



WARREN COUNTY FIRE ACADEMY



Fire Academy Student Conduct – Student Discipline

SUBJECT: Employee Conduct – Student Discipline

ISSUE DATE:	02232021	PART:	AP
REVISION DATE:	N/A	SECTION:	6
EFFECTIVE DATE:	IMMEDIATELY	REVISION #:	N/A
REVIEWED:		NEXT REVIEW:	01012023

Section 1: **PURPOSE**

- 1.1 To establish a consistent application of discipline using policies and procedures related to disciplinary action for Academy students. It shall be the policy of the Academy to administer discipline fairly, reasonably, and impartially. Students and the Academy are best served when discipline is administered to correct actions rather than to punish. The purpose of Disciplinary Action is to be corrective, and not punitive.
- 1.2 All disciplinary actions other than documented verbal warnings or notices, shall be administered in accordance with Academy Policy, New Jersey State Statutes Annotated, and Warren County Community College (WCCC) policy section 304.
- 1.3 The Academy policies of Rules and Regulations (AP-2), Code of Conduct (AP-3) and Harassment (AP-4) is an outline of the minimum expectations necessary to maintain a quality learning environment. It is expected that whenever a disagreement arises, both parties will attempt to solve their differences informally before recourse to the discipline procedure. The following is the exclusive procedure for all student discipline.

Section 2: **DEFINITIONS**

- 2.1 Discipline: Any student who is found to be in violation of Academy policy may be subject to disciplinary action up to and including expulsion. Depending upon the seriousness of the action, other appropriate civil or criminal sanctions may also be pursued.
- 2.2 Performance Action Form: A management tool used by all levels of supervisors to provide recognition of positive or negative academic performance, as well as a method for providing students with immediate feedback directly from the Academy. Use of this form will help guide students in improving their overall academic performance.

Section 3: **POLICY OBJECTIVE**

- 3.1 The tenure of Academy students shall be based on reasonable standards of academic performance and personal and professional conduct. Failure or refusal to meet these



WARREN COUNTY FIRE ACADEMY



Fire Academy Student Conduct – Student Discipline

standards shall constitute just cause for disciplinary action including counseling, written reprimands, withdrawals, and/or expulsion.

- 3.2 Students may be disciplined for failure to follow policy and practice detailed in the Academy's Rules and Regulations and/or Policies and Procedures.
- 3.3 Disciplinary action is not primarily intended to be punitive, but rather to maintain the efficiency and integrity of the Academy's objectives. The nature and severity of the offense and the students prior record shall be considered.
- 3.4 In any major disciplinary action, the pertinent information shall be reviewed with the student specifying the following:
 - 3.4.1 The cause of discipline, and type of problem encountered.
 - 3.4.2 The specific reasons supporting the cause.
 - 3.4.3 The discipline to be imposed, and the effective dates, and.
 - 3.4.4 The right of the student to be heard.
- 3.5 The degree of discipline administered will depend on the severity of the infraction and shall be in accordance with any applicable non-civil service rules and regulations, and Academy policies and procedures.

Section 4: **FORMS AND DEGREES OF DISCIPLINARY ACTION**

- 4.1 It is the responsibility of each supervisor and the Academy Coordinator to evaluate thoroughly the circumstances and facts as objectively as possible and then apply the most suitable form of discipline. The following forms of disciplinary action are listed in degree of severity. With Student Counseling considered the least offensive form of action and Expulsion, being the most severe form of disciplinary action available. Types of disciplinary action may include but are not limited to:
 - 4.1.1 Student Counseling: This type of discipline should be applied to infractions of a relatively minor degree or in situations where the student's performance needs to be discussed. A Performance Action Form with student counseling indicated, will be used for this purpose. It should be given in private. Supervisors should inform the student that the supervisor is issuing a Performance Notice for student counseling, and that the student is being given an opportunity to correct the condition or behavior, and if the condition is not corrected, the person will be subject to more severe disciplinary action.



WARREN COUNTY FIRE ACADEMY

Fire Academy Student Conduct – Student Discipline



- 4.1.1.1 The student's sponsoring department Chief or designee shall be notified of the infraction and a copy of the performance notice provided on request. Any actions taken by the sponsoring department are not the responsibility of the Academy and shall not be noted in the official Academy record.
- 4.1.2 **Reprimand:** This notice will be issued in the event the student continues to disregard the corrective action cited in the performance notice, or if in the opinion of The Academy Coordinator, the infraction is severe enough to warrant a reprimand over the counseling action. Reprimand notices must be issued within ten days after the occurrence of the violation claimed by the supervisor. The reprimand shall state the nature of the infraction in detail and what corrective action must be taken by the student to avoid further discipline. A copy of the reprimand is to be handed to the student at the time of the discussion of the discipline. The student shall sign the reprimand to acknowledge receipt. A copy, signed by the student, shall be placed in the student's personnel file. If the student refuses to sign the acknowledgment, then the supervisor and one other witness shall note on the reprimand that the student received a copy thereof and refused to sign it. Failure to sign a reprimand shall constitute insubordination and subject the student to further disciplinary action.
- 4.1.2.1 The student's sponsoring department Chief or designee shall be notified of the infraction and a copy of the reprimand provided on request. Prior to issuing the reprimand the Academy shall request the sponsoring department Chief or designee participate in the issuance of the reprimand. Sponsoring department participation is not required. Any actions taken by the sponsoring department are not the responsibility of the Academy and shall not be noted in the official Academy record.
- 4.1.3 **Suspension:** This form of discipline is administered as a result of a severe infraction of policies or for repeated violation as determined by the Academy Coordinator. Suspensions may be considered a temporary action, either confirmed or dismissed, following an investigation and determination in the matter. If after investigation, it is determined that the student was not guilty of any violation, he/she will normally be returned to his/her course, and a letter exonerating the student will be placed in his/her official personnel file. If, however, the student is found in violation, then the appropriate disciplinary action will take effect on the date that the investigatory suspension began. A student will be suspended when the offense is of a serious enough nature usually sufficient for withdrawal or expulsion but require a proper investigation prior to withdrawal or expulsion.
- 4.1.3.1 The Academy Coordinator shall include the WCCC Human Resources, the sponsoring department's Chief or designee and the Academy Board of Advisors in the investigation and determination process.



WARREN COUNTY FIRE ACADEMY

Fire Academy Student Conduct – Student Discipline



- 4.1.3.2 The Department of Public Safety Director shall be advised of the complaint and continue to be updated throughout the process.
- 4.1.3.3 Should the investigation and determination process result in the student missing to many classes the student shall be rescheduled for the next course offering without prejudice.
- 4.1.4 **Withdrawal:** Removal of a student from the course, pending review for withdrawal may be warranted in instances involving serious insubordination, theft, serious illegal or destructive acts, or other substantial reasons deemed appropriate by the Academy Coordinator. A student may also be withdrawn after repeated offenses of a less serious nature if the offenses have been documented by the supervisor and appropriate behavioral changes have not resulted from previous progressive disciplinary action.
- 4.1.4.1 The provisions of section 4.1.3 apply.
- 4.1.4.2 The student will be given the opportunity to withdraw from the Academy and no entry will be made in his/her official records other than withdrawal. She/he may return to the Academy at the end of the time period as specified in writing but not less than the next scheduled course offering.
- 4.1.5 **Expulsion:** The student will be permanently dismissed from the Academy. Expulsion is a disciplinary action reserved for gross violations normally criminal, dangerous and/or destructive in nature.
- 4.1.5.1 The provisions of section 4.1.3 apply.
- 4.1.5.2 Permanent dismissal includes any activity of Academy property including but not limited to any class/course offerings and department drills. It does not include Outreach programs held off Academy property.
- 4.1.6 **Restitution:** The student will be held accountable for Academy/County property that she/he has damaged or destroyed, removed and not returned.
- 4.1.6.1 A course diploma shall not be issued until restitution has been resolved.
- 4.1.6.2 The students sponsoring department shall be held accountable for restitution should the student fail to comply.
- 4.1.6.3 The provisions of section 4.1.3 apply.



WARREN COUNTY FIRE ACADEMY

Fire Academy Student Conduct – Student Discipline



Section 5: IMMEDIATE ACTION

5.1 Should the conduct or action of a student necessitate immediate action a supervisor / lead instructor may take necessary steps to immediately remove the student from the situation.

5.1.1 This includes but is not limited to, assigning the student to another location or terminating the student's assignment and removing them from the site.

5.1.2 Immediate notification to the Academy Coordinator shall be made.

5.1.3 Should the action of a student possibly be considered criminal in nature proper notifications shall be made to law enforcement.

Section 6: INVESTIGATION PROCESS

6.1 All levels of disciplinary action shall be treated seriously and promptly investigated. The investigation will be as confidential as possible, consistent with the need to investigate. The Academy will immediately undertake or direct an effective, thorough and objective investigation.

6.2 All investigations shall be conducted as soon as is practicable, and reported for appropriate action, if any, pursuant to applicable personnel policies. The investigator shall interview the complainant, the person alleged to have engaged in a violation of this policy and any other persons who witnessed the alleged conduct or similar conduct forming the basis of the complaint. The investigator shall make written factual findings and credibility assessments, and then forward a report to the Academy Coordinator for evaluative assessment. A special emergency session of the Academy Board may be convened to determine appropriate disciplinary and remedial action, if any, subject to applicable notice, personnel policies, procedures and regulations. All investigative materials are deemed confidential and are not subject to disclosure, except as otherwise required by law.

6.3 The investigation will be completed and a determination regarding the allegations will be made and communicated to the accused party.

6.4 Any disciplinary action shall be communicated with the student's sponsoring department Chief or designee.

6.5 Any disciplinary action rising above the level of a verbal warning shall be forwarded to WCCC Human Resources, the Academy Board of Advisors and the Director of the Department of Public Safety.



WARREN COUNTY FIRE ACADEMY

Fire Academy Student Conduct – Student Discipline



Section 7: **APPEALS**

- 7.1 All forms of discipline are subject to appeal. Performance forms, and written reprimands may not warrant a formal hearing but are subject to appeal through the grievance process as provided in the WCCC Policy Manual – Section 304.6.2
- 7.2 Should a student desire to submit a memorandum of explanation rather than an official appeal, the memorandum of explanation will be added to the students personnel file.

Section 8: **REPEALER**

- 8.1 Any order, policy or directive of a previous administration on this subject matter and in conflict with it is hereby repealed.
- 8.2 Should another order, policy or directive of this administration appear to conflict with this general order it shall be brought to the attention of the Academy Coordinator who shall make the determination and issue amending orders, if needed.
- 8.3 This policy is not in conflict with similar policies set forth by the County of Warren, Warren County Department of Public Safety, or the Warren County College.