

# SOARING HEIGHTS CHARTER SCHOOL

## PUPIL DISCIPLINE POLICY/CODE OF CONDUCT

**After review by involved staff members, a determination as to the appropriate consequences based on the severity of the offense will be made and implemented. Continued offenses will be met with increased consequences.**

Soaring Heights has high expectations and standards, especially when it comes to student behavior and conduct – both of which are clearly defined in this Pupil Discipline Policy/Code of Conduct.

Students are expected to act in a responsible manner at all times. It is not possible, nor is it desirable, to delineate rules covering every possible situation which a student will encounter. Common courtesy and sensitivity to the rights of others will guide students properly in most situations. However, it should be clearly understood that all pupils are held accountable for their actions.

To that end, the Soaring Heights Charter School Board of Trustees adopts this Pupil Discipline/Code of Conduct policy to establish standards and procedures for positive pupil development and behavioral expectations **on or off school grounds, including on a school bus or at school-sponsored functions, and as appropriate, for conduct away from school grounds.**

The following behaviors shall be considered "inappropriate behavior" and are subject to discipline in accordance with this policy:

- Defying an adult;
- Fighting, kicking, spitting, scratching, threatening, bullying, shoving others;
- Name-calling or other inappropriate language;
- Biting, tripping, pinching or any behavior that could result in harm to the student or to others;
- Disruption in the learning environment;
- Theft or possession of stolen property;
- Destruction of property;
- Truancy;
- Lewdness;
- Possession of a weapon or prohibited item, including the possession, sale or distribution, or being under the influence of any illicit substance;
- All types of harassment
- Inappropriate use or possession of cell phones; and
- Any other conduct deemed by School officials to be inappropriate.

Students who commit one of the above infractions, or other conduct deemed to be inappropriate, will be disciplined accordingly.

Every pupil enrolled in Soaring Heights shall observe rules and regulations necessary for the general operation of the School and submit to discipline imposed for infractions of those rules. This policy is intended to act in concert with other School policies, including the "Policy Prohibiting Threats of Violence," "Policy Prohibiting Harassment, Intimidation and Bullying," and the "Sexual Harassment Policy," each of which, including the offenses and corresponding discipline set forth in those policies, are incorporated into this Code of Conduct as if they were fully repeated in this Code.

The Board of Trustees shall develop and implement this policy in the manner by which it deems best to foster an environment which promotes learning, respect and discipline by and between the students of the School and between students and staff. This policy shall be reviewed and updated annually, with parent, pupil and community involvement which represents, where possible, the composition of the School, and shall be based on locally determined and accepted core ethical values.

The School Lead Person shall report on the implementation of this policy to the Board of Trustees in accordance with N.J.A.C. 6A:16-7.1(a)(5).

For students with disabilities, subject to Individualized Education Programs in accordance with 20 U.S.C. §1400, et seq., the Individuals with Disabilities Education Improvement Act, and accommodation plans under 29 U.S.C. §§794 and 705, pupil discipline and the code of conduct shall be implemented in accordance with the components of the applicable plans of the individual students.

The School Lead Person, or his or her designee, shall have the authority to assign discipline to pupils for a school violation or an offense as set forth in N.J.S.A. 18A:37-2, et seq. School authorities also have the right to impose a consequence on a pupil for conduct away from school grounds, including on a school bus or at a school-sponsored function, pursuant to N.J.A.C. 6A:16-7.6. This authority shall be exercised only when it is reasonably necessary for the pupil's physical or emotional safety, security and well-being or for reasons relating to the safety, security and well-being of other pupils, staff or school grounds, in accordance with N.J.S.A. 18A:25-2 and 18A:37-2. This authority shall only be exercised when the conduct which is the subject of the proposed discipline materially and substantially interferes with the requirements of appropriate discipline in the operation of the school.

Any pupil to be disciplined shall be provided the due process procedures for pupils and their families as set forth in N.J.A.C. 6A:16-7.2 through 7.6. Except as otherwise set forth in any other School policy, including the above-referenced policies, for instances of "minor" discipline, up to and including suspensions of less than 10 school days, School staff may meet with the student, explain the infraction and appropriate discipline, and give the student an opportunity to explain his or her action(s). The student's parent or guardian shall be notified of the infraction and attendant discipline. If a student is suspended for a period longer than 10 school days, the student and his or her parent/guardian shall be given the above-noted pre-discipline meeting, as well as the opportunity to appeal the decision to the Board of Trustees at a hearing of the Board or before a person or persons so designated by

the Board, in accordance with N.J.A.C. 6A16-7.3.

When a pupil transfers to the School from another public school district, all information in the pupil's record related to disciplinary actions taken against the pupil by the school district and any information the school district has obtained pursuant to any other law, including N.J.S.A. 2A:4A-60, "Disclosure of Juvenile Information, Penalties for Disclosure," shall be provided to the receiving School in accordance with New Jersey Law.

Comprehensive behavioral supports that promote positive pupil development and the pupil's abilities to fulfill the behavioral expectations established by the School will include, but are not limited to, positive reinforcement for good conduct and academic success, supportive interventions and referral services, remediation of problem behaviors that take into account the nature of the behaviors, the developmental ages of the pupils and the pupil's histories of problem behaviors and performance; and, for pupils with disabilities, the behavior interventions and supports shall be determined and provided pursuant to the student's individualized education plan, pursuant to N.J.A.C. 6A:14, et seq.

The School Lead Person shall maintain a current list of community-based health and social service provider agencies available to support a pupil and the pupil's family, as appropriate, and a list of legal resources available to serve the community.

This pupil discipline/code of conduct policy shall be applied without regard to race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability or by any other distinguishing characteristic.

This Pupil Discipline Policy/Code of Conduct shall be disseminated annually to all school staff, pupils, and parents/legal guardians. School staff shall be trained on the Pupil Discipline Policy/Code of Conduct, which shall include training on the prevention, intervention and remediation of pupil conduct which violates the School's policy. Information on this policy shall be incorporated into the orientation program for new employees.

Legal references:

N.J.S.A. 2A:4A-60

N.J.S.A. 10:5-1. et seq.

N.J.S.A. 18A:6-1

N.J.S.A. 18A:36-25

N.J.S.A. 18A:25-2  
N.J.S.A. 18A:36-19  
N.J.S.A. 18A:37-1 et seq.  
N.J.A.C. 6A:14-1.1, et seq.  
N.J.A.C. 6A: 16-7.1, et seq.  
N.J.A.C. 6A:32(e)10

Cross-Reference:

Policy Prohibiting Threats of Violence  
Policy Prohibiting Harassment, Intimidation and  
Bullying;  
Sexual Harassment Policy

The following is a general guide for disciplinary action for those students in Grades 4 through 8. This guide shall be adapted by the Administration as deemed appropriate for discipline of pupils below Grade 4. The Guide does not, nor is it intended to, encompass all possible offenses and/or disciplinary infractions which may be committed by a student. The Administration has the ultimate authority to impose discipline for any offense, whether or not it is contained in this Guide.

**ALL DISCIPLINARY ACTIONS ARE SUBJECT TO DETERMINATION BY INVOLVED MEMBERS OF THE MANAGEMENT COLLABORATIVE AND ARE NOT LIMITED TO THE RULES IN THIS GUIDE.**

**KEY:**

ASD - After School Detention

ISS - In School Suspension

OSS - Out of School Suspension

OFFENSE	ACTION	PROCEDURES
Cutting ASD	<p><u>First offense:</u> Up to 1 day ISS and 2 Additional Days ASD (in addition to initial amount to be served)</p> <p><u>Second Offense:</u> 1 day OSS or 2 days ISS</p> <p><u>Third Offense:</u> Up to 2 day OSS</p>	Parent Contact
Disruption	<p><u>First Offense:</u> Removal from classroom instruction to another room</p> <p><u>Second Offense:</u> Detention</p> <p><u>Third Offense:</u> Administrative Review (may include ASD, ISS, or OSS)</p>	Parent contact
Falsification/Cheating	<p><u>First offense:</u> 1 day OSS *</p> <p><u>Second Offense:</u> 2 days OSS *</p> <p><u>Third Offense:</u> 3 days OSS *</p> <p>* No credit on assignment(s)/tests</p>	Parent contact
Falsifying an Alarm	<p><u>First Offense:</u> Minimum 5 days OSS</p> <p><u>Subsequent Offenses:</u> Subject to Administrative Review</p>	Parent contact. May include contact with law enforcement agencies as appropriate depending on severity of offense and attendant

		circumstances.
Fighting	<p><u>First Offense:</u> Up to 5 days OSS</p> <p><u>Second Offense:</u> Up to 10 days OSS</p> <p><u>Third Offense:</u> Up to 10 days OSS</p>	Parent contact. May include contact with law enforcement agencies as appropriate depending on severity of offense and attendant circumstances.
Use of Force	<p><u>First Offense:</u> Up to 5 days OSS, dependent on Administrative Review, student placed on 4-week conduct probation;</p> <p><u>Second Offense:</u> Up to 10 days OSS, student placed on 9-week conduct probation</p> <p><u>Third Offense:</u> Up to 10 days OSS, student placed on conduct probation subject to Administrative Review and Parent conference</p>	Parent contact
Gambling	Administrative review with disciplinary action to be determined on a case-by-case basis	Parent contact
Harassment, Intimidation or Bullying	Refer to "Policy Prohibiting Harassment, Intimidation or Bullying"	Parent contact; may include contact with law enforcement and mental health referral as appropriate.
Sexual Harassment	Refer to "Sexual Harassment Policy"	Parent contact, possible contact with law enforcement and mental health referral.
Insubordination/Disobedience Non-Cooperation with School Officials	<p><u>First Offense:</u> Up to 1 Day ISS Removal from classroom instruction to another room At the discretion of the administration</p> <p><u>Second Offense:</u> Up to 2 Days ISS or 1 Day OSS At the discretion of the administration</p> <p><u>Third Offense:</u> Up to 2 Days OSS</p>	Parent contact

Inappropriate Possession of Cell Phones	<p><u>First Offense:</u> Cell phone taken away. Must be picked up by an adult.</p> <p><u>Second Offense:</u> ½ day ISS and cell phone taken away. Must be picked up by an adult.</p> <p><u>Third Offense:</u> 1 day ISS or 1 day OSS and cell phone taken away. Must be picked up by an adult.</p>	Parent Contact
Inappropriate Use of Cell Phones	<p><u>First Offense:</u> Up to 3 days OSS. Cell phone taken away. Must be picked up by an adult.</p> <p><u>Second Offense:</u> Up to 5 days OSS. Cell phone taken away. Must be picked up by an adult.</p> <p><u>Third Offense:</u> Up to 10 days OSS. Cell phone taken away. Must be picked up by an adult.</p>	Parent Contact
Misuse of Computer Network/Computer Hardware	<p><u>First Offense:</u> Up to 2 days ISS</p> <p><u>Second Offense:</u> 1 day OSS</p> <p><u>Third Offense:</u> Up to 3 days OSS</p> <p>May be subject to additional penalties as set forth herein or in other School policies, depending on severity of offense.</p>	Parent contact. May include contact with law enforcement agencies as appropriate depending on severity of offense and attendant circumstances
Language Misuse (foul language which includes cursing)	<p><u>First offense:</u> Up to a full-day ISS and/or Detention</p> <p><u>Second offense:</u> Up to 1 Day OSS</p> <p><u>Third offense:</u> Up to 2 Days OSS</p>	Parent contact

<p>No Tolerance for Extreme Behavior That Poses a Severe Risk and Endangers the Teaching/Learning Environment</p>	<p><u>First Offense:</u> Up to 2 days OSS, return contingent upon a conference with school administrators, members of the Management Collaborative, and his/her parent/guardian.</p> <p><u>Second Offense:</u> Up to 5 days OSS, return contingent upon a conference with school administrators, members of the Management Collaborative, and his/her parent/guardian.</p> <p><u>Third Offense:</u> Up to 10 days OSS, return contingent upon a conference with school administrators, members of the Management Collaborative, and his/her parent/guardian.</p> <p><u>Fourth Offense:</u> Upon completion of a minimum five days of out-of-school suspension, the student will not be allowed to return to school until a formal hearing takes place with the school's Board of Trustees (the Board). The hearing will take place during an Executive Session of the Board's next regularly scheduled public meeting or at an emergency meeting if deemed necessary.</p>	<p>Parent contact, possible contact with law enforcement and mental health referral.</p>
<p>Possession or activation of exploding devices</p>	<p>Administrative review with disciplinary action to be determined on a case-by-case basis.</p>	<p>Parent contact. May include contact with law enforcement agencies as appropriate depending on severity of offense and attendant circumstances.</p>
<p>Recklessness</p>	<p><u>First Offense:</u> Removal from classroom instruction to another room and/or Detention</p> <p><u>Second Offense:</u> Up to 1 Day ISS</p> <p><u>Third Offense:</u> 1 Day OSD</p>	<p>Parent contact</p>
<p>Smoking on School grounds</p>	<p><u>First Offense:</u> 1 Day ISS</p> <p><u>Second Offense:</u> 1 Day OSS</p> <p><u>Third Offense:</u> 2 days OSS</p>	<p>Parent contact</p>



Substance Abuse	10 Days OSS for each incident	Parent contact. May include contact with law enforcement and/or mental health agencies as appropriate depending on severity of offense and attendant circumstances.
Theft	<u>First Offense:</u> Up to 2 days OSS <u>Second Offense:</u> Up to 5 days OSS <u>Third Offense:</u> Up to 10 days OSS	Parent contact, possible contact with law enforcement and mental health referral.
Threats of Violence	Refer to "Policy Prohibiting Threats of Violence"	Parent contact, possible contact with law enforcement and mental health referral.
Truancy	<u>First Offense:</u> 1 day ISS <u>Second Offense:</u> 1 day OSS, 2 days ISS <u>Third Offense:</u> 1 Day OSS, Up to 3 days ISS	Parent contact
Vandalism	Administrative action based on each individual case, including payment of restitution. May be subject to additional penalties as set forth herein or in other School policies.	Parent contact. Contact with law enforcement agencies for further handling as appropriate.
Weapon Possession	Minimum of 10 Days OSS. Up to 45 days OSS, depending on severity of offense. Possession of firearm conviction will result in one year removal.	Parent contact; contact with law enforcement agencies for further handling; may include mental health referral as appropriate.