a date certain for the completion of the initial report. If additional facts become available subsequent to the completion date, the SSDS incident shall be revised and such revisions shall be documented and filed accordingly.

**DUE PROCESS**

In all cases, before remedial or disciplinary measures are imposed upon a student for a disciplinary violation, the student shall receive appropriate due process as set forth in N.J.A.C. 6A:16-7.1-7.5.

Students who are the subject of remedial or disciplinary actions may appeal such action to the board of education within thirty days. Students may also appeal to the Commissioner of Education pursuant to the procedures set forth in N.J.A.C. 6A:3-1.3 through 1.17; N.J.A.C. 6A:4; and, where applicable, N.J.A.C. 6A:14-2.7 and 2.8.

**REGULATION HISTORY**

Effective Date:  
NJSBA Review/Update: April 2025