

Atlantic City Public Schools



**Student
Discipline /
Code of Conduct
Handbook**

**Grades
9 through 12**

Approved September 2023



Atlantic City School District

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Student Discipline / Code of Conduct Handbook GRADES 9 - 12

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ATLANTIC CITY PUBLIC SCHOOLS



OFFICE OF THE SUPERINTENDENT

Phone: 609-343-7200

Dr. La'Quetta S. Small
Superintendent

September 1, 2023

Dear Atlantic City Public Schools Staff, Parents, Guardians and Students:

We look forward to working collaboratively to ensure our children reach their highest potential. It is the district's commitment to provide a safe, positive learning environment that will engage students and stimulate their thinking. Our schools will make every effort to provide all students with a sense of belonging while helping students develop intellectually, emotionally and socially.

In keeping with that goal, the Atlantic City School District has adopted clear policies and procedures to ensure students and staff can thrive in a safe and secure learning environment. We expect all schools to be places where students and staff can flourish and feel welcome. It is our priority to promote mutual respect for everyone.

Our discipline code ensures that appropriate actions and consequences are defined. I encourage all students, parents and guardians to familiarize yourselves with the responsibilities and expectations of our school district. By working together, we can continue to keep schools among the safest places to learn and grow.

Thank you for your continued support!



Dr. La'Quetta S. Small
Superintendent of Schools



Atlantic City Public Schools

Mission and Vision Statements

Mission:

Atlantic City Public Schools and members of the community believe in the development of the whole child. Together we are committed to providing a nurturing, safe and stimulating environment for all students to continuously learn and grow.



Vision:

All students will be actively engaged and supported as they learn and grow on the journey to become independent, lifelong learners equipped for the 21st Century.



Collective Commitments:

- **We will provide a challenging and developmentally appropriate curriculum which addresses individual student needs, focuses on academic growth and is based on current research and best practices.**
- **We will align our assessments to targeted goals that are monitored through data analysis of student growth, interventions and enrichment.**
- **We will provide a supportive, collaborative environment that celebrates and nurtures student success.**
- **We will work collaboratively to ensure that rigorous standards-based instruction, intervention and enrichment is available to all students.**
- **We will commit to involving and communicating with all stake holders in fostering a partnership to share resources and provide services.**



ATLANTIC CITY PUBLIC SCHOOLS - STUDENT CODE OF CONDUCT

Conduct and Discipline (Overview)

The Atlantic City 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 Atlantic City 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 Atlantic City 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 Board of Education 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 Board of Education. 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, New Jersey Statutes and Board policies and regulations. Staff shall comply with the New Jersey Administrative Code, New Jersey Statutes and Board policies and regulations when dealing with discipline and/or suspension of classified students.
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 Coordinator of Public Safety. Student/Staff confidentiality shall be protected in accordance with federal and state law.

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Responsibilities – Students, Parents/Guardians and District Staff Members

Students are expected to:

- Know and exercise positive modes of behavior and good manners.
- Accept the responsibility for their 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.

Parents/Guardians are 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.

District Staff Members are 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.

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Student 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 (M)]
- 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 (M)]
- 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 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 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 (M)]
- 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.

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Student Rights

Students subject to the consequences of the Student Discipline/Code of Conduct Policy and Regulation shall be informed of their rights, pursuant to N.J.A.C. 6A:16-7.1(c)3.i. through vii., that include:

1. Advance notice of behaviors that will result in suspension or expulsion. These behaviors are listed under the Discipline Categories section of this Code.
2. Education that supports students' development into productive citizens.
3. Attendance in safe and secure school environments.
4. 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.
5. 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.
6. 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 students classified as eligible for special education.
7. 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.

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Comprehensive Behavioral Support

The Atlantic City 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. These behavioral supports may include, but are not limited to, the following:

1. Positive Reinforcement for Good Conduct and Academic Success

A student will be provided positive reinforcement for good conduct and academic success which may include, but are not limited to:

- a. Honor Roll recognition
- b. Perfect Attendance recognition
- c. Showcase high academic achievement

2. Supportive Interventions and Referral Services

A student may be referred to the school's Intervention and Referral Services Team in accordance with the provisions of N.J.A.C. 6A:16-8.1 and 8.2 and Policy and Regulation 2417.

3. Remediation of Problem Behavior

The following actions may be taken to remediate problem behavior. These actions will take into account the behavior's nature, the students' developmental ages, and the students' histories of problem behaviors and performance.

a. Restitution and Restoration

- (1) A student may be required to make restitution for any loss resulting from the student's conduct; or
- (2) A student may be required, at the discretion of the school district and when appropriate, to restore to its former condition any damaged or defaced property resulting from the student's conduct.

b. Counseling

- (1) A student may be required to consult with school guidance counselors or Child Study Team members, or other appropriate staff members.
- (2) The counselor will explain why the student's conduct is unacceptable to the school and damaging to the student, what the

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consequences of continued misconduct are likely to be, and appropriate alternative behaviors.

- (3) The counselor may refer the student, as appropriate, for additional counseling, evaluation, intervention, treatment, or therapy. Referrals may be made to the Child Study Team, the school's Intervention and Referral Services Team, a public or private social agency, a legal agency, or any other referral service that may assist the student.

c. Parent Conferences

- (1) Students may be required to attend a meeting with their parent and appropriate school staff members to discuss the causes of the student's behavior, possible remediation, potential disciplinary measures, and alternative conduct.

d. Alternate Educational Program

- (1) Students may be assigned to an alternate educational program as recommended by the student's guidance counselor, classroom teacher, Child Study Team, and/or other school staff member.

4. Students with Disabilities

For students with disabilities, the remedial measures and behavioral interventions and supports shall be determined and provided pursuant to N.J.A.C. 6A:14.

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Administrative Procedure: Special Education - Discipline for Students with Disabilities

These procedures relate to the Policies and Regulations listed in Policy 5610: Suspension (M), Regulation 5600: Student Discipline / Code of Conduct (M) and Policy 2460: Special Education (M).

1. All students 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. Students 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 students, according to the district's code of conduct.
4. Whenever a school official suspends/removes a student 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. For all discipline situations involving students with disabilities, in which there has been a 10-day removal, 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 student'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 student's IEP.
 - c. If the manifestation determination meeting results in a conclusion that the Student's conduct does not constitute a manifestation of his/her disability nor resulted from the district's failure to implement the IEP, the student may be further disciplined under the same rules that apply to all students, 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 student's conduct does 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 student, and must take further steps as follows:

- i. Review, the student'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 student's program to address the persistent behavior issues and modify the IEP accordingly;
 - iii. Unless the parent and the IEP team agree to change the student's placement, return the student to the placement which was in effect prior to the manifestation determination meeting.
6. 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.
7. 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.
8. 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.

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Behaviors That May Result in Suspension or Expulsion

In accordance with the provisions of N.J.S.A. 18A:37-2, any student who is guilty of continued and willful disobedience, open defiance of the authority of any teacher or person having authority over the student, 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.

Conduct which shall constitute good cause for suspension or expulsion of a student guilty of such conduct shall include, but not be limited to, any of the following:

1. Continued and willful disobedience;
2. Open defiance of the authority of any teacher or person, having authority over the student;
3. Conduct of such character as to constitute a continuing danger to the physical well-being of other students;
4. Physical assault upon another student;
5. Taking, or attempting to take, personal property or money from another student, or from the student's presence, by means of force or fear;
6. Willfully causing, or attempting to cause, substantial damage to school property;
7. Participation in an unauthorized occupancy by any group of students or others of any part of any school or other building owned by any school district, and failure to leave such school or other facility promptly after having been directed to do so by the Principal or other person then in charge of such building or facility;
8. Incitement which is intended to and does result in unauthorized occupation by any group of students or others of any part of a school or other facility owned by any school district;
9. Incitement which is intended to and does result in truancy by other students;
10. Knowing possession or knowing consumption without legal authority of alcoholic beverages or controlled dangerous substances on school premises, or being under the influence of intoxicating liquor or controlled dangerous substances while on school premises; and

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11. Harassment, intimidation, or bullying.

Students shall also be suspended from school for assault upon a school staff member in accordance with the provisions of N.J.S.A. 18A:37-2.1 and 2.2.

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School Responses to Violations of Behavioral Expectations: Description of School Responses

School responses to violations of behavioral expectations are listed below:

1. Admonishment / Reprimand

- a. A school staff member in authority may admonish or reprimand a student's unacceptable conduct and warn the student that additional misconduct may warrant a more severe penalty.

2. Temporary Removal from Classroom

- a. The classroom teacher may direct the student report to the office of the administrator in charge of student discipline.
- b. 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.
- c. The administrator in charge of discipline will interview the student and determine which, if any, additional consequences shall be imposed.

3. Meeting with School Administration and Parent (Parent Conference)

- a. The student's parent may be required to attend a meeting with the Principal or designee and the student to discuss the student's conduct and to ensure the parent and the student understand school rules and expectations.

4. Deprivation of Privileges

- a. Students may be deprived privileges as disciplinary sanctions when designed to maintain the order and integrity of the school environment. These privileges may include, but are not limited to:
 - (1) Moving freely about the school building;
 - (2) Participation in co-curricular or inter/intra-scholastic activities;
 - (3) Attendance at a school-related social or sports activity;
 - (4) Participation in a graduation ceremony;
 - (5) Transportation to and from school on a school bus; or

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- (6) Any other privilege the Building Principal or designee determines may be appropriate and consistent with Policy and Regulation 5600 and N.J.A.C. 6A:16-7.1 et seq.

5. Detention

- a. A student may be required to report before or after the school day to detention. This detention may be assigned by the teacher or the Principal or designee.
- b. Transportation to detention before school or from detention after school will be the responsibility of the parent.
- c. A student may be excused from detention only for an unavoidable commitment previously made; any such excused detention must be made up on another day.

6. Grade Adjustment

- a. 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.

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School Responses to Violations of Behavioral Expectations: Administrative Procedure - Suspensions, Hearings, Expulsions and Special Circumstances

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 the District’s related policies and regulations and New Jersey statute 18A: and Administrative Code 6A: 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.

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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 Student Services and Special Education, 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. In-School Suspension (ISS)

In-School Suspension (ISS) is used for very serious infractions of school policies and procedures which do not require immediate removal from school. A student who is "suspended" from his/her regular schedule will be assigned to a self-contained classroom monitored by a certified staff member. Students given ISS will not receive a zero (0) in each class missed nor will they be prevented from completing tests or other work missed. All make-up work, however, is the responsibility of the suspended student. Students will be provided work by their classroom teacher to complete during the suspension period.

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C. Out-of-School Suspension (OSS) / Short-Term Suspension (N.J.A.C. 6A:16-7.2)

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 he/she 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 Schools of any student suspension. The Superintendent of Schools shall report the suspension to the Board at its next regularly scheduled meeting.

D. Out-of-School Suspension (OSS) / Long-Term Suspension (N.J.A.C. 6A:16-7.3)

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 immediately after 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.

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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.

E. Board-Level Hearings (N.J.S.A. 18A:37-2.4), Policy 5610 – Suspension (M)

The Board of Education 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 student. The Board shall request from the parent(s)/guardian(s) and student written acknowledgement of the notification provided.

For a student with a disability, there shall be a manifestation determination pursuant to N.J.S.A. 18A:37-2 and N.J.A.C. 6A:16-7.4.

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.

- a. Informal Hearing - Prior to a suspension, an informal hearing during which the student is given the opportunity to present his or her version of events leading to the short-term or long-term suspension, and is provided notice of the school district's action taken pursuant to N.J.A.C. 6a:16-7.1(c) 2 and 5.
 - (1) The informal hearing shall be conducted by a school administrator or his or her designee;
 - (2) The informal hearing shall take place even when a school staff member has witnessed conduct forming the basis of the charge;

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- (3) The informal hearing and the notice given may take place at the same time.
- b. Formal Hearing - A formal hearing before the district Board of Education that shall at a minimum:
 - (1) Be conducted by the district Board of Education or delegated by the board to a board committee, a school administrator, or an impartial hearing officer for the purpose of determining facts or making recommendations.
 - (2) Before taking final action, the district Board of Education as a whole shall receive and consider either a transcript or detailed report on the hearing;
 - (a) Include the opportunity for the student to:
 - Confront and cross-examine witnesses if there is a question of fact; and
 - Present his or her own defense, and produce oral testimony or written supporting affidavits;
 - (b) Take place no later than 30 calendar days following the day the student is suspended from the general education program; and
 - (c) Result in the district Board of Education's decision that shall be based, at a minimum, on the preponderance of competent and credible evidence.

F. **Expulsion**

A recommendation for the expulsion of a student will be made in strict compliance with the law and District Policy and Regulation 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 D & E 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,

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or in the event of an appeal of the Board's decision, the final decision of the Commissioner of Education.

G. 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 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 Coordinator of Public Safety and follow Administrative Procedure.

3. Drug Possession

If a student is found to be in possession of an illegal drug, the building principal shall immediately contact the Coordinator of Public Safety and follow Administrative Procedure: Substance Abuse and Administrative Procedure: 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 Superintendent of Schools and the Coordinator of Public Safety and follow Administrative Procedure.

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H. Suspension Exception - Pre-Kindergarten through Grade 2

A student in Kindergarten through Grade 2 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.

Related Policies and Regulations:

Policy and Regulation 2460: Special Education (M)

Policy and Regulation 5530: Substance Abuse (M)

Policy 5610: Suspension (M)

Regulation 5610: Suspension Procedures (M)

Policy and Regulation 5611: Removal of Students for Firearms Offenses (M)

Policy 5620: Expulsion (M)

Regulation 5620: Expulsion Procedures

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School Responses to Violations of Behavioral Expectations: School Bus Conduct

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

1. 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.
2. 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.
3. The parent will be notified of the student's reported conduct.
4. 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.
5. If it is determined the misconduct is severe, the student may be suspended from the bus pending a conference with the parent.

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Dr. La'Quetta S. Small, Superintendent of Schools
Dr. LaKecia Hyman, Assistant Superintendent of Schools
Atiba Rose, Assistant Superintendent of Curriculum & Instruction
Diane M. Saunders, Director of Human Resources

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*Code of
Conduct*

Approved September 2023



ATLANTIC CITY PUBLIC SCHOOLS We All Learn Together!

Discipline Categories

ATLANTIC CITY PUBLIC SCHOOL'S CHART OF STUDENT DISCIPLINE / CODE OF CONDUCT

Below is the Atlantic City Public School's Chart of Student Discipline listing the District's responses to violations of behavioral expectations. Discipline guidelines are classified in two separate categories: **Infractions and Unlawful Acts**. These behavioral expectations and school responses include, but are not limited to:

All Board of Education policies can be found on the district website (www.acboe.org).

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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.

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 students classified as eligible for special education.

OFFENSE	FIRST OFFENSE ACTION	SECOND OFFENSE ACTION	THIRD AND SUBSEQUENT ACTION
Cheating/ Plagiarism/Forgery	☐ Parent/Guardian notification ☐ Fail assignment ☐ Administrative detention	☐ Parent/Guardian notification ☐ Fail assignment ☐ Minimum 1 day OSS	☐ Parent/Guardian notification ☐ Fail assignment ☐ 1-3 days OSS
Improper dress/Failure to comply with dress code	☐ Parent/Guardian notification ☐ Sent to ISS ☐ Given an opportunity to change and return to class ☐ Warning ☐ Administrative detention	☐ Parent/Guardian notification ☐ Sent to ISS ☐ Administrative detention	☐ Parent/Guardian conference ☐ Sent to ISS ☐ Minimum 1 day OSS



Open defiance (willful disobedience or refusal to comply with a reasonable request of a school staff member)	☐ Parent/Guardian notification ☐ Detention ☐ ISS ☐ Up to 2 days OSS ☐ Referral to Teen Center ☐ Referral to SEL	☐ Parent/Guardian notification ☐ Up to 3 days OSS	☐ Up to 5 days OSS ☐ Informal/Formal Hearing ☐ Probable expulsion procedure
Disruptive behavior	☐ Parent/Guardian notification ☐ Warning ☐ Detention ☐ Referral to Teen Center ☐ Referral to SEL	☐ Parent/Guardian notification ☐ Administrative mediation ☐ Detention ☐ Possible ISS/OSS	☐ Parent/Guardian notification ☐ 1-3 days OSS
Refusal to comply with bus safety procedures/ Disruptive behavior on bus	☐ Loss of bus privileges for up to remainder of the year ☐ Up to 5 days OSS	☐ Up to 10 days OSS ☐ Loss of bus privileges for up to the remainder of the year	☐ Same as 2nd offense
Disorderly behavior in cafeteria	☐ Parent/Guardian notification ☐ 1-3 days OSS	☐ Parent/Guardian notification ☐ 3-5 days OSS	☐ Parent/Guardian notification ☐ 5-10 days OSS
Failure to return school equipment, athletic uniforms or supplies, textbooks, Library/Media books, etc.	☐ Parent/Guardian notification ☐ Student placed on the obligation list ☐ Exclusion from school until equipment is returned	☐ Parent/Guardian notification ☐ Informal/Formal Hearing ☐ Restitution ☐ Student placed on obligation list	☐ Parent/Guardian notification ☐ Informal/Formal Hearing ☐ OSS
Excessive lateness to school	☐ 3 unexcused latenesses to school will be equal to 1 day, unexcused absence	☐ Same as 1st offense	☐ Same as 1st offense
Excessive absences from school	☐ Letter (3, 5 days) ☐ Parent/Guardian conference (5 days)	☐ Letter (5 days)	☐ Loss of credit (11 days)
Tardiness to class (unexcused)	☐ Parent/Guardian notification ☐ Teacher to assign detention ☐ Hall Sweep (1 day ISS)	☐ Parent/Guardian notification ☐ Administrative detention ☐ Hall Sweep (2 days ISS and return with Parent/Guardian for conference)	☐ Parent/Guardian notification ☐ Minimum 1 day ISS ☐ Hall Sweep (1 day OSS and return with Parent/Guardian for conference)
Tardiness to cafeteria (unexcused)	☐ Administrative detention	☐ Same as 1st offense	☐ Same as 1st offense
Truancy	☐ Parent/Guardian notification ☐ 1 day ISS	☐ Parent/Guardian notification ☐ 3 days ISS	☐ Parent/Guardian notification ☐ Minimum 5 days OSS
Failure to have/carry /present current School ID	☐ Purchase Temporary ID ☐ Administrative warning	☐ Purchase Temporary ID ☐ Parent/Guardian notification ☐ Administrative detention	☐ Purchase Temporary ID ☐ Parent/Guardian notification ☐ 1 day ISS



Failure to report to fire drill and/or return to class	☐ Parent/Guardian notification ☐ Fail assignment ☐ Teacher detention	☐ Parent/Guardian notification ☐ Fail assignment ☐ 1 day ISS	☐ Parent/Guardian notification ☐ 3 days OSS
Habitual use of profanity and/or inappropriate language (i.e.-obscene, offensive, degrading or insulting against staff members or other individuals)	☐ Parent/Guardian notification ☐ Administrative detention ☐ 1 day ISS/OSS	☐ Parent/Guardian notification ☐ 1 day ISS/OSS ☐ Parent/Guardian conference	☐ Parent/Guardian notification ☐ Up to 3 days OSS ☐ Parent/Guardian conference
Unauthorized possession or use of a cellular phone or other unauthorized electronic devices (i.e.-recording of staff/students)	☐ Parent/Guardian notification ☐ Confiscation of device ☐ Forfeiture ☐ Notice to proper authorities	☐ Same as 1st offense ☐ Administrative detention	☐ Same as 1st offense ☐ OSS
Tampering with computer(s), devices or violation of Acceptable Use Policy	☐ Parent/Guardian notification ☐ Loss of privileges ☐ Notice to appropriate authorities ☐ Mandatory OSS and/or expulsion procedures	☐ Same as 1st Offense	☐ Same as 1st Offense
Use of tobacco products by students 17 years of age and under (i.e.-smoking, vaping, chewing) (Policy 5533)	☐ Parent/Guardian notification ☐ 2 days ISS ☐ Counseling ☐ Possible exclusion from school social activities and functions	☐ Parent/Guardian notification ☐ 3 days ISS ☐ Counseling ☐ Possible exclusion from school social activities and functions	☐ Parent/Guardian notification ☐ 5 days OSS ☐ Counseling
Student trespassing (from other school(s), in school or on school grounds) while on OSS or pending Parent/Guardian conference	☐ Parent/Guardian notification ☐ Mandatory OSS ☐ Charged with criminal trespassing ☐ Notice to Police Liaison	☐ Same as 1st offense	☐ Same as 1st offense
Use of racial/ethnic or any other derogatory slur	☐ Parent/Guardian notification ☐ Possible Parent/Guardian conference ☐ OSS ☐ Referral to Teen Center for sensitivity awareness	☐ Parent/Guardian notification ☐ Parent/Guardian conference ☐ OSS ☐ Referral to Teen Center for sensitivity awareness	☐ Parent/Guardian notification ☐ Parent/Guardian conference ☐ Informal/Formal Hearing ☐ OSS ☐ Referral to Teen Center for sensitivity awareness
Cutting class, homeroom, study hall, lunch	☐ Parent/Guardian notification ☐ Fail assignment ☐ Teacher detention ☐ Administrative detention	☐ Parent/Guardian notification ☐ Fail assignment ☐ Minimum 1 day ISS ☐ Referral to SEL ☐ Referral to Teen Center	☐ Parent/Guardian notification ☐ Fail assignment ☐ Minimum 3-5 days ISS ☐ Possible 1-3 days OSS ☐ Possible referral to the court system



Failure to report to Teacher's detention	☐ Parent/Guardian notification ☐ Teacher reassigns detention	☐ Possible Parent/Guardian conference ☐ Administrative detention	☐ Parent/Guardian notification ☐ Minimum 1-3 days OSS
Failure to report to Administrative detention	☐ Parent/Guardian notification ☐ 1 day OSS	☐ Parent/Guardian notification ☐ 2 days OSS	☐ Parent/Guardian notification ☐ Minimum 3 days OSS
Failure to report to ISS	☐ Parent/Guardian notification ☐ 1 day ISS added to original action	☐ Parent/Guardian notification ☐ 3 days ISS added to original action	☐ Parent/Guardian notification ☐ Up to 10 days OSS
Leaving class without permission	☐ Parent/Guardian notification ☐ Fail assignment ☐ Minimum 1 day ISS ☐ Referral to SEL ☐ Referral to Teen Center	☐ Parent/Guardian notification ☐ Fail assignment ☐ Minimum 3-5 days ISS ☐ Referral to SEL ☐ Referral to Teen Center	☐ Parent/Guardian notification ☐ Informal/Formal Hearing ☐ Fail assignment ☐ OSS
Leaving school grounds without permission	☐ Parent/Guardian notification ☐ Minimum 3-5 days ISS/OSS	☐ Parent/Guardian notification ☐ Minimum 3-5 days ISS/OSS	☐ Parent/Guardian notification ☐ Informal/Formal Hearing ☐ OSS
Fighting between students (verbal/physical)	☐ Parent/Guardian notification ☐ Up to 10 days OSS ☐ Mandatory expulsion procedure ☐ Mandatory mediation process ☐ Referral to Teen Center ☐ Referral to SEL	☐ Parent/Guardian notification ☐ 10 days OSS ☐ Mandatory expulsion procedure ☐ Mandatory mediation process ☐ Referral to Teen Center ☐ Referral to SEL	☐ Parent/Guardian notification ☐ Informal/Formal Hearing ☐ Probable expulsion procedure
Driving to school without privileges	☐ Parent/Guardian notification ☐ 3 days ISS ☐ Car towed	☐ Parent/Guardian notification ☐ 5-10 days OSS ☐ Car towed	☐ Parent/Guardian notification ☐ 10 days OSS ☐ Car towed
Tampering with security device	☐ Parent/Guardian notification ☐ Detention ☐ Up to 3 days OSS	☐ Parent/Guardian notification ☐ OSS	☐ Parent/Guardian notification ☐ Informal/Formal Hearing ☐ Probable expulsion procedures
Failure to report to mandatory counseling	☐ Parent/Guardian notification ☐ Up to 5 days ISS	☐ Parent/Guardian notification ☐ Up to 10 days OSS	☐ Parent/Guardian notification ☐ Informal/Formal Hearing ☐ Probable expulsion procedures
Inappropriate behavior at a school function	☐ Parent/Guardian notification ☐ Possible suspension from all school events ☐ ISS ☐ OSS ☐ Legal action	☐ Same as 1st offense	☐ Informal/Formal Hearing ☐ Suspension from all social events for the rest of the year ☐ Notification to local police department ☐ Probable expulsion procedures
Student bringing undue notoriety or embarrassment to ACHS	☐ Parent/Guardian notification ☐ 3-5 days OSS ☐ Possible exclusion from extracurricular activities and social events	☐ Parent/Guardian notification ☐ Informal/Formal Hearing ☐ Possible expulsion procedures	☐ Same as 2nd offense



Attending school while on OSS	☐ Parent/Guardian notification ☐ Charged with criminal trespassing ☐ 1 day added to original action	☐ Parent/Guardian notification ☐ Charged with criminal trespassing ☐ Up to 3 days added to original action	☐ Parent/Guardian notification ☐ Charged with criminal trespassing ☐ Up to 5 days added to original action
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Grades 9 through 12

UNLAWFUL ACTS

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

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 students classified as eligible for special education.

OFFENSE	FIRST OFFENSE ACTION	SECOND OFFENSE ACTION	THIRD AND SUBSEQUENT ACTION
Defacing school property/vandalism/ Destruction of staff or student property/ Computer tampering (includes destroying bulletin boards, school books/materials or items on school walls)	☐ Parent/Guardian notification ☐ Detention ☐ OSS ☐ Contact Superintendent's office	☐ Parent/Guardian notification ☐ Restitution ☐ 5-10 days OSS ☐ Contact Superintendent's office	☐ Parent/Guardian notification ☐ Probable mandatory expulsion procedure ☐ Contact Superintendent's office
Possession of controlled dangerous substances (i.e.-selling, intent to sell, transfer or distribute drugs, alcohol, steroids, etc.)	☐ Parent/Guardian notification ☐ Drug testing ☐ OSS ☐ Probable expulsion procedures ☐ Legal action ☐ Mandatory drug counseling (SAC) ☐ Confiscation of item ☐ Contact Superintendent's office	☐ Same as 1st offense	☐ Same as 1st offense
Use of alcohol and/or controlled dangerous substances and/or vaping devices (i.e.-drugs, alcohol, steroids, etc.)	☐ Parent/Guardian notification ☐ Drug testing ☐ OSS ☐ Mandatory drug counseling (SAC)	☐ Same as 1st offense	☐ Same as 1st offense



(continued)	☐ Mandatory expulsion procedures ☐ Legal action ☐ Contact Superintendent's office		
Using, threatening or inciting the use of physical force against adults (i.e.-staff members, Board members, visitors, etc.)	☐ Parent/Guardian notification ☐ Informal/Formal Hearing ☐ Up to 10 days OSS ☐ Mandatory expulsion procedure ☐ Legal action notification to police liaison ☐ Contact Superintendent's office	☐ Same as 1st offense	☐ Same as 1st offense
Possession of a firearm/Assault with a weapon (Zero Tolerance)	☐ Immediate Parent/Guardian notification ☐ Informal and/or Formal Hearing ☐ Immediate removal of student by school Safety Officer ☐ Confiscate weapon (NEVER DISARM A PUPIL) ☐ Place weapon in the required lock box ☐ Contact Coordinator of Public Safety ☐ Contact the Atlantic City Police Department for notification and forfeiture ☐ Turn all confiscated firearms over to the police upon their arrival ☐ Administrative conference with the Parent/Guardian and student ☐ OSS ☐ Alternative placement and/or expulsion ☐ Begin expulsion ☐ Contact Superintendent's office Any student possessing a weapon or firearm must be immediately removed from the school's regular education program and placed in an alternative education school or program, pending a hearing before the district Board of Education Any student who assaults a student, teacher, administrator, Board member, or other school district employee with a weapon other than a firearm on school property, on a school bus, or at a school-sponsored function, must be immediately removed from the school's regular education program and placed in an alternative education school or program, pending a hearing before the district Board of Education.		
Possession of a dangerous weapon (razors, mace, taser, knife, gun, or other offensive or harmful devices) (Zero Tolerance)	☐ Immediate Parent/Guardian notification ☐ Informal and/or Formal Hearing ☐ Immediate removal of student by school Safety Officers ☐ Confiscate weapon ☐ Place weapon in the required lock box ☐ Contact Atlantic City Police Department for notification and forfeiture ☐ Contact Coordinator of Public Safety ☐ OSS/Home Instruction ☐ Alternate placement and/or expulsion ☐ Contact Superintendent's office		
Terroristic and/or verbal threats or open defiance of authority towards Teachers, staff and/or others	☐ Parent/Guardian notification ☐ Mandatory OSS ☐ Referral to anger management ☐ Mandatory expulsion procedure ☐ Legal action	☐ Same as 1st offense	☐ Same as 1st offense



(continued)	☐ Contact Superintendent's office		
Gambling	☐ Parent/Guardian notification ☐ Detention ☐ OSS ☐ Refer to mandatory counseling ☐ Contact Superintendent's office	☐ Same as 1st offense	☐ Same as 1st offense
Theft	☐ Parent/Guardian notification ☐ OSS ☐ Restitution ☐ Legal action ☐ Mandatory expulsion procedures ☐ Contact Superintendent's office	☐ Same as 1st offense	☐ Same as 1st offense
Harassment/ Intimidation/ Bullying	☐ Parent/Guardian notification ☐ Parent/Guardian conference ☐ HIB Investigation ☐ Up to 10 days OSS ☐ Referral to Teen Center for sensitivity awareness ☐ Legal action ☐ Probable expulsion procedure ☐ Contact Superintendent's office	☐ Same as 1st offense	☐ Same as 1st offense

Student Discipline Disclaimer: Nothing in this Student Discipline/Code of Conduct will prevent the school administration from imposing a consequence for unacceptable student conduct not listed or included in this Student Code of Conduct