

CONDUCT – NON-CERTIFIED STAFF

The Board of Education expects staff conduct to be that of appropriate role models for students.

Unbecoming Conduct

When an employee, either within the schools or outside normal duties, creates conditions under which the proper operation of the schools is affected, the Board upon recommendation of the Superintendent and in accordance with statute shall determine whether such acts or lack of actions constitute conduct unbecoming a school employee, and if so, will proceed against the employee in accordance with law.

Unbecoming conduct sufficient to warrant Board review may result from a single flagrant incident or from a series of incidents.

Use of Corporal Punishment

The Board of Education cannot condone an employee's resort to force or fear in the treatment of students, even those students whose conduct appears to be open defiance of authority. Each student is protected by law from bodily harm and from offensive bodily touching.

Staff members shall not use physical force or the threat of physical force to maintain discipline or compel obedience except as permitted by law, but may remove students from the classroom or school by the lawful procedures established for the suspension and expulsion of students.

A staff member will be subject to discipline by this Board and may be dismissed if he/she:

- A. Uses force or fear to discipline a student except as such force or fear may be necessary to quell a disturbance threatening physical injury to others, to obtain possession of weapons or other dangerous objects upon the person or within the control of a student, to act in self-defense, or to protect persons or property;
- B. Touches a student in an offensive way even though no physical harm is intended;
- C. Permits students to harm one another by fighting;
- D. Punishes students by means that are cruel or unusual

Political Activity

A staff member shall not engage in political activity on school premises.

A staff member shall not post political circulars or petitions on school premises nor distribute such circulars or petitions to students nor solicit campaign funds or campaign workers on school premises;

A staff member shall not wear or display any material that would tend to promote any candidate for office or any public question on an election day in a school facility.

The provisions of this policy do not apply to the discussion and study of politics and political issues appropriate to the curriculum, the conduct of student elections, or the conduct of employee representative elections.

CONDUCT – NON-CERTIFIED STAFF (continued)

<u>Legal References:</u>	<u>N.J.S.A.</u> 2C:33-16	Alcoholic beverages; bringing or possession on school property by person of legal age; penalty
	<u>N.J.S.A.</u> 2C:35-1 <u>et seq.</u>	Controlled dangerous substances
	<u>N.J.S.A.</u> 11:17-2	
	<u>N.J.S.A.</u> 18A:6-1	Corporal Punishment of Students
	<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
	<u>N.J.S.A.</u> 18A:16-2	Physical examinations; requirement
	<u>N.J.S.A.</u> 18A:27-4	Power of Boards of education to make rules governing employment of teacher, etc.; employment there under
	<u>N.J.S.A.</u> 18A:36-32	Cigarette coin-operated vending machines; operation, installation or maintenance on property used for school purposes; fine
	<u>N.J.S.A.</u> 18A:37-1	Submission of students to authority
	<u>N.J.S.A.</u> 18A:42-4	Distribution of literature as to candidacy, bond issues or other public questions to be submitted at election; prohibited
	<u>N.J.S.A.</u> 18A:54-20	Powers of Board (county vocational schools)
	<u>N.J.S.A.</u> 26:3D-15 through -21	Legislative findings and declarations ... (smoking in educational institutions)
	<u>N.J.A.C.</u> 6A:16-6.3	Reporting students or staff members to law enforcement authorities
	<u>N.J.A.C.</u> 6A:16-6.5	Confidentiality of student or staff member involvement in substance abuse intervention and treatment programs
	<u>N.J.A.C.</u> 6A:26-12.2(a)4	Policies and procedures for school facility operation
	<u>New Jersey Constitution</u> , Art. IV, § VII, <u>par. 2</u>	
	Anti-Drug Abuse Act of 1988	
	Drug-Free Workplace Act of 1988	
	P.L. 103-227, GOALS 2000: Educate America Act (Pro Children Act of 1994)	

<u>Cross References:</u>	*1330	Use of school facilities
	*1410	Local units
	*3220/3230	State funds; federal funds
	*3515	Smoking prohibition
	*4212.4	Employee health
	4217.50	Standards for staff discipline
	*4219.23	Employee substance abuse
	*5131.6	Drugs, alcohol, tobacco (substance abuse)

*Indicates policy is included in the Critical Policy Reference Manual.

Key Words

Employee Conduct, Use of Corporal Punishment, Political Activity

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Revised: