

## 6. Student Discipline Policy

### a. Describe in detail the student discipline policy in accordance with N.J.S.A. 18A:37 and N.J.A.C. 6A:16:

Princeton International Academy Charter School (PIACS) will be firmly grounded in the school mission. One of the tenets of PIACS, the ethical development tenet, directly addresses the PIACS framework for student discipline. The ethical development tenet builds competencies to care for all stakeholders--families, neighbors, friends, strangers, and the ecosystems that support life near and far. PIACS is positive and nourishing, as stakeholders exemplify caring, compassion, cooperation, empathy, honesty, fair play, kindness, and respect for all. Children, adolescents, and families build ethics skills through team-building, perspective-taking, public service, civic engagement, and embracing linguistic and cultural differences to build outstanding academic achievement for every student.

PIACS develops each student's potential for learning in a positive, safe, and orderly school environment. Discipline at PIACS is based upon a philosophy that students have both rights and responsibilities in our learning community:

- All students are innately good and have the capacity to behave responsibly, respectfully, and to make good choices.
- PIACS staff maintains close and positive relationships with all students; personal attention for each individual student is guaranteed.
- PIACS staff helps students develop and maintain appropriate behavior with specific guidelines and then informing students and families of those guidelines; and with clear, specific expectations and consequences for behavior in each classroom and other situations.
- PIACS staff recognizes that students sometimes make mistakes. Students will benefit from the educational process best when teachers, administrators, school counselors, and parents and guardians work cooperatively to ensure that students learn from their mistakes.
- PIACS staff ensures that disciplinary consequences are reasonable, predictable, and productive.

To this end, PIACS will develop a Code of Conduct Handbook, in line with the PIACS Mission and Philosophy, as a positive way to encourage appropriate behavior. The Code of Conduct Handbook will define PIACS rules regarding student conduct and will outline sanctions to be imposed for breach of these rules. The Code of Conduct Handbook will be approved by the board of trustees and will conform to applicable state laws (N.J.S.A. 18A:37-2; 37-2.1). The Code of Conduct Handbook will be provided to every student's family and to each staff member, and a copy will be made available to any stakeholder upon request. PIACS will make provisions to communicate the contents of the Handbook to families and students whose primary language is not English. Every PIACS student and/or their parents/guardians will sign an acknowledgement of receipt and understanding so that each student may be held accountable for maintaining the rights and responsibilities outlined in the Code of Conduct Handbook.

Each year, the Code of Conduct Handbook will be reviewed and amended by a group that may include the Head of School, teachers, school counselors, student representatives, and parents/guardians. This process involves all stakeholders in order to promote understanding and personal and collective responsibility. It also teaches and reinforces good citizenship skills. All changes will ultimately be approved by the board of trustees.

Disciplinary matters will be handled by classroom teachers in consultation with the Director of Education and the Head of School. Extreme disciplinary cases will be addressed by the board of trustees.

The board of trustees will establish a Policy Committee that may include representatives from all stakeholders at the school. The board's Policy Committee will develop core ethical values in compliance with N.J.S.A. 18A:37 and N.J.A.C. 6A:16. The ethical values developed by the Policy Committee will be used to develop the policies and procedures that govern discipline. The rules will comply with the ethical development tenet of the PIACS mission statement and philosophy.

Each classroom will have rules consistent with the core ethical values developed by the Policy Committee and approved by the board of trustees. Instructional staff and administrators will enforce the discipline policy consequences. Staff will communicate with parents/guardians regarding any incidents in a timely manner. Staff will document serious student infractions, provide suggestions to help modify inappropriate behaviors, and consult with the Director of Education, the Special Education Coordinator, the School Counselors, and the Head of School as needed.

**b. Describe in detail the charter school's criteria for short-term and long-term suspensions in accordance with N.J.S.A. 18A:37 and N.J.A.C. 6A:16.**

The Policy Committee will adopt and apply disciplinary procedures for conduct infractions in situations related to school activities and/or attendance. Conduct infractions are violations of the Code of Conduct Handbook that occur at school and/or on school grounds; participating in a school-sponsored activity; walking to or from a school sponsored event; waiting for, or riding on school-provided transportation; or waiting for, or riding on public transportation to and from school or a school-sponsored activity. Conduct infractions are categorized into categories that determine the appropriate consequences in accordance with N.J.S.A. 18A:37 and N.J.A.C. 6A:16. The infractions in each category (and the categories themselves) will be reviewed annually by the Policy Committee and updated as necessary in the Code of Conduct Handbook. The causes for short- and long-term suspension and expulsion will be detailed and published in the Code of Conduct Handbook.

PIACS will use the following categories which will be reviewed and updated as needed. Each category requires a different response from school staff. PIACS will respond to general misbehavior in the following ways:

**Category One:**

Behavior: Low-level peer problems (low-level, mutual friendship conflicts not involving name-calling, exclusion, rumors or threats).

Response: Teachers and staff respond to these behaviors with encouragement for and/or suggestion of more positive ways to resolve the problem.

**Category Two:**

Behavior: Quiet, non-disruptive refusal to do schoolwork. Teachers and staff notify parents after two incidents.

Response: Teachers set up a conference between teacher, parent/guardian, and student after three incidents to develop a plan. A screen for learning difficulties may be suggested.

**Category Three:**

Behavior: Inappropriate but not aggressive actions (rough play or swearing not directed at another child).

Response: PIACS staff-created consequences such as removal from the activity, no recess, or a call to parents and guardians.

Infractions that fall within Categories One, Two and Three are considered to be within the teachable moment where a teacher, with support from PIACS administrators, is most capable to handle the communication and application of the response. Behavior in Categories Four, Five and Six are considered to be beyond the teachable moment and will be handled by PIACS administrative personnel as major infractions of school rules.

**Category Four:**

Behavior: Bullying, teasing, exclusion, or hitting.

Response: See Major Infractions section below for consequences.

**Category Five:**

Behavior: Class disruption (disrespect to teacher or other staff member or disrupting others' learning), open defiance of the authority of any PIACS teacher or person of authority, continued and willful disobedience.

Response: See Major Infractions section below for consequences.

**Category Six:** Severe behavior.

- Chronic exhibition of behavior outlined in Categories One, Two and/or Three.
- Repeated infractions as outlined in Categories Four and Five.
- Severe hitting or physical assault on a student, teacher, PIACS staff or any person attending, going to or returning from a PIACS sponsored activity.
- Willfully causing physical injury to any other person, or to threaten to use force, which would result in such injury.
- Harassment due to appearance, family type, ethnic/racial identity, gender, gender identity/expression, sexual orientation, immigration status/nationality, language background/skills, religion/spirituality/meaning-making system or other forms of severe harassment including bullying.
- Deliberate disruption or prevention of the peaceful and orderly conduct of classes, meetings.
- Interference with the freedom of any person to express his or her views, unless such disruption is necessary to maintain order of the educational process.

- Entry without permission, expressed or implied, into any private office or classroom of an administrative officer, teacher, or staff member.
- Remaining in a building or facility without permission after it is normally closed, or entry into a building or facility without permission before its normal opening.
- Willfully obstruct or interfere with the free movement of persons and vehicles.
- Behaviors that put one's own or others' safety at risk.
- Possession, use or distribution of alcohol, drugs or drug paraphernalia, prescription medication, or dangerous substances.
- Violation of any federal or state statute or regulation, local ordinance or school policy.
- Possession of any weapon, whether or not the person has a license to possess.
- Deliberate damage to school property or other personal property.
- Removal of school property or use of such property without authorization.
- Truancy.
- Incitement which is intended to and does result in truancy by other students.
- Distribution or posting on school property of any written material, pamphlets or posters without the prior approval of the Principal.
- Academic dishonesty, including cheating and plagiarism.
- Taking, or attempting to take, personal property or money from another student by means of force, fear or coercion.

Response: See Major Infractions section below for consequences.

### **Consequences of Major Infractions:**

A student who commits major infractions may be put on probation, suspended or expelled from PIACS based on criteria determined by the board of trustees and governed in accordance with the provisions of NJSA 18A:37-2 and NJAC 6A:16.

When major infractions occur, the Head of School or designated administrator may, in accordance with NJAC 6A:16-7.2, immediately remove the student from the educational program to the extent that a student's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the educational process. An informal hearing shall be held as quickly as possible following the suspension.

The informal hearing will be organized by the Head of School. The hearing will convene the student, his/her parent or guardian, the Head of School and applicable staff to:

- Discuss the circumstances of the infraction.
- Provide the student the opportunity to present the student's version of events regarding the student's behavior and/or actions.
- Review the Head of Schools determination of the appropriate disciplinary response (outlined below).
- Any related processes to be followed.

Possible disciplinary responses for major infractions include:

Probation:

The student is allowed to attend school and participate normally in all school related activities during which the student's behavior will be closely monitored by PIACs staff. At the end of the probationary period, the student's conduct will be reviewed to determine whether the student's behavior warrants that they be removed from probation, continued on probation, or suspended.

In-School Suspension:

The student will continue to receive instruction. However, the staff will place the student in another location on campus determined by the Head of School. Students will be separated from their regular classroom but will have adult supervision. The length of in-school suspension shall be determined by the Head of School but shall not exceed five school days.

Short-Term Suspension:

The Head of School may authorize suspensions for one to ten days, depending on the severity of the infraction, in accordance with NJSA 18A:37-2 and NJAC 6A:16-7.1(c)2 and 5. Suspensions will be applied consistently to ensure that the behavior of one student does not impede the ability of other students to function successfully and safely. During a suspension, a student may not participate in school-sponsored activities or be on campus for any reason. During the period of a short-term suspension, the student is responsible for completing classroom assignments, and shall not be refused the opportunity to take or make up a test nor be given a failing mark of any kind specifically as a result of non-attendance at a meeting of his/her class.

Upon completion of the suspension, the student and his or her parent/guardian will be required to meet with the Head of School and applicable staff before the student is allowed to return to school to:

- Ensure that the student agrees to exhibit behavior as specified in the Code of Conduct Handbook. The student and their parent/guardian will be required to re-sign the acknowledgement of receipt and understanding of the right and responsibilities of the Code of Conduct Handbook.
- Review the academic work that student is required to make up and the time limit for completion. The Head of School, in consultation with the student's teacher(s) will establish a reasonable time limit for the completion of academic requirements after the student's return from suspension.

Long-Term Suspension or Expulsion:

In accordance with NJSA 18A:37-2, the Head of School may recommend long-term suspension (more than ten days) or expulsion of a student to the board of trustees if the student commits any major infractions. Within twenty days of the recommendation, the board of trustees will hold a hearing to act on the Head of School's recommendation. Within ten days of the hearing, written notice will be delivered via registered mail to the student and his or her parents/guardians to notify them of the:

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- Time, date and place that the hearing.
- The charges and facts of the incident or behavior.
- The penalty as proposed by the Head of School.
- A description of the proposed alternative educational program, in accordance with N.J.A.C. 6A:16-9.2, to be submitted to the District Board of Education for approval pending the hearing if the student cannot be re-admitted to the general or special education programs of PIACS.
- A copy of the Code of Conduct Handbook and the student or parent/guardian's signed acknowledgement of receipt and understanding.
- The details regarding the students rights, including: the right to retain counsel, the right to request a translator, the right of student and parents/guardians to appear on student's behalf, the right to produce witnesses and present evidence on student's behalf, the right to confront and to cross-examine any witness who submits or presents evidence against the student, the right to request that a copy of the hearing record be produced for the student at his/her own expense.

At the conclusion of the hearing the board shall render a decision, based on the facts and circumstances reviewed at the hearing, which may include:

- Administering the penalty as proposed by the Head of School.
- Administering a penalty less severe than that proposed by the Head of School.
- Determining whether the Alternative Education Program, in accordance with the criteria outlined in N.J.A.C. 6A:16-9.2, be submitted as proposed by the Head of School to the District Board of Education for approval pursuant to N.J.A.C. 6A:16-9.1(a), or by the Commissioner of Education pursuant to N.J.A.C. 6A:16-9.1.
- Dismissing the recommendation of the Head of School and immediately reinstating the student.
- Continuing the hearing at a specified date, within thirty calendar days, when the board will review any additional information requested and render a final determination regarding the student's suspension. The student shall be accorded full procedural due process rights for the second hearing.

In addition to the disciplinary response, the Head of School may require school counseling services. Failure to pursue the recommended school counseling services may result in probation or suspension.

Pursuant to NJSA 18A:37-7 through 12 and NJAC 6A:16-5.5, any student 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 school property, a school bus, or at a school-sponsored function shall be immediately removed from the school's regular educational program. Determination of the length of the suspension or expulsion will follow the process outlined for long-term suspension or expulsion and in accordance with NJSA 18A:37-2.1.

In accordance with NJAC 6A: 16-5.6, the Head of School will immediately remove from the PIACS general educational program, any student who commits an assault, as defined under N.J.S.A. 2C:12-1(a)1, with a weapon, which includes, but is not limited to, those items enumerated in N.J.S.A. 2C:39-1(r), except a firearm as defined by N.J.S.A. 2C:39-1(f) and 18 U.S.C. § 921, upon a teacher, administrator, board member, other employee of a school board or another student on any school grounds, including on a school bus or at a school-sponsored function, according to the requirements of N.J.S.A. 18A:37-2.2 through 2.5.

In accordance with NJAC 6A 16-5.7 Assault on a teacher, administrator, board member or other PIACS employee acting in the performance of his/her duties will result in immediate suspension from school. Determination of the length of the suspension or expulsion will follow the process outlined for long-term suspension or expulsion and in accordance with NJSA 18A:37-2.1.

Definition of Key Terms:

Teasing: name calling, insulting, or other behavior that would hurt others' feelings or make them feel bad about themselves.

Exclusion: starting rumors, telling others not to be friends with someone, not allowing someone to play in an activity or at recess, or other actions that would cause someone to be without friends.

Hitting: pushing, slapping, grabbing

Severe hitting: punching, kicking, and similar behavior that may injure others.

Harassment: based on identity or perceived identity due to membership in an ability/disability, social class, ethnic/racial, family type, gender, gender identity/expression, immigration status/nationality, language, sexual orientation, spirituality/religion other forms of severe harassment.

- c. Describe in detail the charter school's criteria for expulsions in accordance with N.J.S.A. 18A:37 and N.J.A.C. 6A:16. Include information on the provision of alternative education programs pursuant to N.J.A.C. 6A:16-9.1.**

PIACS will consider expulsion of a student only when all sources of disciplinary intervention and/or counseling services have been exhausted or the infraction is so severe that a zero tolerance standard must be applied. In accordance with NJSA 18A:37-2, any student found to have committed any Category Six infraction of the PIACS Code of Conduct Handbook may be expelled from PIACS following procedures outlined above for recommending, reviewing and determining long-term suspension and expulsion. If the Head of School determines that all other options have been exhausted without the desired effect, that the student's presence at PIACS presents a continuing danger to persons or property or an ongoing threat of disrupting the educational process, or that law mandates expulsion, the Head of School will recommend expulsion to the board of trustees. The board has the final authority for expulsion decisions.

Within twenty days of the recommendation, the board of trustees will hold a hearing to act on the Head of School's recommendation. Within ten days of the hearing, written notice will be delivered via registered mail to the student and his or her parents/guardians to notify them of the:

- Time, date and place that the hearing.
- The charges and facts of the incident or behavior.
- The penalty as proposed by the Head of School.
- A description of the proposed alternative educational program, in accordance with N.J.A.C. 6A:16-9.2, to be submitted to the District Board of Education for approval pending the hearing if the student cannot be re-admitted to the general or special education programs of PIACS.
- A copy of the Code of Conduct Handbook and the student or parent/guardian's signed acknowledgement of receipt and understanding.
- The details regarding the students rights, including: the right to retain counsel, the right to request a translator, the right of student and parents/guardians to appear on student's behalf, the right to produce witnesses and present evidence on student's behalf, the right to confront and to cross-examine any witness who submits or presents evidence against the student, the right to request that a copy of the hearing record be produced for the student at his/her own expense.

At the conclusion of the hearing the board shall render a decision, based on the facts and circumstances reviewed at the hearing, which may include:

- Administering the penalty as proposed by the Head of School
- Administering a penalty less severe than that proposed by the Head of School;
- Determining whether the Alternative Education Program, in accordance with the criteria outlined in N.J.A.C. 6A:16-9.2, be submitted as proposed by the Head of School to the District Board of Education for approval pursuant to N.J.A.C. 6A:16-9.1(a), or by the Commissioner of Education pursuant to N.J.A.C. 6A:16-9.1
- Dismissing the recommendation of the Head of School and immediately reinstating the student
- Continuing the hearing at a specified date, within thirty calendar days, when the board will review any additional information requested and render a final determination regarding the student's suspension. The student shall be accorded full procedural due process rights for the second hearing

**d. Describe in detail the charter school's criteria to suspend or expel students with disabilities pursuant to N.J.A.C. 6A:14.**

Students with disabilities will be subject to the same disciplinary procedures as all students and may be disciplined in accordance with their individual educational plan (IEP). The school administration will evaluate any serious infractions by a student with a disability to determine appropriate action in accordance with NJAC 6A:14. If however, the nature of the

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student's infraction is primarily a function of their disability, the school administration will refer to the student's IEP to determine the appropriate course of action. If a student's IEP includes a Behavioral Intervention Plan (BIP), the student will be disciplined in accordance with the plan. If it is determined by the school administration that the Behavioral Intervention Plan is ineffective or if there is a concern for the health and safety of the students or others if the BIP is followed with respect to infraction, the matter will be immediately referred to the Special Education Coordinator, or like position or team of individuals, to consider a modification to the BIP.

In the event that a student with a disability has been suspended for a total of eight school days, the student will be immediately referred to the Special Education Coordinator, or like position or team of individuals, for reconsideration of the student's BIP and/or educational placement. In the event that the student does not have such a plan in place, a functional behavioral assessment will be conducted and a BIP will be developed. No such student shall be suspended for more than a total of ten days in the school year without convening a team consisting of the school administrator(s), the Special Education Coordinator, and the appropriate Child Study Team member to determine whether the suspension constitutes a change of placement.