Cherry Hill Public Schools

School Year 2020 - 2021

Middle School Code of Student Conduct

CHERRY HILL PUBLIC SCHOOLS

September 2020

Dear Students, Parents and Guardians:

Because ***who*** we are as individuals makes up ***what*** we are together, whether family, school, community, or nation, we have established the following character traits as an overall framework for our district and our schools. We know that we all learn best and most fully in an atmosphere where the opinions and rights of all are honored and respected. Therefore, our core values are:

Respect: The student demonstrates an understanding of respectful behavior, and conducts himself/herself in a respectful manner.

Responsibility: The student demonstrates an understanding of responsible behavior, and conducts himself/herself in a responsible manner.

Citizenship: The student demonstrates an understanding of the importance of knowing and practicing the values, beliefs, and principles fundamental to participation in the United States' constitutional democracy.

We believe in your potential, your ability to learn, the talents you have to share, and the contribution you can make to our schools and to our future as a nation. The following sections will further outline our most important guidelines for making your school life most productive and positive.

Dr. Joseph Meloche
Superintendent of Schools

Philosophy

The Cherry Hill Board of Education believes that an effective instructional program requires an orderly school environment and that the effectiveness of the educational program is, in part, reflected in the behavior of students. The emphasis on positive behavior creates an atmosphere of mutual respect and the appreciation of individual differences among staff, students, and parents, as well as respect for District and community property.

The Cherry Hill Board of Education expects students to conduct themselves in keeping with their level of maturity, and in such a way as to demonstrate proper regard for the rights and welfare of other students. Students are expected to conduct themselves in keeping with the educational purpose underlying all school activities, including the care of school facilities and equipment. The Cherry Hill Board of Education believes that the standards of student behavior must be set cooperatively by interaction among students, parents/guardians, staff, and community producing an atmosphere that encourages students to grow in self-discipline.

Overview

Many policies and regulations govern the operation of a school district. This booklet will provide students and parents/guardians with an overview of important school and district policies and procedures, including student and parent responsibilities. These important policies and school regulations have been summarized in this reading, while full detailed policies can be found on the district website at www.chclc.org

Parents/Guardians and students are to read and discuss each segment of the Student/ Parent Handbook to gain a complete understanding of what is expected of them and what they can expect of Cherry Hill Public Schools. However, any failure to do so will not excuse pupils or their parents/guardians from compliance with the standards, expectations, and penalties set forth in this Code. It is important to note that the policies, as set forth, are to assist students with the establishment of the boundaries between acceptable and unacceptable behavior. It is to be clearly understood that disciplinary action is the direct result of a student's misconduct. As required, certain infractions will be reported to local law enforcement agencies. In addition to the disciplinary consequences, a student may also receive support services.

All students, parents, and staff are subject to these guidelines.

This code of Student Conduct does not address every potential form of inappropriate student behavior. Those not cited in this document will be handled on a "case by case" basis.

Conduct and Discipline

(See Board of Education Policy 5512 for the complete text of the **Harassment Intimidation and Bullying Policy:** **District HIB Policy**)

The Cherry Hill Board of Education believes that an effective instructional program requires an orderly school environment and that the effectiveness of the educational program is, in part, reflected in the behavior of the students. The emphasis on positive behaviors creates an atmosphere of mutual respect and the appreciation of individual differences among staff, students and parents for individuals as well as district and community property.

The Cherry Hill Board of Education expects students to conduct themselves, in keeping with their level of maturity, and in such a way as to demonstrate proper regard for the rights and welfare of others. Students are expected to conduct themselves in keeping with the educational purpose underlying all school activities, including the care of school facilities and equipment. The Cherry Hill Board of Education believes that the standards of student behavior must be set cooperatively by interaction among students, parents/guardians, staff and community producing an atmosphere that encourages students to grow in self-discipline and character development.

1. The Superintendent of Schools shall develop general guidelines for student conduct on school property or while attending school events, trips or contests, and shall direct development of detailed regulations suited to the age level of the students and the physical facilities of the individual schools.

2. The Superintendent of Schools or designee shall provide to students and their parents/guardians the rules of this district regarding student conduct and the sanctions that may be imposed for breach of those rules.

3. All students shall adhere to the rules and regulations established by the Superintendent of Schools. Non-compliance will result in disciplinary action.

4. Disciplinary action shall be applied consistently and uniformly with necessary due process in accordance with the regulations of the New Jersey Administrative Code. Staff shall comply with the regulations of the New Jersey Administrative Code when dealing with discipline and/or suspension of classified pupils.

5. Certain infractions shall be reported to the local law enforcement agency in accordance with the District's Memorandum of Agreement which is on file with the Director of Security. Student/Staff confidentiality shall be protected in accordance with federal and state law.

Responsibilities

Students are expected to:

- Know and exercise positive modes of behavior and good manners.
- Accept the responsibility for their own actions and the consequences of inappropriate behavior as outlined in the code of conduct.
- Respect the rights of others, including the right to secure an education in an environment that is orderly and disciplined.
- Adhere to all policies and procedures of the School District.

Every **parent/guardian** is expected to:

- Model positive modes of behavior and good manners.
- Insist on his/her child's punctual and regular school attendance.
- Exercise respect and civility in all interactions with staff, students, and members of the community.
- Explain and discuss the code of conduct with his/her child.
- Reinforce student compliance with the code of conduct.
- Provide emotional, social, and academic support in the student's school life.
- Adhere to all policies and procedures of the school district.

The school **staff** is expected to:

- Model positive modes of behavior and good manners.
- Exercise respect and civility in all interactions with staff, students, and members of the community.
- Maintain a positive learning environment during the school day.
- Explain and discuss acceptable and unacceptable modes of behavior with students and parents/guardians.
- Foster an emphasis on positive behaviors creating an atmosphere of mutual respect and the appreciation of individual differences among staff, students and parents for individuals as well as for district and community property.
- Inform and enforce the discipline structure with students.
- Be consistent in enforcing the discipline structure throughout the school.
- Comply with requirements of New Jersey Administrative Code and District policies and procedures.

Student Conduct Guidelines

In order to help ensure a respectful, responsible learning environment, it is expected that a student shall:

- ➢ Be on time and attend every class every day. [See Policy 5200, Attendance]
- ➢ Attain satisfactory academic achievement consistent with the student's ability and complete all homework and other assignments.
- ➢ Assume personal responsibility for acting with respect and civility and shall not contribute to any infraction which may be observed. Harassment, Intimidation and Bullying in all its forms, is unacceptable. [Policy 5512]
- ➢ Exhibit ethical behavior as it applies to tests, assignments, and other work for which the student is responsible.
- ➢ Abide by school rules that have been developed to assure the safety and accountability of all those in the school community.
- ➢ Communicate with peers and those in authority with respect and consideration, and assume responsibility for one's own behavior and speech.
- ➢ Accept disciplinary consequences with dignity and a resolve to improve one's performance and conduct.
- ➢ Comply with Board Policies governing appropriate dress and the proper use of electronic devices.
- ➢ Understand and comply with school requirements in relation to bus conduct and appropriate conduct at all extra-curricular or other school-sponsored activities.
- ➢ Respect school property and help to keep it free from damage.
- ➢ Refrain from the use of non-prescription drugs at school and at all school-sponsored activities unless necessary for the health and safety of the student in accordance with District policy and procedural requirements, including written authorization provided by the parent/guardian to the school nurse. Students are not permitted to self-administer medication except in certain limited life-threatening conditions. [See Policy 5330, Administration of Medication.]
- ➢ Refrain from using and/or possessing alcohol, controlled dangerous substances, or other illegal substances at school, on school property or school buses, and at all school-sponsored activities.

To maintain a safe and orderly learning environment in all schools, students are expected to be aware of, understand the seriousness of, and abstain from infractions and unlawful acts as defined in this document.

Student Rights

Students have the right to:

- ➢ Advance notice of behaviors that will result in suspension or expulsion. These behaviors are listed under the Discipline Categories section of this Code.
- ➢ Education that supports students' development into productive citizens.
- ➢ Attendance in safe and secure school environments.
- ➢ Attendance at school irrespective of student's' marital status, pregnancy, or parenthood.
- ➢ Notification to their parents/guardians consistent with procedures established by the District for instances of law enforcement agency interviews involving their children, for short-term and long-term suspensions or expulsions, and for attendance-related issues and consequences.
- ➢ The due process procedures established by the District for review of conduct which may result in the imposition of short-term suspensions, long-term suspensions, or expulsions. Those procedures are set forth below in this Code of Conduct.
- ➢ Appeal disciplinary determinations of District officials or the Board of Education to the New Jersey Commissioner of Education and, where applicable, to pursue the due process rights established in N.J.A.C. 6A:14 for pupils classified as eligible for special education.
- ➢ Protections pursuant to 20 U.S.C. § 1232g and 34 CFR Part 99, Family Educational Rights and Privacy Act; 20 U.S.C. § 1232h and 34 CFR Part 98, Protection of Pupil Rights Amendment; N.J.A.C. 6A:32-7, Student Records; 45 CFR § 160, Health Insurance Portability and Accountability Act; 20 U.S.C. § 6301, Title IV(A)IV § 4155 of the Elementary and Secondary Education Act as reauthorized under the No Child Left Behind Act; 42 CFR Part 2, Confidentiality of Alcohol and Drug Abuse Patient Records; N.J.S.A. 18A:40A-7.1, School-based drug and alcohol abuse counseling; information from participants; disclosure; N.J.A.C. 6A:16-3.2, Confidentiality of student alcohol and other drug information; N.J.S.A. 18A:36-19, Creation; Pupil Records: Maintenance and Retention, Security and Access; Regulations; Non-Liability; N.J.A.C. 6A:14-2.9, N.J.A.C. 6A:32 Student Records; as well as other existing Federal and State laws pertaining to student protections.

Comprehensive Behavioral Supports

The Cherry Hill School District provides the following comprehensive behavioral supports that promote positive student development and the students' abilities to fulfill the behavioral expectations established by the Board of Education:

The School District offers the following positive reinforcement for good conduct and academic success:

- ***Lion's Quest:*** Lion's Quest serves as the foundation for the District's behavior program. It is a social and emotional skills development curriculum, and addresses pro-social skills in a progressive fashion. These skills build resilience against bullying, drug and alcohol use, suicide, etc.; the lessons include building community, understanding emotions, anger management, crisis resolution, and others. Lion's Quest is provided in the District as a K-8 Curriculum.
- The School District also supports and promotes a combined advocacy/education group known as ***SCOPE*** – Schools and Community Organized for Parent Education. The presentations and workshops offered by this group complement ongoing school initiatives through parent and community education.

The Cherry Hill School District provides the following comprehensive behavioral supports that promote positive student development and the students' abilities to fulfill the behavioral expectations established by the Board of Education:

The School District's supportive interventions and referral services include the following:

- ***Intervention & Referral Services:*** are provided in accordance with the provisions of *N.J.A.C.* 6A:16-8.1 *et seq.* The I&RS team provides an individualized monitor outside of regular counseling staff to follow up with students in need of intervention services. Interventions can include behavioral assessments and behavior intervention plans, referral services, working with teachers to provide instructional modifications such as extended time, and provide referrals to community-based resources.
- ***Attendance Committees:*** comprised of an administrator, counselor and teacher meet with students with attendance issues. Students appear before the committee to explain absences and the committee can grant an attendance performance contract to encourage good attendance and permit the student to maintain academic credit.
- ***Value Options New Jersey*** is the statewide contracted system administrator for the New Jersey Division of Child Behavior Health Services. The District provides referrals to Value Options for furnishing of assessments, supportive services and other interventions to troubled or needy students.
- ***Student Advocates:*** are resource persons for students with difficulties. Student Advocates provide assistance and guidance to students who are experiencing academic, behavioral, personal or social difficulties, and assist with referrals. In addition Student Advocates provide home visits after regular school hours to work with students and their families.

- ***Student Assistance Counselors:*** provide assistance and guidance to students with alcohol or substance abuse problems, but also assist with student mental health including suicide prevention and bereavement counseling support in addition to providing counseling to students who are experiencing behavioral, personal or social difficulties and assist with referrals.
- ***School Nurses:*** provide a variety of health professional supports, including support with physical and mental health issues.
- ***Affirmative Action Officer:*** Each Building Affirmative Action Officer shall serve as a resource person for students and staff members in his or her building.
- ***School Anti-Bullying Specialist:*** shall chair the school safety team, lead the investigation of Harassment, Intimidation, and Bullying incidents and act as the primary school official responsible for preventing, identifying and addressing acts of HIB.
- ***School Safety Team:*** shall execute all duties related to HIB as requested by the principal or the district HIB coordinator.

Remediation of problem behaviors take into account the nature of the behaviors, the developmental age of the student, and the student's histories of problem behaviors and performance.

For students with disabilities, the behavior interventions and supports are determined and provided pursuant to the requirements of *N.J.A.C.* 6A:14. Students with disabilities are sometimes eligible to receive behavioral supports/services as determined by the IEP team or the Child Study Team. The Cherry Hill Public School District provides these types of services to eligible children based on individual assessments performed by qualified professionals in the field of Behavior Consultation or Behavior Analysis. Individual behavior plans which are designed are based on a positive behavior approach, ensuring that children are learning to modify their behaviors based on positive feedback from adults. Behavior plans may be re-designed as often as necessary as the child grows, develops, and learns to modify his/her behavior over time.

The School District also has procedures in place for the discipline of students with disabilities, designed to implement the relevant mandates outlined in the federal IDEA and *N.J.A.C.* 6A:14. These procedures apply to all students who have been determined eligible for special education and students who have been referred to the Child Study Team for possible eligibility, while that process of identification and/or evaluation is in progress.

Discipline Categories

Discipline guidelines are classified in two separate categories, Infractions and Unlawful Acts.
The abbreviations used in this section can be found in the glossary starting on page 20.

The options listed under each offense category display the range of discipline that can be imposed.

Infractions

Infractions primarily refer to those circumstances whereby students fail to comply with school rules or policies that do not fall within the scope of an unlawful act.

Infractions	First or Occasional Offense	Second Offense	Third & Subsequent Offenses
Absence from School (Truancy)	Refer to Procedures A-17 Refer to Procedures A-18 Refer to Policies 5200, 5230	Refer to Procedures A-17 Refer to Procedures A-18 Refer to Policies 5200, 5230	Refer to Procedures A-17 Refer to Procedures A-18 Refer to Policies 5200, 5230
Inciting/Baiting - (Inappropriate Behavior / Horseplay) Refer to Policy 5512	AD Verbal Warning Written Warning Community Service	AD ISSP (1-5) Days SS (1-5) Days OSS (1-5) Days PL – PCT - PC	AD LTS OSS (5-10) Days CST PL – PCT - PC
Expectations for Student Conduct Refer to Policy 5500 (Cheating, Homework Assignments, Test)	AD Plus a Zero Grade Verbal Warning Written Warning Community Service	AD OSS (1-3) Days ISSP (1-5) Days SS (1-5) Days Plus a Zero Grade PL – PCT - PC	AD OSS (5-10) Days SAC Plus a Zero Grade PL – PCT - PC
Cutting Class Refer to Policy 5200 Refer to Procedure C-4	AD (PL – Optional) (PCT – Optional) Verbal Warning Written Warning Community Service	AD SS (1) Day ISSP (1) Day (PL – Optional) (PCT – Optional)	AD SS (1-5) Days ISSP (1-5) Days PL – PCT – PC
Insubordination Refer to Policy 5610	AD SS (1) Day ISSP (1) Day (PL – PCT - Optional) Verbal Warning Written Warning Community Service	AD OSS (1-3) Days SS (1-3) Days ISSP (1-3) Days PL – PCT - PC	AD OSS (5-10) Days PL – PCT - PC
Insubordination Administrative Staff and School Police Officers Refer to Policy 5610	AD SS (2) Days ISSP (2) Days (PL – PCT - Optional) Verbal Warning Written Warning Community Service	AD OSS (2-5) Days SS (2-5) Days ISSP (2-5) Days PL – PCT - PC	AD OSS (5-10) Days PL – PCT - PC

Infractions	First or Occasional Offense	Second Offense	Third & Subsequent Offenses
Misuse of Computer Equipment: Accessing internet sites unrelated to school business Discipline based on the degree of damage and severity of incident Refer to Policy 5516	AD ISSP (3) Days SS – (2) Days OSS (1-10) Days Verbal Warning Written Warning Community Service PL – PCT – PC - CPO	AD OSS (5-10) Days PL – PCT – PC - CPO	AD OSS (10) Days LTS CST PL – PCT – PC - CPO
Altering School Documents or Grades Disrupting or attempting to disrupt school operations Refer to Policies 5600, 5610 Level of discipline based on the degree of damage and severity of incident.	AD OSS (10) Days LTS CPO PL – PCT – PC	AD LTS EXP CPO PL – PCT - PC	AD LTS - EXP CPO PL – PCT - PC
Failure to Provide Name, Fictitious Name Refer to Policies 5600, 5610	AD Verbal Warning Written Warning Community Service ISSP (1-3) Days	AD ISSP (5-10) Days SS (1-5) Days OSS (5) Days PL – PCT – PC	AD OSS (5 -10) Days PL – PCT - PC
Failure to Produce Student ID Refer to Policies 5600, 5610	Refer to District Policy Verbal Warning	Refer to District Policy PL – PCT Written Warning	AD Refer to District Policy PL - PCT ISSP (1-3) Days
Forged Note/Forgery or Signature Providing False Information to Staff Members Refer to Policies 5600, 5610	AD PCT Verbal Warning Written Warning Community Service ISSP (1-3) Days	AD SS (1-3) Days ISSP (1-3) Days PL - PCT	AD OSS (5-10) Days PL - PCT
Tardy To Class or School Refer to Policy 5240	AD Verbal Warning Written Warning Community Service	AD (1-3) Days Verbal Warning Written Warning Community Service	AD ISSP (1-5) Days PL – PCT - PC
Leaving School Grounds Without Authorization Refer to Policies 5200, 5230, 5240, 5610	AD Verbal Warning Written Warning Community Service	AD SS (1-3) Days ISSP (1-3) Days PCT	AD SS (1-3) Days OSS (1-3) Days PL – PCT - PC
Unacceptable Language, Profanity or Inappropriate Gestures Directed at STUDENTS Refer to Policies 5512, 5600, 5610	AD Verbal Warning Written Warning Community Service	AD SS (1-3) Days PCT ISSP (1-3) Days OSS (1-3) Days PL – PCT - PC	AD OSS (1-5) Days PL – PCT - PC

Infractions	First or Occasional Offense	Second Offense	Third & Subsequent Offenses
Unacceptable Language, Profanity or Inappropriate Gestures Directed at STAFF Refer to Policies 5512, 5600, 5610	AD OSS (1) Day SS (1-3) Days ISSP (1-3) Days Written Warning Community Service	AD OSS (3-5) Days PL - PCT	AD OSS (5-10) Days PL – PCT – PC
Cafeteria Misconduct Throwing Food (Disruptive Behavior) Refer to Policies 5512, 5560, 5600, 5610	AD SS (1-3) Days ISSP (1-3) Days Verbal Warning Written Warning Community Service	AD OSS (3-5) Days SS (3-5) Days PL – PCT - PC	AD OSS (5-10) Days LTS PL – PCT - PC
Non-Consensual Physical Contact (Kicking, Pushing, Grabbing, Touching, Slapping) Refer to Policy 5512, 5610	AD Written Warning ISSP (1) Day SS (1) Day PCT AAO	AD ISSP (3) Days SS (1-3) Days OSS (1-3) Days AAO	AD Refer to the Unlawful Acts Category in the Assault on Student Section
Unauthorized Area – No Pass	AD Verbal Warning Written Warning Community Service	AD ISSP (1-3) Days SS (1-3) Days PL - PCT	AD OSS (3-5) Days SS (3-5) Days PL – PCT - PC
Saturday School – Unexcused Absences In School Support Program – Unexcused Absences Refer to Policy 5560, 5610	AD OSS (1-5) Days SS (1-5) Days PL - PCT	AD OSS (5-10) Days PL - PCT - PC	AD OSS (10) Days PL – PCT - PC
Removed From Classroom for Disruptive Behavior Refer to Policy 5560, 5610	AD Verbal Warning Written Warning Community Service ISSP (1-2) Days	AD ISSP (1-5) Days SS (1-3) Days PL - PCT	AD OSS (1-5) Days PL - PCT - PC
Removed From Classroom by an Administrator or School Police Refer to Policies 5610, 5611, 5613	ISSP (1-3) Days SS (1) Day OSS (1) Day PCT – PL	SS (1-3) Days OSS (1-3) Days PCT – PL	OSS (3) Days PC - PL
Dress Code Violation Refer to Policy 5511	AD Verbal Warning Written Warning Community Service	AD PL - PCT ISSP (1) Day SS (1) Day	AD OSS (1) Day ISSP (2-5) Days PCT - PL - PC
Unauthorized Use of Electronic Devices, Pagers, Cell Phones, Radios, Computer Games - IPods Refer to Policy 5516 Refer to 2C:33-19	AD Verbal Warning Written Warning Confiscating Community Service	AD ISSP (1-3) Days PL - PCT SS (1-3) Days Phone sent to Office, returned to student at the end of the day.	AD PL - PCT OSS (1-3) Days Phone picked up by the parent.

Infractions	First or Occasional Offense	Second Offense	Third & Subsequent Offenses
School Bus Conduct: Discipline Administered based on the degree of inappropriate behavior Refer to Policy 5560, 5600, 5610 Refer to 18A:25-2 Optional Loss of Bus Privileges based on the degree of Inappropriate Behavior	AD Verbal Warning Written Warning Community Service Loss of Bus Privileges SS (1-5) Days ISSP (1-5) Days OSS (1-5) Days PL – PCT - PC	AD SS (5) Days ISSP (5) Days OSS (5) Days Loss of Bus Privileges PL – PCT – PC	AD OSS (10) Days Loss of Bus Privileges LTS PL – PCT - PC
Possession of Non-prescription Drugs Refer to Policies 5530, 5533	AD PCT – SAC Verbal Warning Written Warning Community Service	AD SS (1-5) Days ISSP (1-5) Days SAC OSS (1-5) Days PL – PCT - PC	AD OSS (10) Days SAC LTS PL – PCT - PC

Refer to Policy 5610 for all Administrative Infractions not covered by a Specific Policy
Refer to Policy 5600 for Classified Students
** PCT: Written Parental notice shall be initiated by a school administrator for all Suspension matters.*
**CST: Shall be consulted for all matters involving Special Education Students.*

***All Board of Education Policies can be found at the District Website, www.chclc.org**

Unlawful Acts

Unlawful Acts primarily refer to offenses cited in the New Jersey Criminal Justice Code or the General Provision that may require Police intervention, relating to education under the Provisions of Title 18A.

Unlawful Acts	First or Occasional Offense	Second Offense	Third & Subsequent Offenses
Arson or any related incidents involving materials Refer to 2C:17-1 (Refer to Fire Watch Program) Administrative discretion based on the degree of damage or severity of incident	AD ISSP (1-10) Days OSS (1-10) Days LTS PL – PCT – PC - CPO	OSS (10) Days LTS PL – PCT – PC - CPO	OSS (10) Days LTS PL – PCT – PC - CPO
Assault on Student Refer to Policies 5610, 5611, 5613 Refer to 2C:12-1 Administrative Discretion based on Degree of Injury	AD OSS (2-5) Days LTS PL – PCT – PC - CPO	OSS (5-10) Days LTS – MHE PE PL – PCT – PC - CPO	OSS (10) Days LTS - EXP AE – PE PL – PCT – PC - CPO
Aggravated Assault on Student Refer to Policies 5610, 5611, 5613 Refer to 2C:12-1	AD OSS (5-10) Days LTS PL – PCT – PC - CPO	OSS (5-10) Days LTS – MHE PE - PL – PCT – PC - CPO	OSS (10) Days LTS - EXP AE – PE PL – PCT – PC - CPO
Assault on Staff Refer to Policies 5610, 5612 Refer to 18A:37-2.1 Refer to 2C:12-1 Refer to 18A:37-2.2 Administrative Discretion based on Degree of Injury	AD OSS (5-10) LTS PL – PCT – PC - CPO	AD OSS (10) Days EXP - LTS PE - PL – PCT – PC - CPO	OSS (10) Days AEP - EXP LTS PE - PL – PCT – PC - CPO
Possession of a Weapon Refer to Policy 5611 Refer to 2C:39-1 Refer to 2C:39-3 Refer to 2C:39-4 Refer to 2C:39-5 Administrative Discretion based on the type of Weapon	AD OSS (5-10) PE PL – PCT – PC - CPO	OSS (10) Days LTS - AEP - EXP PE PL – PCT – PC - CPO	OSS (10) Days LTS - AEP - EXP PE PL – PCT – PC - CPO
Possession of Imitation Firearm Refer to Policies 5611, 5613 Refer to 2C:39-1 Refer to 2C:39-3 Refer to 2C:39-5 Administrative Discretion based on the type of Firearm	OSS (10) LTS PE PL – PCT – PC - CPO	OSS (10) Days LTS - AEP - EXP PE PL – PCT – PC - CPO	OSS (10) Days AEP – LTS - EXP PE PL – PCT – PC - CPO

Unlawful Acts	First or Occasional Offense	Second Offense	Third & Subsequent Offenses
Assault with a Weapon – Student / Staff Refer to Policies 5611, 5613 Refer to 18A:37-2.1 Refer to 2C:12-1 Refer to 18A:37-2.2	AD OSS (5-10) Days LTS PL – PCT – PC – CPO – MHE	OSS (10) Days LTS / EXP PL – PCT – PC – CPO – MHE	OSS (10) Days LTS / EXP PL – PCT – PC – CPO - MHE
Possession of a Firearm Refer to Policies 5611, 5613 Refer to 2C:39-1 Refer to 2C:39-3 Refer to 2C:39-4 Refer to 2C:39-5	AEP - EXP LTS (1) Year if Convicted PL – PCT – PC - CPO	AEP - EXP LTS (1) Year if Convicted PL – PCT – PC - CPO	LTS (1) Year if Convicted PL – PCT – PC - CPO
Use of Fireworks or similar items Refer to 21:3-2 Refer to Policies 5611,5613	AD OSS – (3-5) Days PL – PCT - CPO ISSP – (5) Days	OSS – (5-10) Days LTS - AEP – PE PL – PCT – PC - CPO	OSS – (10) Days LTS – AEP- PE -EXP PL – PCT – PC - CPO
Possession of Fireworks Refer to Policies 5611,5613 Refer to 21:3-2	AD SS (1-5) Days OSS – (1-5) Days ISSP (1-5) Days CPO – PL - PCT	OSS (10) Days PE – LTS PL – PCT – PC - CPO	OSS – (10) Days AEP – LTS – PE -EXP PL – PCT – PC - CPO
Threats Psychiatric Evaluation or Mental Health Evaluation may be recommended depending on the nature of the threat. Refer to Procedure S-12 Refer to 2C:12-3 Refer to Policies 5512, 5560, 5600	AD Refer to Threat Guidelines ISSP (1-5) Days SS (1-5) Days OSS (1-5) Days MHE – LTS PL – PCT – PC - CPO	Refer to Threat Guidelines OSS – (10) Days PE - AEP LTS – EXP PL – PCT – PC - CPO	Refer to Threat Guidelines OSS – (10) Days PE Optional LTS - EXP PL – PCT – PC - CPO
Threats With a Weapon Psychiatric Evaluation or Mental Health screening shall be recommended. Suspension from school pending psychiatric or mental health report. Consult with Dir. Of Security or School Police Notify Township Police Refer to Threat section in the Emergency Management Manual Refer to AG's Memorandum of Agreement	AD PE – MHE OSS (1-5) Days ISSP (1-5) Days SS (1-5) Days LTS PL – PCT – PC - CPO	AD OSS (5-10) Days SS (5-10) Days LTS – PE PL – PCT – PC - CPO	OSS (10) Days LTS PE PL – PCT – PC - CPO
Fighting Refer to 2C:33-2 – Disorderly Conduct Refer to Policies 5512, 5560, 5600, 5610	AD OSS (3-5) Days ISSP (5) Days PL – PCT – PC - CPO	OSS (5-10) Days PL – PCT – PC – CPO	OSS (10) Days LTS – AEP – PE PL – PCT – PC - CPO

Unlawful Acts	First or Occasional Offense	Second Offense	Third & Subsequent Offenses
Under the Influence of Drugs or Alcohol Refer to Policy 5530 Refer to 2C:35-10 Refer to 2C:33-15 Refer to 2C:33-16	Refer to District Substance Abuse Procedure D-8 Refer Student for Drug Test	Refer to District Substance Abuse Procedure D-8 Refer Student for Drug Test	Refer to District Substance Abuse Procedure D-8 Refer Student for Drug Test
Possession of Alcohol, Dangerous Substance or Paraphernalia Refer to Policy 5530 Refer to 2C:35-7 Refer to 2C:35-10 Refer to 2C:35-15 & 2C:33-16	Refer student for Drug Test Refer to District Substance Abuse Procedure D-8 PL – PCT – PC – SAC - CPO	Refer student for Drug Test Refer to District Substance Abuse Procedure D-8 PL – PCT – PC – SAC –CPO	Refer student for Drug Test Refer to District Substance Abuse Procedure D-8 PL – PCT – PC – SAC –CPO
Sale or Distribution of Dangerous Substance Refer to Refer to Policy 5530 Refer to 2C:35-7 Refer to 2C:35-10	OSS(10) Days Referral to the BOE for LTS SAC - CPO	OSS(10) Days Referral to the BOE for LTS SAC - CPO	OSS(10) Days Referral to the BOE for LTS SAC - CPO
Theft or Possession of Stolen Property Refer to Policies 5512, 5560, 5600 Refer to 2C:20-7 Level of Discipline Based on the Monetary Value	AD Under $200 ISSP – (1-5) Days SS (1-5) Days Over $200 OSS (1-5) Days PL – PCT – PC - CPO	OSS – (5-10) Days LTS Regardless of Value PL – PCT – PC - CPO	LTS - OSS – (10) Days CST - EXP Regardless of Value PL – PCT – PC - CPO
Criminal Mischief or Vandalism (Reimbursement Damages) Refer to Policies 5512, 5560, 5600 Refer to 18A:37-3 Refer to 2C:17-3 Level of Discipline Based on Extent of Damage	(Refer to District Policy) Reimbursement for Damages 0 to $99 ISSP – (1-5) Days SS (1-5) Days $100 to $200 SS (1-5) Days OSS (1-5) Days Over $200 OSS (5-10) Days PL – PCT – PC - CPO	(Refer to District Policy) OSS – (10) Days LTS Regardless of Extent of Damage PL – PCT – PC - CPO	(Refer to District Policy) OSS – (10) Days LTS - EXP Regardless of Extent of Damage PL – PCT – PC - CPO

Unlawful Acts	First or Occasional Offense	Second Offense	Third & Subsequent Offenses
Fraud or Possession of Counterfeit Currency Refer to Policies 5512, 5560, 5600 Level of Discipline Based on Denomination of Currency	AD ISSP – (1-5) Days SS – (1-5) Days OSS (1) Day Verbal Warning Written Warning Community Service PL – PCT – PC – CPO	Regardless of Monetary Amount OSS – (5-10) Days PL – PCT – PC - CPO	Regardless of Monetary Amount OSS – (10) Days PCT - CPO – PC - PL LTS
Use of Tobacco Products or Vaping Products Refer to Policy 5533 Refer to 2A:4A-23 Refer to 2C:33-13	Refer to Procedure T-14 Encouraged to Attend Smoking Cessation (at parent's expense) Refer to District Policy PL – PCT – PC – CPO - SAC Verbal Warning	Refer to Procedure T-14 Required to Attend Smoking Cessation (at parent's expense) Refer to District Policy PL – PCT – PC – CPO - SAC Written Warning signed and sent to Municipal Court	Refer to Procedure T-14 Required to Attend Smoking Cessation (at parent's expense) PL – PCT – PC – CPO Written Warning signed and sent to Municipal Court Referral to SAC
Possession of Tobacco Products or Vaping Products Refer to Policy 5533 Refer to 2C:33-13 Refer to 2A:4A-23	Refer to Procedure T-14 Encouraged to attend Smoking Cessation Program (at parent's expense) PC – CPO - SAC	Refer to Procedure T-14 Required to attend Smoking Cessation Program (at parent's expense) PL – PCT – PC - SAC	Refer to Procedure T-14 Required to attend Smoking Cessation Program (at parent's expense) PL – PCT – PC - SAC
False Public Alarm (False 911 Call) -False Fire Alarm False Fire Alarm (Referral to Fire Watch Program) Refer to Policies 5560, 5600, 5610 Refer to 2C:33-3 Refer to 2C:33-3.1	AD OSS – (5-10) Days PL – PCT – PC - CPO	AD OSS – (10) Days CST LTS – AEP PL – PCT – PC - CPO	OSS (10) Days CST LTS – EXP PL – PCT – PC - CPO
Robbery (No Weapon) Depending on nature of the incident Refer to Policies 5560, 5600 Refer to 2C:15-1	AD OSS – (5-10) Days SS (5-10) Days Depending on the nature of the incident PL – PCT – PC – CPO	OSS – (10) Days AEP - LTS PE PL – PCT – PC - CPO	OSS – (10) Days AEP – LTS - EXP PE PL – PCT – PC - CPO
Robbery with Weapon Refer to Policies 5611, 5613 Refer to 2C:15-1	OSS – (10) Days AEP - LTS PE PL – PCT – PC - CPO	OSS – (10) Days PE – LTS PL – PCT – PC - CPO	OSS – (10) Days PE - LTS PL – PCT – PC - CPO

Unlawful Acts	First or Occasional Offense	Second Offense	Third & Subsequent Offenses
Sexual Contact Offense Refer to Policies 5512, 5751 Refer to 2C:14-3 Refer to 2C:33-4 A Psychological Evaluation may be recommended depending on the nature of the incident. DYFS Notification if Applicable	AD DYFS Notification if Applicable ISSP - (2-10) Days OSS (2-10) Days SS (2-10) Days Depending on nature of incident AAO – PE PL – PCT – PC - CPO	DYFS Notification if Applicable OSS – (10) Days AAO - PE LTS – AEP PL – PCT – PC - CPO	DYFS Notification if Applicable OSS – (10) Days AAO - PE LTS – AEP – EXP PL – PCT – PC - CPO
Sexual Assault Offense Refer to Policies 5512, 5751 Refer to 2C:14-2 A Psychological Evaluation shall be recommended depending on the nature of the incident. DYFS Notification if Applicable	OSS (10) Days PE - AAO AEP – LTS PL – PCT – PC - CPO	OSS (10) Days AAO – PE AEP - LTS PL – PCT – PC - CPO	OSS (10) Days AAO – PE LTS – EXP PL – PCT – PC - CPO
Lewdness Refer to 2C:14-4 A Psychological Evaluation may be recommended depending on the nature of the incident.	AD OSS (3-5) Days ISSP (5-10) Days SS (5 -10) Days PE – AAO PL – PCT – PC - CPO	OSS (10) Days PE –AAO AEP – LTS PL – PCT – PC - CPO	OSS (10) Days AAO - PE AEP – LTS – EXP PL – PCT – PC - CPO
Bomb Threat Refer to 2C:33-1 Refer to 2C:33-3 Refer to 2C:39-3	OSS (10) Days AEP - LTS PL – PCT – PC - CPO	OSS (10) Days LTS - EXP PE PL – PCT – PC - CPO	OSS (10) Days LTS - EXP PE PL – PCT – PC - CPO
Possession of Stink Bombs, Smoke Bombs, or Ammunition, etc. Refer to Policies 5611, 5613, 5600 Refer to 2C:39-3 Refer to 2C:30-3 Level of Discipline Based on the Type of Device	AD ISSP (1-5) Days SS (1-5) Days OSS (1-3) Days PL – PCT – PC - CPO	OSS (10) Days AEP LTS PL – PCT – PC - CPO	OSS (10) Days AEP LTS - EXP PL – PCT – PC - CPO

Unlawful Acts	First or Occasional Offense	Second Offense	Third & Subsequent Offenses
Use of Explosive Devices Stink Bombs, Smoke Bombs, or Ammunition etc. Refer to Policies 5611, 5613, 5600 Refer to 2C:39-3 Level of Discipline Based on the Type of Device	OSS (3) Days ISSP (5) Days LTS will apply if a device is classified as a dangerous explosive PL – PCT – PC - CPO	OSS (10) Days EXP - LTS LTS will apply if a device is classified as a dangerous explosive PL – PCT – PC - CPO	OSS (10) Days LTS – EXP LTS will apply if a device is classified or a dangerous explosive PL – PCT – PC - CPO
Gambling Refer to Policy 5600 Refer to 2C:37-2	AD PCT - CPO - SAC Verbal Warning Written Warning Community Service	AD ISSP - OSS (1-3) Days PL – PCT – PC – SAC - CPO Refer for Counseling	OSS (3) Days PL – PCT – PC – SAC- CPO Refer for Counseling
Harassment/Intimidation/Bullying Refer to Policy 5512 Level of Discipline based on the Severity of HIB Behavior	Refer to Policy 5131 AD ISSP (1-5) Days OSS (1-5) Days CPO –PCT SAC - AAO Verbal Warning Written Warning Community Service	AD ISSP (5-10) Days SS (5-10) Days OSS (5) Days SAC – AAO PL – PCT – PC - CPO	OSS (10) Days SAC LTS - AAO AEP PL – PCT – PC - CPO
Hazing/Aggressive Horseplay Refer to Policies 5512, 5841 Refer to 2C:40-3 Administrative Discretion: Student may be Suspended from School Program if Applicable	AD OSS (1-5) Days PCT – CPO – AAO ISSP (5) Days	AD OSS (5-10) Days AAO - LTS – AEP PL – PCT – PC - CPO	OSS (10) Days AAO - LTS – EXP PL – PCT – PC - CPO
Racial Harassment - Bias Incident/Stalking Refer to Policy 5512 Refer to 2C:12-10 Refer to 2C:16-1 Refer to 2C:33-4	AD ISSP (5) Days SS (5) Days SAC - AAO OSS (1-5) Days PL – PCT – PC - CPO	OSS (10) Days SAC – AAO – PC PL – PCT – PC - CPO	OSS (10) Days SAC – AAO LTS PL – PCT – PC - CPO
Sexual Harassment Refer to Policy 5512, 5751 Refer to 2C:16-1 Refer to 2C:33-4 Refer to Procedure S-31	AD ISSP (1- 5) Days SAC - AAO SS (3-5) Days OSS (3-5) Days PL – PCT – PC - CPO	OSS (5-10) Days SAC – AAO PL – PCT – PC - CPO	OSS (10) Days SAC – AAO – LTS PL – PCT – PC - CPO

Unlawful Acts	First or Occasional Offense	Second Offense	Third & Subsequent Offenses
Malicious Damage to Property (Criminal Mischief) Discharge of Fire Extinguisher (Vandalism) Refer to Policies 5512, 5600, 5610 Refer to 18A:37-3 Refer to 2C:17-3 Reimbursement for Damages Level of Discipline based on Extent of Damage	AD Under - $200 in Damages ISSP (3) Days OSS (3) Days SS (3) Days $200 or more Damages ISSP (5) Days OSS (5) Days SS (5) Days LTS PL – PCT – PC - CPO	Over $100 in Damages OSS (5-10) Days LTS Regardless of monetary cost for damages PL – PCT – PC - CPO	OSS (10) Days CST LTS – EXP PL – PCT – PC - CPO
Trespassing Initial Warning is Classified as First Offense Refer to 2C:18-3	AD Verbal Warning Written Warning Community Service PL – PCT – PC - CPO	AD ISSP (3) Days OSS (1-3) Days PL – PCT – PC - CPO	OSS (5-10) Days LTS PL – PCT – PC - CPO
Burglary to school property Refer to 2C:18-2 Refer to 2C:18-3 Depending on the dollar value of loss and or damages	AD OSS (5-10) Days LTS ISSP (10) Days SS (5) Days PL – PCT – PC - CPO	OSS (10) Days LTS – AEP PL – PCT – PC - CPO	OSS (10) Days LTS – EXP PL – PCT – PC - CPO

PCT: Written Parental notice shall be initiated by a school administrator for all Suspension matters.
CPO: Campus Police Officer: The Director of Security should be notified in lieu of the Campus Police Officer
CST: Shall be consulted for all matters involving Special Education Students.

*** All Board of Education Policies can be found at the District Website, www.chclc.org**

Glossary of Terms

AAO: Affirmative Action Officer:

Reports of sexual harassment shall be reported to the Principal or designee. The principal or designee shall make notification to the Building Affirmative Action Officer. The Affirmative Action Officer shall promptly investigate any complaints of harassment, intimidation, bullying and sexual harassment and shall initiate the appropriate corrective action when deemed necessary.

(Refer to Board Policy 5131 and Administrative Procedure S-31 and B-10 located in the Appendix)

AD: Administrative Discretion:

This category is the lowest degree of student discipline contained in the school district's Code of Conduct. Discretion is intended to allow School Administrators the latitude to impose reasonable disciplinary measures for minor infractions of school rules committed by students. Some suggested measures for high schools are Verbal or Written Warnings, After School Behavioral Program and Community Service performed within the scope of the school environment.

AEP: Alternative Educational Program:

School Administrators have the latitude to assess a student's academic performance and behavioral history in consultation with CST Staff, Counselors and the Director of Special Education to determine if an Alternative Educational Program will serve in the best interest of the student and school community.

CST: Child Study Team: (Referral)

The Child Study Team shall be consulted on all discipline matters involving students who are classified under the category of Special Education.

DAO: District Attendance Officer:

An intervention team consisting of Guidance Counselor, Child Study Team (if applicable) and the appropriate School Administrator shall make every effort to remedy cases involving student tardiness or absenteeism. The intervention process should include conferences with parents or guardians and well documented notices of excessive tardiness and unexcused absenteeism. If all preliminary measures to resolve a student's' unexcused absenteeism have been exhausted, the principal or designee shall refer the matter to the District's Attendance Officer for follow-up. The Attendance Officer may initiate legal action, if applicable, under the provisions of the Compulsory Education Act. The Attendance Officer Referral Form shall be completed and submitted to the Attendance Officer for all follow-up investigations.

EXP: Expulsion:

The Board of Education may expel a student; that is, to discontinue educational services or discontinue payment for educational services, for a general education student from school only after the Board of Education has provided due process rights set forth N.J.A.C. 6A-16-7.3 and 7.4 subsequent to long term suspension.

ISSP: In School Support Program:

The In-School Support Program is a self-contained classroom environment. When available at the school, the intent of the program is to provide students with an alternative to out of school suspension.

LTS: Long Term Suspension (Recommendation):

The Principal may make a recommendation to the Superintendent for a student to receive a long-term suspension for committing an act of violent behavior, a serious violation of school regulations, and/or for an unlawful act which creates a dangerous or unsafe condition for students, guests/visitors or school staff.

(Refer to Board Policy Administrative Procedure S-16 entitled Guidelines for Suspension and Expulsion located in the Appendix)

MHE: Mental Health Evaluation:

The Principal or designee has the discretion to require a student to make an appointment with a Mental Health Professional in those circumstances when the principal or designee deem the recommendation is appropriate for the safety and welfare of the student or other students or staff. This includes, but is not limited to, when a student demonstrates violent behavior in the form of verbal threats, physical confrontation or a weapons offense. The parent or guardian has the option to utilize the services provided by Steininger Crisis Center located at Kennedy Health Systems or choose their own Mental Health Professional. The family is required to produce written documentation from a Mental Health Professional that he or she poses no safety concerns to him or herself or to others. Parents or guardians are responsible for all costs for a Mental Health Evaluation. **Refer to Procedure S-12**.

OD: Office Detention:

An office detention is a self-contained classroom environment that is typically held after school. Administrators may, however, assign the OD at any time during the day at their discretion.

OSS: Out of School Suspension:

The Principal or designee has the authority to suspend a student for violation of school regulations or for committing an unlawful act. Principals may suspend a regular education student for a maximum of ten (10) school days to include five (5) days home instruction. The Principal or designee should consult with the Child Study Team in all discipline matters involving Classified Students. All recommendations by the Principal to extend the suspension period beyond ten (10) days shall be referred to the Superintendent by the Principal.

PC: Parent/Guardian Conference:

When a student has been suspended, the Principal or designee may require the parent or guardian and the student to attend a re-admittance conference with the appropriate school administrator, as a condition for returning to school.

PCT: Parent/Guardian Contact: (Telephone)

The Principal or designee shall initiate a telephone contact to the parent/guardian of a student who has been suspended. The parent/guardian shall be informed of the reason for suspension as well as the terms for suspension. A letter documenting the reason for suspension and number of days suspended shall also be sent to the student's parent or guardian, in addition to the telephone contact.

PE: Psychological Evaluation:

The Principal or designee has the discretion to refer a student for a Psychological Evaluation in those circumstances when a student demonstrates physical threats to him or herself or others for the health and safety of the student and school. If the Principal or designee recommends a referral, for Psychological Evaluation, the student shall not return to school until the Principal receives a written report from a Licensed Mental Health Professional, usually a Psychiatrist, that the student poses no threat to him/herself or others within the school community. Refer to Administrative Procedure S-12

PL: Parent/Guardian Letter:

A letter from the appropriate school administrator shall be sent to the parent or guardian of the suspended student. The letter shall document the reason(s) for suspension and the number of days the student has been suspended. Recommendations for suspension beyond ten (10) days shall be referred to the Superintendent for review.

SAC: Student Assistant Counselor (SAC): (Referral)

The Principal/staff member/student/parent may refer a student to a Student Assistance Counselor (SAC) for assistance and guidance to students with alcohol or substance abuse problems, but they also assist with student mental health including suicide prevention and bereavement counseling support. In addition, they provide counseling to students who are experiencing behavioral, personal or social difficulties and assist with referrals. The SAC person may coordinate a support meeting with other members of the school staff to include School Counselors, Child Study Team, Psychologists, Mental Health Professionals or an I&RS team.

SS: Saturday School:

The Saturday School Attendance Program is designed to discourage excessive daily absence, lateness or other similar infractions. The program is distinct from the traditional suspension programs in that it does not remove the student from the regular classroom setting. Students placed in the Saturday School Program for continued lateness and/or truancy are charged with a suspension; however, the student is not removed from daily classroom instruction. The program is designed to discourage students from violating Board of Education policies that could result in the student being transferred to an Alternative Educational Program. **(Refer to Procedure S-33 in the Appendix)**

ADMINISTRATIVE PROCEDURE
SUSPENSIONS AND EXPULSIONS

A. SUSPENSIONS

The building principal is the only school official who may suspend a student. The building principal may delegate to an assistant, who holds the appropriate certificate and endorsement, authority to implement and administer procedures that lead to suspension. The building principal, however, must assume full responsibility for ensuring that due process is afforded to a student in each case.

The term "suspension" shall include in-school suspensions, short-term suspensions and long-term suspensions. A short-term suspension is defined as an out-of-school suspension for a period not to exceed ten (10) consecutive school days and may be imposed by the building principal. A long-term suspension is defined as an out of school suspension in excess of ten (10) consecutive school days. Parents or guardians are to be informed immediately of all suspensions.

It is anticipated that, in the absence of specific, egregious violations, lesser penalties shall be imposed upon a student who violates school rules, District policies or the Student Code of Conduct. Principals shall conduct conferences with students, parents, teachers, and pupil services staff as part of their responsibility for attempting to resolve problems involved in student discipline.

Grades cannot be lowered as a disciplinary sanction or because of work missed while the student was suspended. The student must be given the opportunity to make up the work missed because of an out of school suspension. However, a student may be denied credit for a course where the student is excluded from class for disciplinary reasons, has cut classes, had excessive absences or otherwise does not meet the requirements for course credit.

Before any suspension is imposed, the building principal must determine whether the student is classified or *recently* has been, or should be, referred to the Child Study Team for evaluation. If the incident involves such a student, the procedures set forth in Section F1 of this document shall be followed.

The building principal or designee must document his/her investigation of the incident giving rise to the discipline, including the names of any witnesses, reports and/or copies of any statements made by any student/staff, any student admission(s), any involvement of law enforcement officers, and all steps taken during the investigation.

If the student is a general education student, the building principal shall provide the student with either oral or written notice of the charges as soon as practicable and immediately hold an informal hearing with the student, i.e., the student shall be given an explanation of the evidence of the violation and be given the opportunity to explain the situation. The building principal shall then determine, on the basis of the incident itself, or in conjunction with the student's past disciplinary history, whether an in-school, short-term or long-term suspension is warranted.

If the student's continued presence in school poses a continuing danger to District property, staff or students, or threatens to interrupt the educational process, the building principal may suspend the student immediately and have the student removed from District property. In such an event, the informal hearing shall be held as soon as practicable, but in no case more than *two* days after the initial suspension. All students being removed from District property shall be supervised while waiting for their parent or the proper authorities to arrive at school to remove the student.

If at any time during the course of a student's suspension, a parent requests, or District staff determines that an evaluation by the Child Study Team is warranted, the building principal shall notify the Director of Special Services, who shall arrange for the expedited evaluation of the student.

In the event a student is to be suspended for more than five (5) days, the building principal shall arrange to provide home or out-of-school instruction for that student consistent with the requirements of applicable New Jersey regulations. The student's absence shall be marked as excused and the student is responsible for making up all work missed during the time of suspension.

B. SHORT-TERM SUSPENSION

If, after the informal hearing, the building principal determines that a short-term suspension is appropriate, written notice shall be provided to the parent/guardian, or the student if s/he is over the age of eighteen (18), which shall state that the student has been suspended, the reason(s) for and terms of the suspension, the length of the suspension and the student's/parents' right to appeal the suspension in accordance with law. The letter shall provide notice that further engagement by the student in conduct warranting suspension or expulsion shall amount to a knowing and voluntary waiver of his/her right to a free public education.

The building principal shall immediately inform the Superintendent of any pupil suspension. The Superintendent shall report the suspension to the Board at its next regularly scheduled meeting.

C. LONG-TERM SUSPENSION

If, after the informal hearing, the building principal determines that a long-term suspension is warranted, written notice to the parent/guardian, or the student if over the age of eighteen (18), shall be provided within *two* days of the informal hearing, which shall state that the student has been suspended, the reason(s) for and terms of the suspension, the length of the initial suspension (which shall not exceed thirty (30) days) and notification of the student's right to a formal hearing before the Board of Education. The letter shall provide notice that further engagement by the student in conduct warranting suspension or expulsion shall amount to a knowing and voluntary waiver to his/her right to a free public education.

The building principal shall arrange to provide home or out-of-school instruction for the student consistent with the requirements of New Jersey regulations. The student's absence shall be marked as excused and the student is responsible for making up all work missed during the time of suspension.

The building principal shall immediately transmit a copy of the written notice(s), a copy of any incident reports), witness statements, and a copy of the student's file, including the disciplinary file, to the Superintendent with the building principal's recommendation relative to the length of the suspension. The Superintendent shall transmit these materials to the Board Solicitor and schedule the formal hearing to be held no later than thirty (30) days from the date of the initial suspension.

In no event shall a student suspension continue past the second regular meeting of the Board, after the date of suspension, unless it is continued by action of the Board.

If at any time, it is found that the student did not commit the violation/offense, the student shall be immediately returned to the general education program.

D. BOARD-LEVEL HEARING

The Board Solicitor shall cause the appropriate notice scheduling the formal hearing to be sent to the student and/or the student's parent/guardian. In addition to providing all necessary due process notifications, the notice may provide for the exercise of an option to waive the student's right to the hearing or to request a postponement of the hearing. The student's suspension may be continued beyond thirty days by agreement of the parent/guardian or adult pupil.

The formal hearing shall be held at the time and place specified in the notice unless otherwise agreed between the Board and the parent/adult pupil and/or the pupil's representative. The student has the right to be represented by counsel at the hearing. The Board shall determine whether any further suspension/action is warranted based upon the preponderance of the competent and credible evidence presented at the hearing.

The Board shall notify the parents in writing of its decision within five (5) days of the hearing. If the Board determines that no further action is warranted, the student shall be immediately returned to the general education program following the determination.

E. EXPULSION

A recommendation for the expulsion of a pupil will be made in strict compliance with the law and District Policy and only when all other means of discipline have been exhausted, or if the nature of a single act presents a clear danger to others such that immediate, definitive action is required.
The student and, if applicable, the parent/guardian shall be afforded all due process rights set forth in Sections C & D above.

The District must continue to provide an appropriate educational program and/or educational services that are comparable to those provided by the District for students in the same grade, until final action is taken by the Board, or in the event of an appeal of the Board's decision, the final decision of the Commissioner of Education.

F. SPECIAL CIRCUMSTANCES

Certain behaviors and actions warrant special disciplinary procedures.

1. Classified Students

Before making any formal recommendation for suspension of a student who has been classified or who has been referred to the Child Study Team for evaluation within the current academic year, the building principal must determine whether the student has been suspended for 10 consecutive or cumulative school days during the current school year. The building principal, in consultation with the CST case manager, shall determine whether a series of short-term suspensions constitutes a change of placement sufficient to meet the "10 day" period before any formal recommendation of suspension is made to the Superintendent. **See Administrative Procedure S-25A for the procedures which must be followed with respect to discipline of students with disabilities.**

2. Firearms/Weapons/Dangerous Instruments and Assault

If a student is found or observed to be in possession of a firearm, weapon, deadly weapon or dangerous instrument, or assaults any individual, the building principal shall immediately contact local law enforcement personnel and the Director of Security and follow Administrative Procedure S-15a.

3. Drug Possession

If a student is found to be in possession of an illegal drug, the building principal shall immediately contact the Director of Security and follow Administrative Procedure D-8: Substance Abuse and Administrative Procedure S-15b: Discipline: Alcohol and Drug Possession.

4. Homicidal/Suicidal Threats

If a student makes a homicidal or suicidal threat, the building principal shall immediately contact the Director of Security and follow Administrative Procedure S-15c.

Related Policies:
Policy 5610: Suspension
Policy 5620: Expulsion
Policy 5530: Substance Abuse
Policy 5611: Firearms, Weapons and Dangerous Instruments
Policy 2460: Special Education

Approved: 6/23/09

CHERRY HILL PUBLIC SCHOOLS
Cherry Hill, New Jersey

S-25G

ADMINISTRATIVE PROCEDURE
SPECIAL EDUCATION
DISCIPLINE FOR STUDENTS WITH DISABILITIES

These procedures relate to the Policies listed in Policy 5114: Suspension and Expulsion and Policy 2460: Special Education.

1. All children with disabilities are subject to the same discipline procedures as the general student population, unless otherwise exempted or modified within the child's Individualized Education Program (IEP), with the exception of preschool children, who are not to be suspended under any circumstances.

2. There is no applicability of an IEP modification or exemption in situations that involve the possession or use of a weapon, the possession or use of an illegal drug, or the inflicting serious bodily injury to others.

3. Children with disabilities may be suspended/removed from their educational placement for up to 10 days within a school year under the same rules that apply to all children, according to the district's code of conduct.

4. Whenever a school official suspends/removes a child with a disability under the discipline policy, he/she must notify the case manager and the parent in writing of the removal, provide a reason, and specify the number of days.

5. When a child with a disability has been removed for 10 days within a school year, the following shall apply:

    a. If the 10 days are non-consecutive, the school official in collaboration with the case manager will determine whether or not the pattern of removals constitute a change in placement, taking into consideration the length of each removal, the total amount of time for the removals, and the proximity of the removals to one another. If the determination is a NO, thus there has not been a change in placement; the child may be further disciplined under the same rules that apply to all children, according to the district's code of conduct. However, educational services must be provided to ensure IEP implementation.
        i. If that determination is a YES and therefore there has been a change in placement, the child may not be further suspended/removed, and the district must follow specific steps as outlined below starting with a meeting of the IEP team; or

b. If the 10 days are consecutive, in fact there is an "automatic" change in placement, thus the child may not be further suspended/removed, and the district must follow specific steps as outlined below, starting with a meeting of the IEP team.

c. At this juncture, upon the 10th day of removal, whether consecutive or non-consecutive, the administrator at the school level must immediately notify the parents in writing of his/her decision, and include a copy of the procedural safeguards statement.

6. For all discipline situations involving children with disabilities, in which there has been a change of placement due to the 10-day removal as outlined above, with the exception of situations as defined in #2. above, a meeting must be convened quickly to include the parent, the student as appropriate, and all other relevant members of the IEP team to review the student's file including the IEP, any observations by teachers, and consider information provided by the parents, in order to make a determination known as "manifestation determination" (MD) as defined below.

    a. Manifestation determination is a review of the relationship between the child's disability and the conduct/behavior subject to disciplinary action.

    b. The IEP team must answer two key questions:
        i. Whether the conduct was caused by, or had a direct and substantial relationship to the child's disability;

        ii. Whether the conduct was a direct result of the district's failure to implement the child's IEP.

    c. If the manifestation determination meeting results in a conclusion that the Child's conduct does not constitute a manifestation of his/her disability nor resulted from the district's failure to implement the IEP, the child may be further disciplined under the same rules that apply to all children, according to the district's code of conduct. However, educational services must be provided to ensure IEP implementation.
    d. If the manifestation determination meeting results in a conclusion that the Child's conduct <u>does</u> constitute a manifestation of his/her disability or that it resulted from the district's failure to implement the IEP, the district may not further suspend/remove the child, and must take further steps as follows:
        i. Review, the child's current Behavior Intervention Plan (BIP), if there is one, and modify it as necessary; if there is no plan in place, conduct a Functional Behavior Assessment (FBA);

        ii. Consider a change in the child's program to address the persistent behavior issues and modify the IEP accordingly;

        iii. Unless the parent and the IEP team agrees to change the child's placement, return the child to the placement which was in effect prior to the manifestation determination meeting.

7. For situations that involve a student's possession or use of a weapon, the possession or use of an illegal drug, or the inflicting of serious bodily injury to others, a school official may remove the student for 45 calendar days to an Interim Alternative Education Setting (IAES). This authority is held by the district regardless of whether or not the manifestation determination resulted in a conclusion that the student's conduct was caused by, or had a direct and substantial relationship to the child's disability.

    a. The IEP team will make the choice of placement for the 45-day removal, and will ensure that the placement chosen will enable the student to progress appropriately in a general curriculum, and provide sufficient services to enable the student to advance appropriately toward achieving his/her IEP goals.

8. All decisions made via the processes outlined above, including the decision resulting from a manifestation determination meeting, and the decision to remove a student to a 45-day interim alternative education setting may be appealed by parents, as outlined in the procedural safeguards statement provided to the parents when a child has been suspended/removed for a total of 10 days in a school year.

9. The district Board of Education may file an appeal in response to a parent's formal objection to its disciplinary action, when it has determined that keeping a student in the current placement rather than removing him/her to an interim alternative education setting is substantially likely to cause injury to himself/herself or others.

Approved: 6/23/09