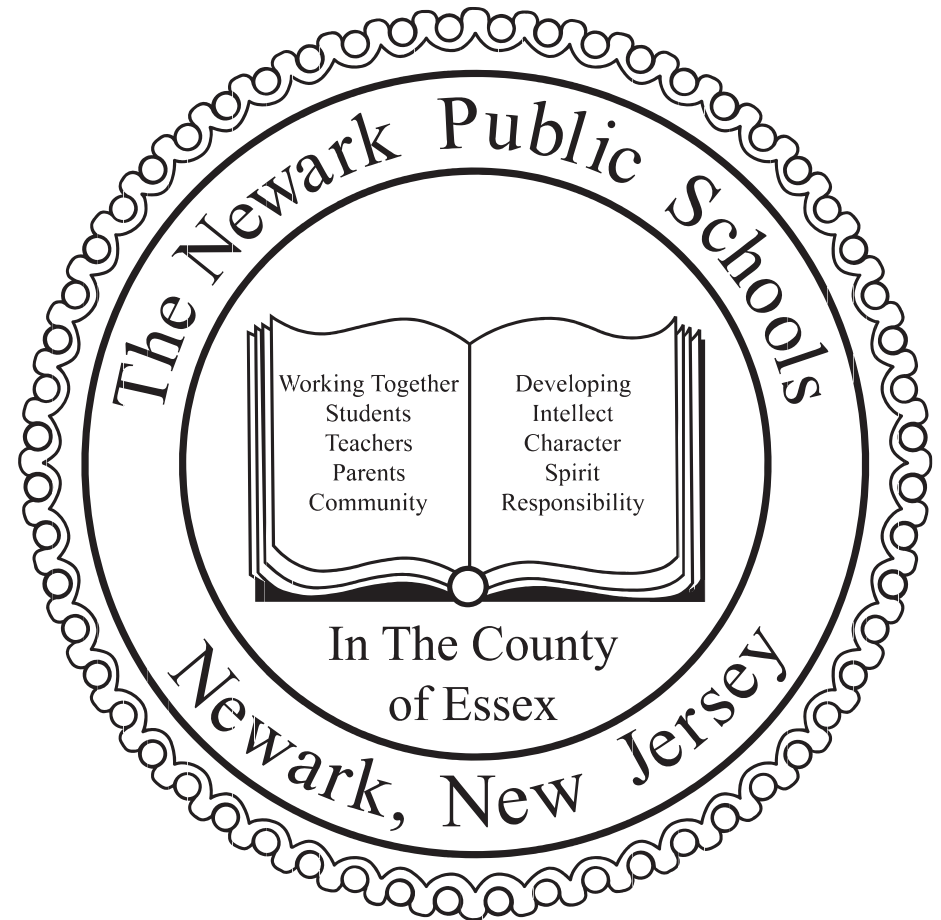
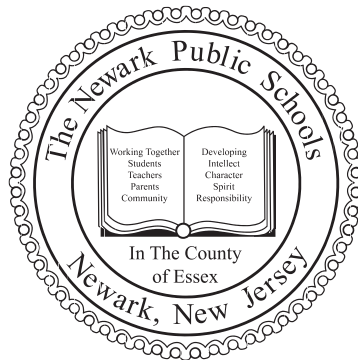


STUDENT DISCIPLINE POLICY
STUDENT/PARENT GUIDE



The Newark Public Schools
2 Cedar Street, Newark, NJ 07102

Dr. Clifford B. Janey, Superintendent

www.nps.k12.nj.us

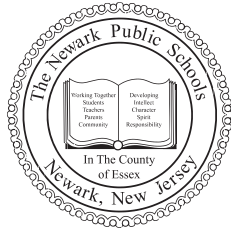
Changing Hearts and Minds to Value Education

AS 11/09

This brochure is made available to parents, grandparents, foster parents and guardians of children attending The Newark Public Schools. It is designed to explain the process through which school-related problems and concerns are to be addressed.

KEY ISSUES

- Procedures for dealing with disciplinary issues/incidents that occur in school
- Levels of Misconduct
- Zero Tolerance Policy
- Memorandum of Understanding



Dr. Clifford B. Janey
Superintendent

ADVISORY BOARD MEMBERS

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- Ms. Shanique L. Davis-Speight, Vice Chairperson
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- Mr. Marques-Aquil Lewis
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- Ms. Nakia J. White
- Mr. Mateus Baptista, Student Representative

The Newark Public Schools

Dr. Clifford B. Janey
 Superintendent
 Central Office
 2 Cedar Street

Adult Education	733-7213
Alternative Education	733-8383
Pathways	351-2026
S.O.S.	733-6446
Attendance (Working Papers)	733-7292
Bilingual Education	733-8319
Newcomer Student Center	424-4314
Communications Department	733-7360
Early Childhood Education	733-6234/7248
Extended School Day Programs	412-1910
Gifted & Talented	733-7308
Guidance	733-6728/6729
Health Services	733-7150
Human Resource Services	733-7250/6950
Office of the Ombudsman	733-7015
Pupil Transportation	733-7290
Safe & Drug Free Schools	705-3661
Security Services	733-7236/8307
Special Education	733-7313/7314
Student Center	412-1910
Student Services	733-6729
Superintendent	733-7333
Title I	733-7116
Truancy Task Force	733-6753

Notes:

East & Central Region

Ms. Joanne Bergamotto
Regional Superintendent

Phone: 973-733-8616 Fax: 973-733-8881

American History High	733-6903
Ann Street	465-4890
Ann St. Early Childhood	522-4078
Arts High	733-7391
Burnet Street	733-7138
Central High	733-6897
Cleveland	733-6944
East Side High	465-4900
Eighteenth Avenue	733-6824
Hawkins Street	465-4920
Lafayette Street/Annex	465-4860
Newark Vocational	733-7018
Newton Street	733-6848
Oliver Street	465-4870
Quitman Street	733-6947
Samuel L. Berliner	733-6641
South Street	465-4880
Sussex Avenue	268-5200
Wilson Avenue	465-4910
Wilson Ave. Early Childhood	465-4227

South Region

Dr. Dale Talbert

Regional Superintendent

Phone: 973-733-8613 Fax: 973-733-8382

Avon Avenue	733-6750
Belmont-Runyon	733-6920
Bragaw Avenue	705-3970
Bruce Street	705-3951
Chancellor Avenue	705-3870
Chancellor Avenue Annex	705-3860
Clinton Avenue Early Childhood	733-6970
Dayton Street	733-7004
George Washington Carver	705-3800
Hawthorne Avenue	705-3960
John F. Kennedy	733-6788
Louise A. Spencer	733-6931
Madison	374-2890
Malcolm X Shabazz High	733-6760
Maple Avenue/Annex	705-3850
Miller Street	733-6815
Peshine Avenue	705-3890
Renaissance Academy	733-8383
Technology High	481-5962
Weequahic High	705-3900

North Region

Mr. Robert Negron

Interim Regional Superintendent

Phone: 973-497-5776 Fax: 973-497-5761

Abington Avenue	268-5230
Barringer High	268-5125
Barringer 9th Grade Academy	268-5100
Branch Brook	268-5220
Broadway	268-5340
Dr. E. Alma Flagg	268-5190
Dr. William H. Horton	268-5260
Elliott Street @ Good Counsel	268-5360
Elliott Street @ St. Anthony's	450-9333
Elliott Street Annex	412-1241
First Avenue	268-5240
Franklin	268-5250
Luis Munoz Marin Middle	268-5330
McKinley	268-5270
Park Elementary	268-5999
Rafael Hernandez	481-5004
Ridge Street	268-5210
Ridge Early Childhood	268-5370
Roberto Clemente	268-5290
Roseville Avenue	268-5312
Science Park High	733-8689

West Region

Dr. Ronald Taylor

Regional Superintendent

Phone: 973-733-8722 Fax: 973-733-8567

Academy of Vocational Careers	733-6911
Alexander Street	374-2390
Boylan Street	374-2490
Camden Street	733-6994
Camden Middle	733-8350
Dr. Martin L. King, Jr.	733-7368
Fifteenth Avenue	733-6924
Fourteenth Avenue	733-6940
Harriet Tubman	733-6934
Ivy Hill	351-2121
Lincoln	374-2290
Mount Vernon	374-2090
New Jersey Regional Day	705-3820
Newark Evening High	733-7256
South 17th Street	374-2570
Speedway Avenue	374-2740
Thirteenth Avenue	733-7045
University High	351-2010
West Side High	733-6977
West Side Business & Finance	733-7260

Dear Students and Parents:

We are committed to a Discipline Policy and Plan that creates a safe and orderly school environment to enable students to achieve their fullest potential. After listening to concerns raised by parents and community leaders at several community meetings, it was decided to revisit the Discipline Policy and Plan, which had not been re-examined since 2005. The old plan had some irregularities and ambiguities which led to unfair and inconsistent application of the guidelines.

Thus, a new committee was formed with broad-based constituents e.g., parents, teachers, students, administrators, board members, community partners and college liaisons. The three-month process in reviewing the original document led to the incorporation of Code of Conduct behavior changes and due process for parents and students. It was also recommended to include positive behavior support intervention strategies rather than a punitive approach to students. We support the need for this recommendation.

In addition, protocols and procedures were clarified and standardized to become more straightforward and cohesive, which should result in a more fair and consistent implementation in the schools and throughout the district.

We thank the committee members for their efforts and recommendations in this process. Your input was greatly appreciated, and we look forward to the community's continued participation on the school district's standing committee for discipline.

I urge each student to read this policy with his or her parents/guardian. If you have any questions about any aspect of the policy, please feel free to contact the principal at your school. Then, I ask that you sign the "Memorandum of Understanding" and give it to your child's homeroom teacher.

I look forward to working with you and our community as we move forward to uphold high standards of conduct.

Sincerely,

Dr. Clifford B. Janey
Superintendent

STANDARDS OF CONDUCT

A mission of our public schools has been to prepare our nation's youth for equal and responsible citizenship and productive adulthood. Today, we reaffirm that mission by remembering that democratic citizenship and productive adulthood begin with standards of conduct in our schools.

We, therefore, recognize the following goals for learning:

- to maintain safe, orderly and drug free schools.
- to learn and work in schools that have clear discipline codes with fair and consistently enforced consequences for misbehavior.
- to treat each other with courtesy and respect.
- to guide students with an appropriate support person to plan for interventions.
- to be supported by parents, the community, public officials and businesses in an effort to uphold high standards of conduct.

POSITIVE BEHAVIOR SUPPORTS AND INTERVENTIONS

Every effort will be made to encourage and support positive behavior. Positive behavior supports are included in the Student Discipline Code of Conduct at every misconduct level.

Each school has developed strategies for teaching and reinforcing positive behavior. Programs at the school should include: conflict resolution, mediation, violence prevention, and peer leadership.

In addition, specific plans for incentives and rewards in a systematic structured manner for acceptable behavior will be reflected at the school site.

INTERVENTION & REFERRAL SERVICES COMMITTEE(I&RS)

As mandated by state code(N.J.A.C. 6A:16-8), each school must implement a coordinated system for the planning and delivery of intervention and referral services designed to assist students who are experiencing learning, behavior or health difficulties.

The Newark Public Schools has selected a collaborative model for the operation of the school-based I&RS Team. Consistent with the model, team members and the individuals requesting assistance jointly identify the specific student problem and, by consensus, develop and implement an I&RS pupil action plan. The action plan is usually implemented by the classroom teacher and monitored by an I&RS Team member. Within a specified time frame, the I&RS Team reconvenes to determine the effectiveness of the action plan. Based on data collected, appropriate next steps address the student's needs.

A Working Guide to Student Code of Conduct & Disciplinary Response

Level I Misconduct

- ☐ Disruptive behavior
- ☐ Unexcused tardiness/class cutting/absence
- ☐ Failure to wear identification badge when provided
- ☐ Cheating
- ☐ Failure to complete assignments
- ☐ Failure to follow instructions
- ☐ Wearing hats or other apparel disruptive to the educational process or other Dress Code Violations

Action Taken for Level I Misconduct

- ☐ Verbal reprimand
- ☐ Contact parent
- ☐ Peer mediation
- ☐ Conference
- ☐ Withdrawal of privileges
- ☐ Detention
- ☐ Behavioral contract
- ☐ Behavioral Improvement Program

Student Conduct

Behavior on the part of the student which impedes orderly classroom procedures or interferes with the orderly operation of the school.

This behavior can usually be handled by an individual staff member, but sometimes requires the intervention of other school support personnel.

Disciplinary Action

There is immediate intervention by the staff member who is supervising the student or who observes the misbehavior.

Behavior may require a teacher to contact the parent; a conference with the counselor and/or administrator may be needed. All student misbehavior and parent contacts must be documented.

A parent must be notified if a student is kept for detention; and no student in grades K-5 may be kept beyond 3:15 p.m.

A proper and accurate record of the offense and disciplinary action is maintained by the staff member.

Level II Misconduct

- Continuation of unmodified Level I misbehavior
- Improper public display of affection
- Defamation
- Indecent exposure
- Insubordination
- Leaving school without permission
- Defying (Disobeying the authority of school personnel)
- Disruptive behavior on the school bus/public transportation
- Interfering with school authorities and programs through walk-outs or sit-ins
- Profane, obscene, indecent and immoral or seriously offensive language and gestures
- Using forged notes or excuses
- Scholastic dishonesty
- Unauthorized sale or distribution of printed material
- Unauthorized use of portable electronic communication devices
- Improper urination/defecation
- Truancy/absences/lateness

Action Taken for Level II Misconduct

- Confiscated items will only be returned to parents
- Peer counseling
- Peer mediation
- Counseling
- Parent/guardian conference required
- Referral to Student Assistance Coordinator
- Behavioral contracts
- Probation contracts
- Referral to I&RS member
- Referral to outside agency
- Suspension upon the approval of the Regional Superintendent
- No students in grades Pre-K and K may be suspended but will be referred to the Regional Superintendent for intervention if needed

Student Conduct

Behavior whose frequency or seriousness tends to disrupt the learning climate of the school.

These infractions, which usually result from the continuation of Level I misbehavior, require the intervention of personnel on the administrative level because the Level I disciplinary options have failed to correct the situation. Also included in this level is misbehavior whose educational consequences are serious enough to require corrective action on the part of administrative personnel.

Disciplinary Action

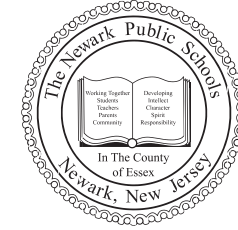
The student is referred to the administrator for appropriate disciplinary action.

The administrator meets with the student and/or teacher and effects the most appropriate response.

The teacher is informed of the administrator's action.

A proper and accurate record of the offense and the disciplinary action is maintained by the administrator.

A parental conference is held.



The Newark Public Schools Memorandum of Understanding

We, the undersigned, have reviewed and read the "Student Code of Conduct." We understand its content and will adhere to the rules and regulations of the district. My child understands that any threat to his/her person is to be reported immediately to the building principal for his/her safety.

It is my understanding that such reporting will be kept confidential. I also know that I may ask questions and review the "Student Code of Conduct" at a regularly scheduled meeting at my child's school every year. I also understand that I have the right to appeal suspensions.

Student's Signature

School

Homeroom

Parent's/Guardian's Signature

Telephone Number

Teacher's Signature

The Senate and General Assembly of the State of New Jersey, in Chapter 37 of Title 18A of the NJ Statutes has established a "Zero Tolerance for Guns Act."

Please sign and return this page to your child's teacher.

The Senate and General Assembly of the State of New Jersey, in Chapter 37 of Title 18A of the NJ Statutes, has established a "Zero Tolerance for Guns Act."

Any pupil who is convicted or adjudicated delinquent for possession of a firearm or a crime while armed with a firearm, or found knowingly in possession of a firearm on any school property, on any school bus, or at a school-sponsored function, shall be immediately removed from the school's regular education program pending a hearing to remove the pupil from the regular education program for a period of not less than one calendar year, subject to modification on a case-by-case basis by the chief school administrator.

For the purposes of this section "firearm" means those items enumerated in N.J.S.A. 2C:39-1f and 18 U.S.C. 921.

Any pupil that is removed from the regular education program pursuant to this section shall be placed in an alternative education program. If placement in an alternative education program is not available, the pupil shall be provided home instruction or other suitable facilities and programs until placement is available.

Level III Misconduct

- ☐ Gambling
- ☐ Graffiti
- ☐ Contaminating food
- ☐ Fighting
- ☐ Stealing
- ☐ Threats to others
- ☐ Harassment, intimidation and bullying(including cyber bullying)
- ☐ Continued disruptive behavior
- ☐ Smoking on school property
- ☐ Possession of fireworks
- ☐ Reckless endangerment
- ☐ Unauthorized possession, use or distribution of medication
- ☐ Trespassing
- ☐ False alarm
- ☐ Wearing gang related apparel or accessories which indicate gang membership
- ☐ Vandalism/destruction of property-between \$25 and \$500
- ☐ Extreme defiance
- ☐ Gender, racial or ethnic harassment
- ☐ Sexual harassment

Action Taken for Level III Misconduct

- ☐ Clean graffiti
- ☐ Restitution for vandalism
- ☐ Confiscated items will not be returned
- ☐ Parent/guardian conference required
- ☐ Counseling
- ☐ Referral to Student Assistance Coordinator(SAC)
- ☐ Referral to I&RS committee
- ☐ Referral to outside agencies
- ☐ No suspension for Pre-K and K
- ☐ Suspension for students in grades 1, 2 and 3 upon the approval of the Regional Superintendent for no more than 4 days
- ☐ Suspension-Off-Site students in grades 6 to 12 may be suspended beyond 4 days to an SOS program by the Regional Superintendent

Disciplinary Action

An administrator initiates disciplinary action by investigating the infraction and conferring with staff on the extent of the consequences.

An attendance record form (763) is issued to attendance counselor by teacher.

An administrator meets with the student and confers with the parent about the student's misconduct and the resulting disciplinary action.

An administrator notifies police when appropriate.

A proper and accurate record of offenses and disciplinary actions is maintained by the administrator and staff member.

Contact SAC if necessary.

There is restitution of damages by the parent or guardian of any minor, to be collected in any court of competent jurisdiction, together with costs of suit.

Student Conduct

Acts directed against persons or property.

These acts can most frequently be handled by the disciplinary mechanism in the school. Corrective measures which the school undertakes, however, depend on the extent of the school's resources for remediating the situation in the best interests of all students.

Level IV Misconduct

- Weapons
- Pulling fire boxes
- Extortion
- Physical attack on staff
- Possession and/or use of biohazard materials
- Bomb threat
- Possession, use or distribution of explosives
- Theft/possession/sale of stolen property
- Possession/use/transfer of dangerous weapons
- Assault and battery
- Vandalism/destruction of property - above \$500
- Arson
- Possession, use, distribution of alcohol, marijuana, prescription drugs, controlled dangerous/illegal substances, imitation controlled substances, inhalants other intoxicants, controlled or drug paraphernalia
- Use/furnishing/selling possession of unauthorized or illegal substance
- Use of cellular phone to facilitate the commission of a crime or to inflict injury or harm to persons or property
- Terroristic threats
- Alcohol
- Sexual assault
- Gang recruitment

Student Conduct

Acts which result in violence to another person or property or which pose a direct threat to the safety of others in the school.

These acts are often so egregious that administrators may need the intervention of law enforcement officials. Actions may require the immediate removal of the student from school.

The administrator verifies the offense(s), confers with the staff involved and meets with student.

Parents are notified.

School officials contact law enforcement agency.

A complete and accurate report of the student's infraction is immediately submitted to the superintendent for action.

Students in grades 4 and 5 may be suspended for up to 4 days. In-school suspension is recommended.

Action Taken for Level IV Misconduct

For students up to the age of 17

- Suspension-On-Site
- Suspension-Off-Site grades 6-12 beyond 4 days with approval of Regional Superintendent
- Alternative schools/services
- Suspension
- Other Superintendent action which results in appropriate placement
- Expulsion
- Police intervention

For students 18 years old and over

- Alternative schools/Evening High School
- Other Superintendent action which result in appropriate placement
- Suspension Off Site
- Expulsion
- Police intervention

Disciplinary Action

If the length of the suspension is more than 4 days for students in grades 6-12, the Regional Superintendent or Superintendent's designee will conduct an evidentiary hearing within 48 hours and may assign any student in those grades to a Suspension-Off-Site (SOS) Program.

When special education students are suspended, the case manager must be notified in writing by the principal. Removal for more than 10 days (cumulative or consecutive) in a school year requires a manifestation determination hearing by the Child Study Team.

If the special education student carries a weapon or knowingly possesses/uses illegal drugs or solicits the sale of a controlled substance while at school functions, the student can be removed for up to 45 days and placed in an 'interim alternative placement,' determined by the IEP team.

If there is any information you would like to have clarified, or if you have concerns about your child's behavior, please speak with the principal of the school first.

The telephone numbers of all of the schools appear in this brochure.

My Child's School is _____

Principal _____

Telephone Number _____

Regional Office _____

Some other Newark Public School sources you may want to consult are:

Office of Alternative Education	973-733-8383
Office of Attendance	973-733-7292
Office of Guidance	973-733-6729
Office of Health Services	973-733-7150
Office of the Ombudsman	973-733-7015
Office of Safe and Drug Free Schools	973-705-3661
Office of Student Services	973-733-6728
Truancy Task Force	973-733-6753