

POSITIONS AND POLICIES ON EDUCATION

Conduct/Discipline

FILE CODE

5131

Codes of Conduct/Discipline Policies

- A. The NJSBA believes that discipline problems in the classroom detract from learning and should be minimized. District Codes of Conduct should therefore set standards for acceptable student behavior.
- B. The NJSBA believes that local discipline policies and codes of conduct should be firm, fair and consistently enforced. They should provide notice of specific disciplinary outcomes for designated unacceptable behavior. *[Authority: DA 12/83-1, DA 12/94-ER-B, DA 5/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR]*

Discipline of Violent/Disruptive Students

- A. **The NJSBA believes** that the creation of alternative classrooms, programs, and schools may meet the needs of continually disruptive or violent students and that the state should fund such programs. *[Authority: DA12/83-1, 5/97-SR, DA 5/02-SR]*
- B. **The NJSBA believes** that when students are violent and disruptive, they should be immediately removed to an alternative educational placement until they cease to be a danger to other students and staff. NJSBA supports a modified level of due process for such alternative placements, and encourages the involvement of the students' parents. *[Authority: DA 12/94-ER-B, DA 5/97-SR]*
- C. **The NJSBA believes** that the creation of a safe and drug-free school environment may require the suspension or expulsion of certain pupils for cause. Expulsion proceedings should be reserved for only those cases in which an alternative education program is not possible. *[Authority: DA 5/69-16, DA 5/97-SR, DA 5/02-SR]*
- D. **The NJSBA believes** that a student's right to be educated in the district should not be terminated without due process, but the expulsion hearing process should not be unduly burdensome for school districts. *[Authority: DA 12/94-ER-B, DA 5/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR]*

Disclosure of Juvenile Court Action

The NJSBA believes that when a juvenile of any age is adjudicated delinquent of an offense that would be a serious crime if committed by an adult, the juvenile court should inform the administration of the public school that a juvenile offender attends. The court should provide the school with the juvenile delinquent's name, offense, and disposition of his/her case. *[Authority: DA 6/81-21, DA 5/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR]*

Disciplinary Procedures Involving Special Education Students

- A. **The NJSBA believes** that modified disciplinary procedures should be permitted for special education students. *[Authority: DA 6/82-8, DA 11/97-CR (Special Education)]*
- B. **The NJSBA believes** that the waiting period within which parents must respond to a notice of re-evaluation generated by a discipline action should be no longer than 72 hours. A short response time in such cases is warranted so that the re-evaluation by the Child Study Team can begin quickly. *[Authority: 6/92-5, DA 11/97-CR (Special Education), DA 5/02-SR, DA 5/07-SR, DA 5/12-SR]*

Grounds for Suspension/Expulsion

The NJSBA believes that the creation of a safe and drug-free school environment may require the suspension or expulsion of certain pupils for cause and supports the grounds for suspension of students enumerated in N.J.S.A. 18A:37-2, 2.1, 2.2 and 18A:37-8. [*Authority: DA 5/69-16, DA 5/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR*]

Cross References: 5131.5 Vandalism/violence
5145.12 Search and seizure
6146.2 Promotion/retention
6171.4 Special education
6172 Alternative education

Key Words: conduct, discipline, violence, special education