

# BATTLE CREEK PUBLIC SCHOOLS CODE OF CONDUCT

## 2021-2022



**BELIEVE**  
*in the*  
**CHANGE**<sup>SM</sup>







**BATTLE CREEK PUBLIC SCHOOLS ADMINISTRATION OFFICES**

3 West Van Buren Street Battle Creek, MI 49017 (269) 965-9465

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*Approved by the Board: Monday, August 2021*

*It is the policy of the Battle Creek Public School District that no discriminatory practices based on gender, race, religion, color, age, national origin, disability, height, weight, or any other status covered by federal, state, or local law be allowed in providing instructional opportunities, programs, services, job placement assistance, employment or in policies governing student conduct and attendance. Any person suspecting a discriminatory practice should contact the Department of Human Resources at the Battle Creek Public School District, 3 W. Van Buren Street, Battle Creek, Michigan 49017 or call (269) 965-9500.*

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### INTRODUCTION

The Code of Conduct is a framework, a guide, to make sure that the way a student behaves doesn't get in the way of all students being able to learn at every school in the Battle Creek Public School District. This framework is built on school-wide positive behavior support, a system of positive ways to discipline students, ways for students to make up for the poor decisions and actions they made, and the organized way to make school rules that match up with firm, fair, and consistent use and consequences. The importance of a school-wide positive behavior support and discipline plan goes along with the ideas of safety, responsibility, respectfulness, appreciation of differences, honesty, and life-long learning.

### ALL STUDENTS HAVE A RIGHT TO A HIGH-QUALITY EDUCATION

The right to a high-quality education promises that school behavior consequences will not be used to take students out of school or otherwise take away the kind of education they receive in school, unless it must be done to make sure that other students and staff are safe. One reason for discipline in schools is to help students with learning and controlling their own behavior. Reaching this goal depends on the good judgment and care of teachers, understanding and leadership by administrators, and the partnership of all parent(s)/guardian(s) in the community. Success with the Code of Conduct depends on the belief that it will be talked about and used as a system where parent(s), guardian(s), students, and staff work together.

### GUIDING PRINCIPLES

The goal of student discipline is to teach students to behave in ways that make the school a calm place to learn and be successful, as well as support a school to be a place where students and staff are responsible and respectful. Successful school discipline is led by the following truths:

- Good teaching and classroom management are in place.
- Stopping misbehavior before it starts and using helpful actions after it happens.
- Making sure that schools are safe and students learn well by helping all adults in the school to build good relationships with students and be involved in their students' school lives and learning.
- Helping students have excellent behavior by teaching, showing, and watching behavior and by fairly and regularly correcting misbehavior when it is needed.
- Combining school discipline with good teaching gives students the chance to learn from their mistakes and give back to the school community.
- Raising the amount of time students spend learning and lowering the time students are removed from their classrooms due to misbehavior.

## SECTION 2: STUDENT BEHAVIOR EXPECTATIONS

### STUDENT BEHAVIOR EXPECTATIONS

The Battle Creek Public Schools Board of Education expects students to conduct themselves in a manner in keeping with their levels of development, maturity and demonstrated capabilities with a proper regard for the rights and welfare of other students, school staff, volunteers and contractors.

#### SCHOOL CITIZENSHIP RULES

This Code seeks to ensure that the following citizenship rules are followed:

1. Students will attend school every day, and be on time prepared to learn
2. Students will demonstrate common courtesy, friendliness and respect to both other students and adults
3. Students will act at all times in a manner that reflects pride in themselves, their family and in the school
4. Students will respect others' ideas, beliefs and cultures with an open mind and polite attention
5. Students will use appropriate and respectful language or gestures when addressing other students and adults
6. Students will be cooperative, attentive and supportive in class and in the halls
7. Students will help to maintain a school environment that is safe, friendly and productive
8. Students will identify themselves to school personnel upon request
9. Students will bring only the supplies needed for school. Toys, games and dangerous objects or substances are not allowed

## SECTION 3: RIGHT AND RESPONSIBILITIES

### RIGHT AND RESPONSIBILITIES

Students, parents, and staff have the following rights and responsibilities regarding the Code of Conduct:

#### STUDENTS HAVE A RIGHT TO:

- Learn and study in a positive atmosphere for learning — one that is unbiased, nonjudgmental, and free from prejudice, discrimination, verbal or physical threats and abuse.
- Expect that school rules will be enforced in a consistent, fair and reasonable manner.
- Discuss and receive assistance with educational concerns from the school staff.
- Receive fair discipline without discrimination.
- Have access to their own student records.

#### PARENTS AND GUARDIANS HAVE A RIGHT TO:

- Receive official reports of the student's academic progress and attendance.
- Request and be granted conferences with teachers, counselors and/or the principal.
- Receive explanations from teachers about the student's grades and disciplinary procedures.
- Read all school records pertaining to their student.

## SECTION 3: RIGHT AND RESPONSIBILITIES

### SCHOOL PERSONNEL HAVE A RIGHT TO:

- Work in a positive atmosphere for learning and teaching.
- Receive support when enforcing student discipline as outlined by the Code of Conduct.
- Teach and work in an atmosphere free from verbal or physical threats and abuse.
- Expect compliance with rules by staff and students.
- Be present, when appropriate, at conferences and hearings concerning classroom and school disruption.
- Receive additional rights as identified and described in the Battle Creek Public School district's policies, bargaining unit agreements and Michigan state laws.

### STUDENTS HAVE A RESPONSIBILITY TO:

- Attend school regularly, arrive on time, bring appropriate materials and be prepared to participate in class and complete assignments.
- Strive for academic growth.
- Respect the rights, feelings, and property of fellow students, parents, school staff, visitors, guests, and school neighbors.
- Conduct themselves properly on school grounds, school buses, at bus stops, at any school-related activity, and in the classroom, so as not to interfere with the rights of another student to learn.
- Make up work resulting from an absence or suspension.
- Follow discipline guidelines adopted by the school and district.
- Read and ask questions to understand the information in this booklet.
- Use computers in an appropriate manner as defined in the district's User Agreement that is signed by each student.

### PARENTS/GUARDIANS HAVE A RESPONSIBILITY TO:

- Be partners with school staff by sharing appropriate ideas for improving student learning and by helping to prevent and/or resolve student discipline problems.
- Provide supervision for the student's health, physical and emotional well being, and assume responsibility for the student's timely regular attendance.
- Promptly provide the school with explanations for student absences or tardiness.
- Review and discuss with the student the statewide Safe Schools Legislation.
- Encourage student compliance with school and district rules.
- Monitor students out of school Internet and social networking use.

### SCHOOL PERSONNEL HAVE A RESPONSIBILITY TO:

- Develop, communicate and implement written classroom expectations for students' behavior and grades.
- Work with parents and other school personnel to prevent discipline problems.
- Inform parents/guardians of student progress, behavior and attendance.
- Refer students to other staff or programs as appropriate.
- Maintain accurate student records.
- Supervise students in the school building and grounds in accordance with rules of the master agreement, district policies and regulations, and school procedures.
- Protect and respect confidentiality of students, parents, and school staff.
- Protect students' health, safety, and welfare.
- Record disciplinary actions in accordance with state laws.

### ATTENDANCE POLICY

Battle Creek Public Schools recognizes that there is a direct and substantial correlation between school attendance and academic achievement. We believe that classroom attendance is an important element in the learning experience. The purpose of attendance procedures and guidelines are to maximize the classroom instructional time so that all students experience academic success and to eliminate the disruption that tardiness and truancy can cause in the classroom learning environment. It is our goal to work with students, families and communities to support regular school attendance and improve academic achievement.

### ATTENDANCE EXPECTATION

Students are expected to be in school on time every day. A significant lesson to be learned in school is the importance of regular attendance. Learning is taking place each day in class. These learning experiences can never be duplicated. When a student is not in attendance, he/she is missing a valuable portion of his/her education.

It is the parents' responsibility to see that regular attendance is maintained. Battle Creek Public Schools understands that a student may have circumstances that cause him/her to miss school; therefore Battle Creek Public Schools has established guidelines for absences.

Students who are learning online, at home are expected to participate and be fully engaged in their online learning. Parents and students will need to participate in two way communication during their check in times with their mentor teacher to be considered present for online learning.

- While it is recognized that absence from school is necessary under certain conditions, every effort should be made by students, parents/guardians, teachers and administrators to keep absences and tardiness to a minimum. If there are barriers preventing students from attending school each day and on time, please inform school personnel.
- In order for parents/guardians to fulfill their responsibility, the school must keep them informed of student absences and attendance patterns.
- An accurate system of attendance records shall be maintained for each student.
- Each teacher is responsible for accurate reporting of daily attendance in his/her classroom.
- The principal shall be accountable for ensuring the accuracy of all attendance records for his/ her building.
- Absences, even though verified by the parent/guardian, which are excessive and/or interfere with the student's educational program, will be investigated by school district personnel.
- All students shall have the opportunity to make up schoolwork missed due to absences. However, it shall be the student's responsibility to secure the assignments and return it within the time agreed upon with each teacher.

### TARDY

It is vital that students arrive at school on time. Some of the most important information and communication will take place at the start of class. Students who arrive in class after the specified start time are considered tardy.

### EARLY OUT

Leaving the classroom earlier than the scheduled dismissal time is also disruptive to the classroom and to the student's learning.

All students will receive an "early out" code for leaving school or class anytime before the end of the school day or class period. Students who miss more than 50% of the school day or class period due to leaving early will receive an early out absence.



## SECTION 4: ATTENDANCE POLICY

### UNEXCUSED ABSENCE

Student is absent without notice by parent/guardian or the reason for the absence is not included in the “excused absence” reasons listed below.

Students not present for more than 50% of a school day or a class period will be considered absent.

### EXCUSED ABSENCE

Parent/guardian has notified the school as to the reason and length of time the student will not be attending for the following reasons:

- 1.) Illness
- 2.) Recovery from an accident
- 3.) Required Court Appearance
- 4.) Professional Appointments
- 5.) Death in the immediate family
- 6.) Observation or celebration of a federally recognized religious holiday
- 7.) Such other as deemed by the superintendent

### OTHER KEY POINTS ABOUT THE BCPS ATTENDANCE POLICY:

- Vacations are NOT an excused absence. The principal may issue an exception in extraordinary circumstances.
- It is the student’s/parent’s responsibility to gather any assignments they will be missing. We ask that you try to schedule appointments and vacations during the times that school is not in session.
- A physician’s note is REQUIRED if a student is absent 3 consecutive days or more, due to illness or health related issues.
- The school will only accept notification of an excused absence up to 3 days after the student has been absent.
- Excessive tardiness and absences of any type could result in disciplinary action and/or may lead to legal action for the parents/guardians and the student.

### PICK-UP AND DROP-OFF

Students who are walking or being dropped off shall not arrive to school prior to fifteen minutes before school begins, unless otherwise directed by building administration. There is no supervision at the school and early arrival is a safety concern.

Students should be picked up promptly from school. Parents and those picking up students from school are asked to be very sensitive to the extra burden placed on the school when students need to be supervised after the pick-up time. Late pick-up also poses a safety concern. As mandated reporters, the school may contact CPS or the police regarding students who are not picked up at the end of the school day.

Students who are late to school will need to check in at the school office and sign in to receive a pass before arriving to class. If parents are wishing to take their students to their classroom, that will only be with the approval and discretion of the building administrator. Each parent will need to sign in and/or receive a visitor’s pass before escorting their student anywhere in the building outside of the school office.

### TRUANCY

Effective and quality education requires regular attendance. Lack of attendance disrupts learning. The Calhoun Intermediate School District along with the Battle Creek Public Schools will take part in collaborative effort to help students who are not regularly attending school.

### TRUANT STUDENTS

#### **5 or more absences: (periods determined by building schedule)**

Students who are receiving instruction online and are considered absent due to low engagement and/or missed check in sessions with their mentor teachers will follow these same guidelines.

- 1.) A letter from the school will be sent to the parents/guardians informing them of the number of absences their child has accumulated.
- 2.) If absences continue, a second letter will be sent to the parent/guardian by mail informing them of the number of absences their child has accumulated. This letter will also serve as notification that if the student's attendance does not become regular the school will file truancy with the Calhoun County Truancy Officer. The letter will ask the parent/guardian to contact the school immediately. A meeting with the parents/guardians may be required.
- 3.) Continued absences are considered to be extremely excessive as the absences could have an impact on the student's learning. A third letter will be sent to the parent/guardian by mail informing them of the number of absences their child has accumulated. This letter will also serve as notification that the excessive absences will result in a referral to the Calhoun County Truancy Officer. The letter will ask the parent/guardian to contact the school immediately. A meeting with the parents/guardians will be required.



## SECTION 5: EXPECTATIONS FOR SAFE SCHOOL BUS CONDUCT

### EXPECTATIONS FOR SAFE SCHOOL BUS CONDUCT

While all provisions of the Code of Conduct apply to students who are school bus passengers, the following special rules must be observed because of the unique safety requirements presented by a moving school bus. Any student violating these rules or committing other acts of misconduct on the bus may be given a written warning and/or suspension notice.

1. The bus driver is responsible for the school bus and passenger safety. Students must cooperate with and obey the driver at all times. To ensure the safety of the driver and passengers, students are prohibited from bringing glass and other objects which could be used as weapons (e.g., baseball bat, scooter, skateboard, etc.) onto a school bus
2. Loading and unloading of the school bus will be controlled by the driver, principal and building staff
3. The emergency exit will be used only as the driver directs and is never to be touched at any other time
4. Students will enter the bus in an orderly fashion and remain seated and quiet until it is time to leave the vehicle. Heads and arms will be kept inside the bus windows; feet will be kept out of the center aisle and on the floor at all times. Students will be instructed to stop and look both ways before crossing in front of the school bus
5. A driver may require students to take assigned seats whenever it is necessary and may establish a seating chart for that purpose.
6. Students not authorized by the Transportation Services Office and the principal will not be permitted on the bus.
7. School bus routes, stops and time schedules will be established by the Transportation Department.

### VIOLATION OF BUS RULES AND/OR CODE OF CONDUCT EXPECTATIONS

#### (Either on the bus or at the bus stop)

The Transportation Department has been given the authority by the Board of Education to issue warnings and/or suspend students who violate bus rules and/or code of conduct rules and expectations while on the bus or at the bus stop.

The Transportation Department must communicate with parents and school personnel if disciplinary action is taken.



### DISTRICT-WIDE DRESS CODE

#### DRESS CODE EXPECTATION

Students, with the help of their parents/guardians, have the responsibility to dress and groom themselves in a manner appropriate for school.

#### SCHOOL DRESS CODE/STUDENT APPEARANCE

Students are to use discretion in their dress and are not permitted to wear apparel that causes a substantial disruption in the school environment. Battle Creek Public Schools expects that all students will dress in a way that is appropriate for the school day or for any school sponsored events. Although the primary responsibility for a student's attire resides with the student and their parent(s) or guardian(s), the school district is responsible for seeing that student attire does not interfere with the health or safety of any student and does not contribute to a hostile or intimidating atmosphere for any student. These dress code guidelines shall apply to regular school days and summer school days, as well as while on the school bus, at any school-related events and activities, such as graduation ceremonies, dances and prom.

1. Students must wear a shirt (with fabric in the front, back, and on the sides under the arms) and pants/jeans or the equivalent (for example, a skirt, sweatpants, leggings, a dress or shorts).
2. Appropriate footwear must be worn at all times.
3. Student dress (including accessories) may not advertise, promote, or depict alcoholic beverages, illegal drugs, drug paraphernalia, violent behavior, hate speech, profanity, pornography, images or language that creates a hostile or intimidating environment or other inappropriate images.
4. Student dress (including accessories) may not display lewd, vulgar, obscene, or offensive language or symbols, including gang symbols.
5. Students may not wear any clothing that reveals visible undergarments (visible waistbands and visible straps are allowed)
6. Students are not allowed to wear swimsuits (except as required in class or athletic practice).
7. Accessories that could be considered dangerous or could be used as a weapon may not be worn.
8. Any item that obscures the face or ears (except as a religious observance).
9. Hair styles, dress, and accessories that pose a safety hazard are not permitted in the shop, laboratories, or during physical education.

If there is any doubt about dress and appearance, the school administration will make the final decision. Students whose dress violates the dress code and/or causes a substantial disruption of the orderly process of school functions or endangers the health or safety of the student, other students, staff or others may be removed from spaces, hallways, or classrooms as a result of a dress code violation. Students may also be asked to put on their own alternative clothing, if already available at school, or may be provided with temporary school clothing for the remainder of the day, or students' parents may be called during the school day to bring alternative clothing for the student to wear for the remainder of the day.

### DISCIPLINARY ACTION

The nature of discipline assumes the acceptance of rights and responsibilities by everyone involved in the process: student, parent, teacher, administrator and all other school personnel. While the Building Administrator bears the primary responsibility for maintaining proper control and discipline within the school building and grounds, each teacher bears the primary responsibility for maintaining proper control and discipline within the classroom. Teachers also share responsibility for the maintenance of proper control and discipline in other areas of the school building and grounds. Disciplinary actions and methods shall be reasonable, just, prompt and in accordance with the policies and procedures of the Battle Creek Public Schools' Student Code of Conduct. The Battle Creek Public School Board recognizes that parents are a critical part of their child's education, which includes behavior at school. Therefore, in order to keep parents informed, teachers and other staff will contact parents to ensure parents' knowledge of behavioral issues.

### STUDENT CONSEQUENCES FOR DISRUPTIVE BEHAVIOR

Students who do not follow school rules will be subject to a series of interventions intended to correct the behavior. The student's school and/or the Transportation Department are responsible for issuing behavior consequences.

#### The Code shall apply to students:

1. On school property or in a school-related vehicle;
2. In attendance at school or at any school-sponsored activity;
3. En route to or from school or any school-sponsored activity;
4. Whose conduct at any place or time interferes with the operations, discipline, or general welfare of the school and school students/personnel;
5. When using school-owned telecommunications or computer resources and accounts or other district services.

### COMMUNICATION WITH PARENTS

In every case resulting in suspension, the parent, or student (if over the age of 19), will be notified by telephone and/or in writing the day of the suspension, regarding terms of the suspension and re-entry. In some cases of disciplinary action, a student may be suspended from school pending investigation of the incident. If disciplinary action involves suspension, no student will be sent out of the building during school hours unless a parent or another responsible person has been contacted. If a non-custodial parent, who is legally authorized for access to student records, wishes to have copies of suspension information mailed to their home, it is the responsibility of said parent to provide the school with the necessary address.

### SEARCHES AND SEIZURES

#### SEARCHES

Searches of students, personal property of students, lockers and motorized vehicles shall be conducted under the appropriate legal standard, to maintain the safety and security of students, teachers, guests and school property.

#### AUTHORIZED PERSONNEL

Personnel authorized to conduct searches shall include any principal, assistant principal, member of the Department of Public Safety, or any other school official specifically designated by the principal to conduct searches.

### SEARCHES OF STUDENTS

Authorized school personnel may conduct a search of a student, book bag, backpack or any other student possession or belonging if they have reasonable suspicion for a search.

Reasonable suspicion for a search means circumstances that would cause a reasonable person to believe that the search of a particular person, place or thing will lead to the discovery of:

- Evidence of a violation of any local ordinance or state/ federal law;
- Evidence of a violation of the Code or any other Board of Education policy or administrative regulations;
- Any item which represents a danger of physical harm or illness to any student, staff, guest or school property, whether on school property, at a school sponsored event or going to or from school.

Upon reasonable suspicion and in order to protect the health, safety, or welfare of the students under the supervision of the school district, the principal or their designee may search students. All searches are to be carried out in the presence of another adult.

If the student refuses to comply, an attempt will be made to contact a parent and the matter will be turned over to the Department of Public Safety or other law enforcement agency, as appropriate. The Department of Public Safety or other law enforcement agency will conduct a physical search of the student as permitted under law.

### LOCKER SEARCHES

All lockers in the BCPS District are the property of the district and are under the supervision of the building principal or designated representative. At no time does the district give up its exclusive control of its lockers. Students are prohibited from placing private locks on school lockers. Authorized personnel shall remove any private locks placed on school lockers.

School lockers are assigned to students for their convenience and temporary use. Students are to use school lockers exclusively to store school-related materials and authorized personal items such as outer garments, footwear, grooming aids and lunch. Students are solely responsible for the contents of their lockers and may not share their locker or locker combination with other students.

### RANDOM SEARCHES OF LOCKERS WILL BE CONDUCTED

Authorized personnel may search lockers and locker contents at any time, without notice and without student or parent/ guardian consent. A certified detection dog and handler may be used to conduct random searches of lockers. In all cases, two people must be present during a locker search. Law enforcement officials may be asked to assist in searching lockers but must be supervised by school officials.

If a law enforcement officer desiring to search a locker assigned to a student has a warrant for such search, the principal or his/her designee shall immediately take such officer to the locker assigned to the student and permit him/her to search the locker. Whenever possible, such search shall be made in the presence of the principal or his/her designee.

If a law enforcement officer, other than the BCPS Liaison Officer, desires to search a locker assigned to a student without a warrant, the principal or his/her designee shall ask what facts lead the officer to believe that evidence of a crime will be lost, destroyed or moved if the search and seizure did not take place immediately, before a warrant is obtained. If the building principal or his/ her designee is not of the same opinion as the officer, he/she will permit the officer to proceed on his/her own authority but shall not participate in the search. The principal or his/her designee shall immediately report the incident to the Director of Public Safety, who will notify the officer's superior of the incident.

### SEARCH OF MOTOR VEHICLES

Authorized personnel may search any motorized vehicles brought onto school property by a student at any time upon reasonable suspicion that the motorized vehicle contains:

- Evidence of a violation of any local ordinance or state/federal law;
- Evidence of a violation of the Code of Conduct or any other Board of Education policy or administrative regulations;
- Any item which represents a danger of physical harm or illness to any student, staff, guest, or school property, whether on school property, at a school sponsored event, or going to or from school.

Such a search may be conducted without notice to the student. Students refusing to cooperate in allowing a search of the motorized vehicle shall immediately lose their driving and parking privileges and shall be subject to further disciplinary action as specified in the Code. A certified detection dog and handler may be used to develop reasonable suspicion and initiate a search.

### SEIZURES

Items believed to be connected to illegal activity or violation of the Code, Board policy, administrative regulation, or which represents a danger of physical harm or illness to any student, staff, guest, or school property may be seized by the person conducting the search. Any items seized as a result of a search shall be turned over to the Department of Public Safety or other law enforcement agency. Confiscated items may not be returned.

### PHYSICAL INTERVENTION BY STAFF

The Battle Creek Public School District does not permit employees to use corporal punishment (the use of or threat of physical punishment to change behavior) on a student.

Employees are permitted to use reasonable Non-Violent Crisis Intervention to a student to:

1. Protect themselves or another person from physical attack
2. Prevent the student from harming him/herself
3. Stop a disturbance that may result in physical injury to any person
4. Obtain possession of a weapon or other dangerous object

And if:

5. They have been trained and certified in Non-Violent Crisis Intervention
6. They have participated in the Seclusion and Restraint Module.

### EDUCATIONAL PROGRAMMING DURING SUSPENSION OR EXPULSION

Except as otherwise provided in this policy, a student who has been suspended or expelled may not be on any Battle Creek Public Schools property attending classes or other school functions, or participating in extracurricular activities during the student's suspension or expulsion. This includes commencement or promotion exercises, and sporting events. The Board authorizes school officials to assist students who have been suspended or expelled to explore alternative means, as allowed by law, to earn credit and to complete coursework during the period of the student's suspension or expulsion.

### SUSPENSION FROM CLASS, SUBJECT, OR ACTIVITY BY TEACHER

A teacher may suspend a student from any class, subject, or activity for up to one full school day or class period if the teacher has good reason to believe that the student: (1) intentionally disrupted the class, subject, or activity; (2) jeopardized the health or safety of any of the other participants in the class, subject, or activity; or (3) was insubordinate during the class, subject, or activity.

## SECTION 7: DISCIPLINARY ACTION

The Board directs any teacher who suspends a student from a class, subject, or activity to immediately report the suspension and the reason for the suspension to the building administrator or designee. If a student is suspended from a class, subject, or activity, the Board directs the building administrator or designee to ensure that the student is appropriately supervised during the suspension and, if the student is a student with a disability, that all procedures that apply to students with disabilities are followed.

The Board directs any teacher who suspends a student from a class, subject, or activity to, as soon as possible following the suspension, request that the student's parent/guardian attend a parent-teacher conference to discuss the suspension. The Board directs the building administrator or designee to attend the conference if either the teacher or the parent/guardian requests the attendance of a school administrator. In addition, the Board directs the building administrator to make reasonable efforts to invite a school counselor, school psychologist, or school social worker to attend the conference.

### ARRESTS AND REFERRALS TO LAW ENFORCEMENT

- The infractions that may result in arrest or referral to law enforcement are typically Level 5/6 behaviors.
- All other inappropriate or disruptive behaviors should be addressed through alternative interventions and disciplinary responses.
- With proper documentation, however, school officials may elevate the disciplinary response to a higher level.
- School officials will use their discretion before notifying law enforcement and are encouraged to consider the following: Whether the misconduct was particularly egregious; Whether the student persists in misconduct after being told to cease such behavior, and continues to endanger the safety of others; The age of the student engaging in misconduct; and Whether the student's misconduct is specifically intended to cause, or irresponsibly causes, physical harm to others, or endangers the safety of others.

### USE OF EXPULSIONS

Recommendations for expulsion may only be made under the following circumstances:

- The student has committed a Level 6 behavior (mandatory expulsion offenses);
- A shorter term suspension and/or other interventions are inadequate to address the behavior;
- The student's continued presence in the school endangers the safety of students or staff.

If one or more of the above circumstances are not met, the behavior must be addressed through alternative interventions and disciplinary responses

Expulsion procedures, appeals, and reinstatements must follow board approved policy. Parents may contact Student Services for more information on these policies.

### REINSTATEMENT FOLLOWING SUSPENSION OR EXPULSION

It is the policy of the District to consider a petition for reinstatement from an expelled student and the parent/guardian and to follow the requirements of sections 1311 and 1311a of the Revised School Code.

### REINSTATEMENT FOLLOWING MANDATORY PERMANENT AND/OR DISCRETIONARY EXPULSION

The parent/guardian (or the student if emancipated or at least 18 years old) of a student who has been expelled should file a petition for reinstatement through Student Services or a District Administrator in conjunction with District Policy.



## SECTION 8: LEVELS OF INTERVENTION AND DISCIPLINARY RESPONSES

| LEVELS OF INTERVENTION  | INTERVENTION OPTIONS<br>(Including but not limited to)   |
|---|--|
| <p><b>Level 1</b></p> <p>Responsibility of classroom staff or nearby staff in lesser structured areas</p>   | <ul style="list-style-type: none"> <li>• Teacher/Student Conference</li> <li>• Reminders and Redirection</li> <li>• Teaching of Expectations and Skills</li> <li>• Written Apology</li> <li>• Reflective Essay or Other Reflective Activity</li> <li>• Independent Study</li> <li>• 3 to 1 Positive Reinforcement</li> <li>• Reinforce CHAMPs &amp; R.O.A.R.</li> <li>• Restitution</li> <li>• Use of affective statements and questions</li> <li>• Restorative Circles</li> </ul>   |
| <p><b>Level 2</b></p> <p>Responsibility of classroom staff, nearby staff in lesser structured areas, counselor, or interventionist</p>                | <ul style="list-style-type: none"> <li>• Any Lower Level Interventions</li> <li>• Parent/Guardian Outreach</li> <li>• In Class Reset</li> <li>• Alternative classroom seating</li> <li>• Reinforcement/Tracking Sheet</li> <li>• Option to use alternative space (buddy room, student success rooms/spaces, etc.)</li> <li>• Loss of Privileges</li> <li>• Mini-Course/Training or Group (e.g., conflict resolution, anger management, social skills, or appropriate behavior)</li> <li>• Referral to Support Staff (e.g., counselor, interventionist, nurse, etc)</li> <li>• Mediation</li> </ul> |
| <p><b>Level 3</b></p> <p>Responsibility of classroom staff, nearby staff in lesser structured areas, counselor, interventionist, or administrator</p> | <ul style="list-style-type: none"> <li>• Any Lower Level Interventions</li> <li>• Student/Teacher/Parent Conference</li> <li>• After School/Lunch Detention</li> <li>• Functional Behavioral Assessment</li> <li>• Behavioral Intervention Plan</li> <li>• Behavior Support Plan</li> <li>• Mentoring Program</li> <li>• Peer Mediation</li> <li>• Referral to Community Based Services</li> <li>• Referral to Administrator</li> </ul>  |
| <p><b>Level 4</b></p> <p>Responsibility of administrator</p>  | <ul style="list-style-type: none"> <li>• Any Lower-Level Interventions</li> <li>• Formal Restorative Conference ( building level alternative to suspension ( schedule changes, program change, behavior contracts, etc.)</li> <li>• Out-of-School Suspension (if deemed as necessary)</li> </ul>   |
| <p><b>Level 5</b></p> <p>Responsibility of administrator</p>  | <ul style="list-style-type: none"> <li>• Any Lower-Level Interventions</li> <li>• Out-of-School Suspension ( may be recommended for long-term suspension or expulsion)</li> <li>• Arrest or Referral to Law Enforcement through District Liaison Officer</li> </ul>  |
| <p><b>Level 6</b></p> <p>Responsibility of administrator</p>  | <ul style="list-style-type: none"> <li>• Mandatory recommendation for expulsion to Student Services</li> <li>• Arrest/referral to Law Enforcement through District Liaison Officer</li> </ul>  |

## SECTION 8: LEVELS OF INTERVENTION AND DISCIPLINARY RESPONSES

### DETAILED LEVELS OF INFRACTION AND DISCIPLINARY CODING

| <p><b>Who?</b></p> <p>Classroom managed action by the teacher, using the student success process.</p> <p><i>Note: May also include but are not limited to; Counselor, interventionists or administrator.</i></p>   | <p><b>Who?</b></p> <p>Referral to administrator in Skyward</p> <p><i>Note: Repeated Misconduct of Level 1-3 will be referred by Interventionist</i></p>  | <p><b>Who?</b></p> <p>Referral to administrator in Skyward</p>  | <p><b>Who?</b></p> <p>Referral to administrator in Skyward</p>  |
|--|--|---|---|
| <p><b>What is a level 1-3 Infraction?</b></p> <ul style="list-style-type: none"> <li>• (03) Class Disturbance</li> <li>• (04) Disrespect Toward another person</li> <li>• (19) Truancy                             <ul style="list-style-type: none"> <li>◦ Excessive time out of class on pass</li> </ul> </li> <li>• (21) Use of Profanity, Vulgar, Obscene Language</li> <li>• (26) Hall Disturbance</li> <li>• (31) Tardies (follow tardy procedure)</li> <li>• (40) Cellphone Violation</li> <li>• (61) Not Following Directions</li> </ul> | <p><b>What is a level 4 Infraction?</b></p> <ul style="list-style-type: none"> <li>• (05) Destruction of School Property</li> <li>• (07) Fighting</li> <li>• (08) Gambling</li> <li>• (10) Larceny</li> <li>• (11) Loitering</li> <li>• (13) Possession / Use of Tobacco</li> <li>• (15) Racial/Ethnic Slurs (Malicious)</li> <li>• (17) Sexual Harassment (Verbal/Visual)</li> <li>• (18) Threats to Harm Another Person</li> <li>• (19) Truancy                             <ul style="list-style-type: none"> <li>◦ Left class and never came back</li> <li>◦ Was in school but did not attend</li> </ul> </li> <li>• (20) Use of an Object as a Weapon</li> <li>• (23) Bus Misconduct</li> <li>• (24) Fireworks</li> <li>• (25) Failure to Report to Office</li> <li>• (27) False Identification</li> <li>• (28) Personal Appearance</li> <li>• (30) Skipped Teacher/ Principal Detention</li> <li>• (37) Bullying (1st offense)</li> <li>• (57) Illicit Drug (under the influence)</li> <li>• (58) Alcohol (under the influence)</li> </ul> | <p><b>What is a level 5 Infraction?</b></p> <ul style="list-style-type: none"> <li>• (05) Destruction of School Property</li> <li>• (07) Fighting</li> <li>• (10) Larceny</li> <li>• (13) Possession / Use of Tobacco</li> <li>• (14) Possession / Use of a Weapon</li> <li>• (17) Sexual Harassment (Physical Contact)</li> <li>• (20) Use of an Object as a Weapon</li> <li>• (22) Bomb Threat or Similar Threat</li> <li>• (24) Fireworks</li> <li>• (32) Sexual Misconduct</li> <li>• (33) False Alarm (Fire)</li> <li>• (34) Assault (Physical) - Student</li> <li>• (36) Assault (Physical) - Staff</li> <li>• (35) Assault (Verbal) - Staff</li> <li>• (37) Bullying (2nd/3rd offense)</li> <li>• (57) Illicit Drug (possession)</li> <li>• (58) Alcohol (possession)</li> <li>• Repeated Misconduct of Level 4</li> </ul> | <p><b>What is a level 6 Infraction?</b></p> <ul style="list-style-type: none"> <li>• (01) Arson</li> <li>• (14) Possession / Use of a Weapon</li> <li>• (16) Rape</li> <li>• Extortion</li> <li>• Repeated Misconduct of Level 5</li> </ul> |

## SECTION 9: BEHAVIOR MATRIX WITH LEVELED CONSEQUENCES

### INAPPROPRIATE OR DISRUPTIVE BEHAVIOR

### LEVELS:

#### Weapons, Explosives, Dangerous Objects, Imitation Firearms:

- Possessed, sold, and/or furnished (firearm [real gun, pistol, rifle, etc]; possession of weapon, explosive, brass knuckles, iron bar, imitation firearm, or other dangerous object: M80, cherry bomb or larger)
- Brandishing a knife (weapon with blade longer than 3" or folding knife with locking blade or unguarded razor blade or fixed blade; threatening another individual with a knife)
- Possessed, sold, or furnished firecrackers or fireworks other than M80s or cherry bombs
- Use of an object as a weapon

#### Controlled/Prohibited Substances:

- Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of any controlled/prohibited substance in lieu of alcohol, intoxicant, prescription or over the counter medication or other controlled substances
- Possessed and/or used controlled/prohibited substance, alcohol/intoxicant, prescription or over the counter medication
- Furnished or sold controlled/prohibited substance, alcohol/intoxicant, prescription or over the counter medication

#### Robbery/Extortion (includes attempts):

- Robbery (the felonious taking of personal property in the possession of another against his/her will as accomplished by force or fear)
- Extortion (obtaining of property of another with his/her consent induced by wrongful use of force or fear)

#### Property/Damage:

- Attempted to cause minor damage
- Caused minor damage
- Caused major damage

|  | 1 | 2 | 3 | 4 | 5 | 6 |
|--|---|---|---|---|---|---|
|  |   |   |   | X | X | X |
|  |   |   |   | X | X | X |
|  |   |   | X | X | X |   |
|  |   |   |   | X | X |   |
|  |   |   |   | X | X |   |
|  |   |   |   |   | X |   |
|  |   |   |   |   | X |   |
|  |   |   |   | X | X | X |
|  |   |   |   | X | X | X |
|  |   |   |   |   |   |   |
|  |   | X | X |   |   |   |
|  |   | X | X | X |   |   |
|  |   |   | X | X | X |   |

## SECTION 9: BEHAVIOR MATRIX WITH LEVELED CONSEQUENCES

### INAPPROPRIATE OR DISRUPTIVE BEHAVIOR

#### LEVELS:

|  | 1 | 2 | 3 | 4 | 5 | 6 |
|--|---|---|---|---|---|---|
| <b>Property/Theft:</b>   |   |   |   |   |   |   |
| <ul style="list-style-type: none"> <li>Attempted to steal property</li> </ul>  |   | X | X | X |   |   |
| <ul style="list-style-type: none"> <li>Larceny/Stealing property</li> </ul>  |   |   | X | X | X |   |
| <ul style="list-style-type: none"> <li>Receipt of stolen property</li> </ul>   |   |   | X | X | X |   |
| <b>Tobacco or Nicotine Product:</b>  |   |   |   |   |   |   |
| Possessed, used, sold, or otherwise furnished a product with tobacco or nicotine: <ul style="list-style-type: none"> <li>First Offense during school year</li> </ul>             |   |   | X |   |   |   |
| <ul style="list-style-type: none"> <li>Second Offense during school year</li> </ul>  |   |   |   | X |   |   |
| <ul style="list-style-type: none"> <li>Third Offense or more during school year</li> </ul>   |   |   |   |   | X |   |
| <b>Obscenity:</b>  |   |   |   |   |   |   |
| <ul style="list-style-type: none"> <li>Committed an obscene act or engaged in obscenity</li> </ul>   | X | X | X |   |   |   |
| <ul style="list-style-type: none"> <li>Engaged in excessive profanity/vulgarity or habitual use of obscene acts</li> </ul>   |   |   | X | X | X |   |
| <ul style="list-style-type: none"> <li>Possession of Inappropriate Personal Property</li> </ul>  |   |   | X | X | X |   |
| <b>Drug Paraphernalia:</b>   |   |   |   |   |   |   |
| Had unlawful possession of, or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia. <ul style="list-style-type: none"> <li>Unlawful possession</li> </ul> |   |   | X | X | X |   |
| <ul style="list-style-type: none"> <li>Unlawfully offered, arranged, or negotiated to sell</li> </ul>  |   |   | X | X | X |   |

## SECTION 9: BEHAVIOR MATRIX WITH LEVELED CONSEQUENCES

### INAPPROPRIATE OR DISRUPTIVE BEHAVIOR

#### Disruption/Defiance:

Disrupted school activities or willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties:

- Minor disruption/defiance (classroom, hallway disturbance, school-sponsored event, failure to follow teacher/supervisor directions, verbal abuse or defiance of teacher/supervisor)
- Major Disruption/defiance (one or more classrooms, school sponsored events, verbal defiance of teacher/supervisor requiring assistance)
- Failure to Report (to specified locations including serving time for consequences)
- Personal Appearance (dress code violation)

#### LEVELS:

|                                   | 1 | 2 | 3 | 4 | 5 | 6 |
|-----------------------------------|---|---|---|---|---|---|
|                                   |   |   |   |   |   |   |
|                                   | X | X | X |   |   |   |
|                                   |   | X | X | X | X |   |
|                                   |   | X | X | X |   |   |
|                                   | X | X |   |   |   |   |
| <b>Sexual Harassment/Assault:</b> |   |   |   |   |   |   |
|                                   |   | X | X | X |   |   |
|                                   |   |   | X | X | X |   |
|                                   |   |   |   | X | X |   |
|                                   |   |   |   |   | X | X |

## SECTION 9: BEHAVIOR MATRIX WITH LEVELED CONSEQUENCES

### INAPPROPRIATE OR DISRUPTIVE BEHAVIOR

#### Physical Violence/ Threats:

Incidents may be motivated in part or in whole by hostility toward a person's real or perceived disability, gender, nationality, race, religion, or sexual orientation. Act must be intended to cause emotional suffering, physical injury, or property damage.

- Mutual combat (fight motivated by racial differences, real or perceived sexual orientation, or other related matters)
- Offensive comment (intent to harm – racial slur, derogatory comment about nationality, etc)
- Use of physical force, minor injury (not mutual combat; no or minor medical attention required; no cuts or bruises; willful and unlawful force or violence upon another; clear aggressor)
- Use of physical force, serious injury (not mutual combat, no or minor medical attention required, heavy bruises and/or cuts, broken bones; medical attention required; willful and unlawful force or violence upon another; clear aggressor)
- Threat of violence (must be hate-motivated)
- Vandalism or graffiti that is hate-motivated or conveys a racist or otherwise hateful message.

#### Threats and Intimidation:

- Witness intimidation using harassment and/or threat
- Threat of death or grave bodily injury against school official, or against school property (at least \$1000)
- Hate Motivated- Discriminatory behavior or statements that degrade an individual on the basis of his/her actual or perceived race, ethnicity, culture, heritage, gender, sex, sexual orientation, physical/mental attributes, or beliefs or practices religious beliefs or practices.
- Bullying: Unwanted, aggressive behavior among school-aged children that involves a real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated, over time. Bullying includes actions such as making threats, spreading rumors, attacking someone physically or verbally, and excluding someone from a group on purpose. Includes cyber bullying, which includes the use of, but is not limited to; Any electronic communication (via cell phone, tablet, computer, etc.)
  - 1st Offense during school year
  - 2nd Offense during school year
  - 3rd Offense or more during school year

#### LEVELS:

|  | 1 | 2 | 3 | 4 | 5 | 6 |
|--|---|---|---|---|---|---|
|  |   |   |   | X | X |   |
|  |   | X | X | X |   |   |
|  |   |   |   | X | X |   |
|  |   |   |   | X | X |   |
|  |   | X | X | X |   |   |
|  |   |   | X | X | X |   |
|  |   | X | X | X | X |   |
|  |   |   |   | X | X |   |
|  | X | X | X | X | X |   |
|  | X | X | X |   |   |   |
|  |   | X | X | X |   |   |
|  |   |   |   | X | X |   |

## SECTION 9: BEHAVIOR MATRIX WITH LEVELED CONSEQUENCES

### INAPPROPRIATE OR DISRUPTIVE BEHAVIOR

### LEVELS:

#### Hazing:

Engaged in, or attempted to engage in, hazing as defined by the Michigan Department of Education.

#### Dishonesty:

- Cheating and plagiarizing
- Forgery/fraud
- False Identification/ Refusal to Identify Self

#### False Activation of Fire Alarm (Grades 6-12)

#### False Bomb Threat (Grades 6-12)

#### False Activation of Fire Alarm (Grades K-5)

#### False Bomb Threat (Grades K-5)

#### Arson:

Intentionally, by means of starting a fire, cause harm to any school property or person, or participate in the burning of any school property or person.

#### Portable Electronic Devices Use at Unauthorized Times

#### Unauthorized Use of School Equipment:

- Improper use of school equipment (including technology)
- Violation of District Technology Use Guidelines
- Use of technology on school grounds or in relation to school events to distribute or interact with illegal or explicit information

|  | 1 | 2 | 3 | 4 | 5 | 6 |
|--|---|---|---|---|---|---|
| Hazing:  |   |   | X | X |   |   |
| Dishonesty:  | X | X | X |   |   |   |
| • Cheating and plagiarizing  |   | X | X | X | X |   |
| • Forgery/fraud  |   | X | X | X |   |   |
| • False Identification/ Refusal to Identify Self   |   |   |   |   |   |   |
| False Activation of Fire Alarm (Grades 6-12)   |   |   |   |   | X |   |
| False Bomb Threat (Grades 6-12)  |   |   |   |   | X |   |
| False Activation of Fire Alarm (Grades K-5)  |   | X | X |   |   |   |
| False Bomb Threat (Grades K-5)   |   | X | X | X |   |   |
| Arson:   |   |   |   | X | X | X |
| Portable Electronic Devices Use at Unauthorized Times  | X | X | X |   |   |   |
| Unauthorized Use of School Equipment:  |   |   |   |   |   |   |
| • Improper use of school equipment (including technology)  | X | X | X | X |   |   |
| • Violation of District Technology Use Guidelines  | X | X | X | X | X |   |
| • Use of technology on school grounds or in relation to school events to distribute or interact with illegal or explicit information |   |   | X | X | X |   |

## SECTION 9: BEHAVIOR MATRIX WITH LEVELED CONSEQUENCES

### INAPPROPRIATE OR DISRUPTIVE BEHAVIOR

|   | LEVELS: |   |   |   |   |   |
|---|---------|---|---|---|---|---|
|   | 1       | 2 | 3 | 4 | 5 | 6 |
| <b>Gambling</b>   | X       | X | X | X |   |   |
| <p><b>Gang Activity:</b><br/>A student will not, by use of violence, force, coercion, threat of violence, or gang activity, cause disruption or obstruction to the educational process. Gangs are defined as organized groups of students and/or adults who engage in activities that threaten the safety of the general populace, compromise the general community order, and/or interfere with the school district's educational mission.</p> <p>Gang activity includes any one of the following:</p> <ul style="list-style-type: none"> <li>Wearing or displaying any clothing, jewelry, colors, or insignia that intentionally identifies the student as a member of a gang, or otherwise symbolizes support of a gang.</li> <li>Using any word, phrase, written symbol, or gesture that intentionally identifies a student as a member of a gang, or otherwise symbolizes support of a gang.</li> <li>Gathering of two or more persons for purposes of engaging in activities or discussions promoting gangs.</li> <li>Recruiting student(s) for gangs. Threat of violence (must be hate-motivated)</li> <li>Vandalism or graffiti that is hate-motivated or conveys a racist or otherwise hateful message.</li> </ul> |         |   | X | X | X |   |
| <b>Improper, Negligent, or Reckless Operation of a Motor Vehicle</b>  |         |   | X | X | X |   |
| <p><b>Building Violations:</b></p> <ul style="list-style-type: none"> <li>Truancy</li> <li>Loitering on School Property</li> <li>Excessive Tardiness</li> <li>Trespassing in Unauthorized Areas</li> <li>Leave School without Permission</li> </ul>   | X       | X | X |   |   |   |
|   | X       | X | X | X |   |   |
|   | X       | X | X |   |   |   |
|   |         |   | X | X | X |   |
|   |         |   | X | X | X |   |

### ELASTICITY CLAUSE

- The behavior matrix is a list of possible infractions. Students who engage in negative behaviors not on this list are still subject to disciplinary actions.
- Discipline measures may progress beyond what is stated in the matrix if a student has multiple infractions of the same offense.



### DUE PROCESS PROCEDURES

It is the policy of the District to ensure that all students are provided due process as required by state and federal law before a student is suspended or expelled. The Board directs the Superintendent and all school administrators to protect the due process rights of students as explained below.

- If a school administrator determines that an emergency exists that requires the immediate removal of a student from school, the administrator may contact the student's parent/guardian or local law enforcement, or take other measures, to have the student safely removed from school. The administrator must, as soon as practicable thereafter, follow the procedures outlined in this section of the policy.
- Before making the decision to suspend a student for 10 or fewer school days, an administrator will: (1) provide the student verbal notice of the offense the student is suspected to have committed and (2) provide the student an informal opportunity to explain what happened. Except in emergency circumstances, an administrator will not suspend the student unless, after providing the student notice and an opportunity to explain, the administrator is reasonably certain that the student committed a violation of the student code of conduct and that suspension is the appropriate consequence. A student or his or her parent/guardian may appeal a building administrator's decision to suspend a student for 10 or fewer school days to the Director of Student Services. The decision of the Director of Student Services is final.
- Before making the decision to suspend a student for more than 10 school days, a district administrator will provide the student and his or her parent/guardian: (1) written notice of the offense the student is suspected to have committed (2) opportunity for a hearing, at which the student may present evidence and witnesses to show that the student did not commit the alleged offense or that suspension is not an appropriate consequence (3) a Hearing Officer to conduct the discipline hearing. A district administrator will provide the student and his or her parent/guardian at least 3 calendar days' notice before the hearing. The student and his or her parent/guardian may be represented at their cost by an attorney or another adult advocate at the hearing. The Hearing Officer will not suspend the student unless, following the hearing, he or she is convinced by a preponderance of the evidence that the student committed a violation of the student code of conduct and that suspension is the appropriate consequence. A student or his or her parent/guardian may appeal the Hearing Officer's decision to the Superintendent. The Superintendent's decision is final.

### DISCIPLINING STUDENTS WITH DISABILITIES

It is the policy of the District to follow all applicable state and federal laws related to disciplining students with disabilities.

- On the date on which the District decides to (1) expel a student with a disability; (2) suspend a student with a disability for more than 10 consecutive school days; (3) suspend a student for more than 10 cumulative school days in the same school year if a pattern of removals exist; or (4) place the student in an interim alternative educational setting, the District will notify the student's parent/guardian of that decision and will provide the parent/guardian a copy of procedural safeguards.
- Within 10 school days of a decision to (1) expel a student with a disability or (2) suspend a student with a disability for more than 10 consecutive school days, the District will convene a manifestation determination review team meeting, which must include the parent/guardian and relevant members of the student's IEP team, to determine whether the student's conduct was a manifestation of his or her disability. If the team concludes that the conduct was a manifestation of the student's disability, the District may not proceed with the suspension or expulsion and must either: (1) conduct a functional behavioral assessment (unless one was previously conducted) and implement a behavior intervention plan for the student, or (2) if a behavior intervention plan was already developed, review and modify the behavior intervention plan to address the conduct at issue. If the team concludes that the conduct was a manifestation of the student's disability, the student must be returned to the placement from which the student was removed unless the parent and the District agree to change the placement or unless the Student may be placed in a 45-school day interim alternative educational setting (explained below). If the team concludes that the conduct was not a manifestation of the student's disability, the District may proceed with the suspension or expulsion and must, if appropriate, conduct a functional behavioral assessment and develop a behavior intervention plan for the student.
- Before suspending a student with a disability for more than 10 cumulative days in a school year, District administration must determine whether the student's removals from school constitute a pattern. If the District determines that the removals constitute a pattern, the District will, within 10 school days of a decision to expel the student or to suspend the student for more than 10 cumulative school days in a school year, convene a manifestation determination review team meeting, which must include the parent/guardian and relevant members of the student's IEP team, to determine whether the student's conduct was a manifestation of his or her disability. If the team concludes that the conduct was a manifestation of the student's disability, the District may not proceed with the suspension or expulsion and must either: (1) conduct a functional behavioral assessment (unless one was previously conducted) and implement a behavior intervention plan or (2) if a behavior intervention plan was already developed, review and modify the behavior intervention plan to address the conduct at issue. If the team concludes that the conduct was a manifestation of the student's disability, the student must be returned to the placement from which the student was removed unless the parent and the District agree to change the placement or unless the Student may be placed in a 45-school day interim alternative educational setting (explained below). If the team concludes that the conduct was not a manifestation of the student's disability, the District may proceed with the suspension or expulsion and must, if appropriate, conduct a functional behavioral assessment and develop a behavior intervention plan for the student.

## SECTION 11: DISCIPLINING STUDENTS WITH DISABILITIES

- District administrators may remove a student with a disability who engages in any of the following conduct to an interim alternative educational setting for not more than 45 school days, even if the conduct is a manifestation of the student's disability:
- Carrying a weapon to or possessing a weapon at school, on school premises, or to or at a school function;
- Knowingly possessing or using illegal drugs, or selling or soliciting the sale of a controlled substance, while at school, on school premises, or at a school function; or
- Inflicting serious bodily injury upon another person while at school, on school premises, or at a school function.  
For purposes of this section of the Policy only, a "weapon" means a device, instrument, material, or substance, animate or inanimate that is used for, or is readily capable of, causing death or serious bodily injury. A "weapon" does not include a pocket knife with a blade of less than 2 1/2 inches in length.
- Within 10 school days of a decision to place a student in an interim alternative educational setting, District administration must convene a manifestation determination review team meeting, which must include the parent/guardian and relevant members of the student's IEP team, to determine whether the student's conduct was a manifestation of his or her disability. If the team concludes that the conduct was a manifestation of the student's disability, the District must either: (1) conduct a functional behavioral assessment (unless one was previously conducted) and implement a behavior intervention plan or (2) if a behavior intervention plan was already developed, review and modify the behavior intervention plan to address the conduct at issue. If the team concludes that the conduct was not a manifestation of the student's disability, the District must, if appropriate, conduct a functional behavioral assessment and develop a behavior intervention plan for the student.
- The District reserves its right to remove a dangerous student from school to the maximum extent permitted by law. The Board directs administration to follow all state and federal laws governing the removal of dangerous students with disabilities.
- If a student who is eligible for services under the Individuals with Disabilities Education Act is expelled or suspended for more than 10 school days during a school year or placed in a 45-school day interim alternative educational setting, administrators must ensure that the student continues to receive programs and services, although in a setting other than the regular school setting, that are sufficient to enable the student to participate in the general education curriculum and to progress toward meeting the goals contained in the student's IEP.

## SECTION 11: **DISCIPLINING STUDENTS WITH DISABILITIES**

- A student who is not currently identified as a student with a disability is entitled to the rights and procedures provided to students with disabilities if the District had knowledge that the student was a student with a disability before the misconduct occurred. The District will be deemed to have knowledge that a student was a student with a disability only if: (1) the student's parent/guardian expressed concern in writing to a District administrator that the student needed special education or related services, (2) the student's parent/guardian requested a special education evaluation, or (3) the student's teacher or other personnel expressed specific concerns about a pattern of behavior demonstrated by the student to the District's special education director or to other supervisory personnel. The District will, however, be deemed to not have had knowledge that the student was a student with a disability if: (1) the student's parent/guardian refused to allow the District to evaluate the student; (2) the student's parent/guardian refused special education for the student; or (3) the student was previously evaluated and determined to not be a student with a disability.
- This policy does not provide a comprehensive description of the disciplinary rights and procedures due to students with disabilities. The Board directs administration to ensure that all other rights of students with disabilities are protected and all procedures applicable to students with disabilities are followed as required by the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act, state law, and Board policy.



# STUDENT AND PARENT/GUARDIAN HANDBOOK ACKNOWLEDGMENT

## STUDENT AND PARENT/GUARDIAN HANDBOOK ACKNOWLEDGMENT

Student and Parent/Guardian, Please complete the following form and return to the school office.

From: The Parent/Guardian of: (1). \_\_\_\_\_  
(2). \_\_\_\_\_  
(3). \_\_\_\_\_  
(4). \_\_\_\_\_  
(5). \_\_\_\_\_

I have reviewed the Student/Parent Handbook with my child(ren) in an effort to promote a better understanding of the rules and expectations. **My signature below acknowledges receipt of the Student/Parent Handbook.**

I understand that this handbook may be amended during the year without notice. This handbook in the latest version is applicable to all students upon the implementation of any change. The administration will notify all parents and students in writing, where possible, of any changes to the handbook.

\_\_\_\_\_  
Printed Name of Parent or Guardian

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Signature of Parent or Guardian

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Student(s)

\_\_\_\_\_  
Date

Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_





**BELIEVE** *in the*  
**CHANGE** <sup>SM</sup>

