

CODE OF CONDUCT

2009-2010



Hannahville Indian School

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Wilson, MI 49896

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ALL POLICIES ARE SUBJECT TO REVISION AS NEEDED WITH THE APPROVAL OF THE BOARD OF EDUCATION

CONDUCT POLICIES

We believe the purpose of discipline is to bring about a positive change in student behavior. Moreover, discipline and punishment are not the same thing. Punishment has limited effects and imposes penalties without consideration of alternatives for improving misconduct. In contrast, discipline involves training to help students understand school-related problems and learn successful methods of resolving them.

In conjunction with this belief, the Nah Tah Wahsh PSA behavioral policies also recognize that the purpose of discipline is not punitive, it is meant to teach students to be responsible for their actions and to reward appropriate behaviors. Nah Tah Wahsh PSA follows P.L. 105-17 as it relates to the discipline of students with disabilities.

Individuals who are unable to control their physical and verbal behavior will be referred to the principal or discipline coordinator. The behavior will be reviewed, parents or guardians may be called, and any necessary referrals may be made to the appropriate support agencies. Some behavior may require immediate suspension and/or expulsion. **(See Discipline Chart for list of Minor & Major Infractions.):**

BOARD OF EDUCATION REVIEW OF DISCIPLINE AND BEHAVIOR PROBLEMS:

Not all disciplinary action may end in formal expulsion due to the nature of the infraction. Some infractions are not considered “criminal acts.” However, certain continuous behaviors do pose a serious disruptive nature to students, staff, and the educational community of this school.

The administration must represent the interests of all students, and agree that attendance at our school should be viewed as a privilege. As such, we request the authority to meet with board representatives and, (after due process and exhaustion of all appropriate outside agencies), those students who continually demonstrate disruptive and disrespectful behaviors, and who exhibit an intentional and purposeful disregard for school rules. In order to provide a safe and productive learning environment for others, the administration may recommend suspending those students for the remainder of the current semester at a meeting with the school board.

Adoption of a code of student conduct is one element of a school district’s safe schools plan. There is no singular code of student conduct that meets the needs of every school district, although every school district is required by law to adopt a code, as set forth in The Revised School Code, MCLA 380.1312(8):

“A local or intermediate school district or a public school academy shall develop and implement a code of student conduct and shall enforce its provisions with regard to pupil misconduct in a classroom, elsewhere on school premises, on a school bus or other school-related vehicle, or at a school sponsored activity or event whether or not it is held on school premises.”

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INTRODUCTION

The Nah Tah Wahsh/Hannahville Indian School District is dedicated to creating and maintaining a positive learning environment for all students. Teachers, administrators, parents, and students must assume a responsible role in promoting behavior that enhances academic and social success. Courteous, respectful, and responsible behavior fosters a positive climate for the learning community.

The Code of Student Conduct sets forth student rights and responsibilities while at school and school-related activities, and the consequences for violating school rules. When determining the appropriate action to be taken as a consequence of student misconduct, school officials may use intervention strategies and/or disciplinary actions, depending upon the severity or repetition of misconduct; age and grade level of the student; circumstances surrounding the misconduct; impact of the student's misconduct on others in the school community, and any other relevant factors.

The Code of Student Conduct will be administered uniformly and fairly, without partiality or discrimination.

WHEN AND WHERE THE CODE OF STUDENT CONDUCT APPLIES:

The Code of Student Conduct applies before, during, and after school:

*When a student is at school.

“At school” means in a classroom, elsewhere on school premises, on a school bus or other school-related vehicle, or at a school-sponsored activity or event, whether or not it is held on school premises:

*When a student's conduct at any other time or place has a direct and immediate effect on maintaining order and discipline, or on protecting the safety and welfare of students or school district staff; and

*When a student is using school telecommunications networks, accounts, or other district services.

STUDENT RIGHTS AND RESPONSIBILITIES:

Individual rights relate to individual responsibilities and must be seen in relationship to the safety, health and welfare of all students in each school.

Expectations of student conduct should be kept within the bounds of reasonable behavior expected of all members of the community. Students should have freedom and encouragement to express their individuality in school, as long as their conduct does not intrude upon the freedom of others. This applies especially to the freedom of fellow students to receive instruction. There must be a balance between individual freedom and the orderly operation of a classroom.

All students should recognize the consequences of their language, manners, and actions toward each other and school staff. Students need to understand that they benefit from an orderly school operation and, as members of the school community, acknowledge their responsibility to promote a good learning environment.

If a student feels unsafe or is threatened, the student or the student's parent/guardian should contact the principal.

VIOLATIONS OF THE CODE OF STUDENT CONDUCT:

Student misconduct is classified into three levels. In addition to these three levels of discipline, a teacher may suspend a student for his or her conduct in a class, subject or activity. The definitions of misconduct at each level are not all-inclusive, but only representative and illustrative. A student who commits an act of misconduct not listed herein is nonetheless subject to disciplinary action.

School district staff may use intervention strategies such as teacher/student conferences, auxiliary staff/student intervention, and teacher/parent/guardian contacts for Level I. The staff will refer Level II and Level III violations directly to school administrators, because of the serious and/or unlawful nature of the misconduct. At

the option of school administrators, a student accused of any violation of the Code of Student Conduct may be referred to a school social worker or counselor, in conjunction with or in lieu of other disciplinary procedures. Where the misconduct is subject to mandatory discipline under state law, however, the school board will act to impose any mandatory sanctions.

LEVELS I, II, AND III VIOLATIONS

Depending on severity or repetition, a Level I violation may be reclassified as a Level II or Level III violation.

LEVEL I VIOLATIONS: (MINOR)

1. Cheating/Academic Misconduct

A student will not plagiarize, cheat, gain unauthorized access to, or tamper with educational materials. Discipline under this section may result in academic sanctions in addition to other discipline.

2. Defacement of Property

A student will not willfully cause defacement of, or damage to, property of the school or others. Actions such as writing in school textbooks or library books, writing on desks or walls, carving into woodwork, desks, or tables, and spray-painting surfaces are acts of defacement.

3. Disorderly Conduct

A student will not harass others or misbehave in a manner that causes disruption or obstruction to the educational process. Disruption caused by talking, making noises, throwing objects or otherwise distracting another constitutes disorderly conduct. Behavior is considered disorderly if a teacher is prevented from starting an activity or lesson, or has to stop instruction to address the disruption.

4. Inappropriate Displays of Affection

In order to maintain an environment of respect & safety, students will not engage in physical contact with others. Examples include, but are not limited to handholding, kissing, embraces of a personal nature or other inappropriate displays of affection or inappropriate physical contact.

5. Inappropriate Dress or Clothing

All apparel is to be neat and clean. Clothing that presents or causes a disturbance or distraction is unacceptable. This includes clothing that reflects suggestive phrases. No hats are to be worn in the building. Skirts or shorts must be at least fingertip length (arms by your side, fingers extended), garment hem should fall below fingertip. (No spandex, bare midriffs, tank or halter tops.) Pants must be worn above the hip. Clothing that advertises illegal substances, drugs, alcohol, tobacco products, or images that are determined to be inappropriate by the school administrators are unacceptable.

6. Insubordination/Unruly Conduct

A student will not ignore or refuse to comply with directions or instructions given by school authorities. Refusing to open a book, write an assignment, work with another student, work in a group, take a test or do any other class or school-related activity not listed herein, refusing to leave a hallway or any other location as directed by a school staff member, or running away from school staff when told to stop constitutes unruly conduct.

7. Leaving School Without Permission

A student will not leave the school building, classroom, cafeteria, assigned area, or campus without permission from authorized school personnel.

8. Negligent or Improper Operation of a Motor Vehicle

A student will not negligently operate a motor vehicle on school property, so as to endanger the property, safety, health, or welfare of others.

9. Possession of Food and/or Beverages Outside of Cafeteria

Breakfast and lunch are available to all students on a daily scheduled basis. All food and/or beverages for students in grades 8 – 12 are to be consumed in the cafeteria. Students are not to possess or consume food or beverages (except water in a clear container) in hallways or classrooms unless provided by the teacher. Opened (i.e. broken seal) beverage containers, snack foods, etc. are not to be stored in lockers and will be confiscated. Students with unique dietary/health needs are required to provide appropriate documentation.

10. Possession of Inappropriate Personal Property

A student will not possess personal property that is prohibited by school rules or that is deemed disruptive to teaching and learning, including but not limited to pornographic or obscene material, laser lights, personal entertainment devices, computer games, electronic pagers or beepers, radios, television sets, cassette players, compact disc players, cell phones, or any other personal items and communication devices. Certain devices may be permitted for health or other reasons, if approved by the principal.

11. Profanity and/or Obscenity Toward Students

A student will not orally, in writing, electronically, or with photographs or drawings, direct profanity or insulting, obscene gestures or comments toward any other student.

12. Sexual Harassment (Level I)

A student will not use words, pictures, objects, gestures, or other actions relating to sexual activity or a person's gender that will cause embarrassment, discomfort, or a reluctance to participate in school activities.

13. Smoking

A student will not smoke, use tobacco, (except for ceremonial purposes) or possess any substance containing tobacco in any area under the control of a school district, including all activities or events supervised by the school district.

14. Technology Abuse

A student will not violate the district's "Technology Use Guidelines."

15. Trespassing

A student will not enter upon the premises of the school district, other than the location to which the student is assigned, without authorization from proper school authorities. If

removed, suspended, or expelled from school, a student will not return to the school premises without permission of the proper school authorities.

16. **Truancy**

A student will not fail to report to the school's assigned class or activity without prior permission, knowledge or excuse by the school or parent/guardian. A student will not enter upon the premises of the school district, other than the location to which the student is assigned, without authorization from proper school authorities. If removed, suspended, or expelled from school, a student will not return to the school premises without permission of the proper school authorities.

SCHOOL RESPONSES TO LEVEL I VIOLATIONS

School administrators and staff may use appropriate intervention strategies, as determined by local district policies including, but not limited to, staff and student/parent conferences, auxiliary staff intervention and counseling programs, student programs for conflict resolution and peer mediation, and programs for anger management and violence prevention. Any of the following intervention strategies and disciplinary actions may be used:

- Administrator and teacher-parent/guardian conferences;
- Referrals and conferences involving various support staff or agencies;
- Daily/weekly progress reports;
- Behavioral contracts;
- Change in student's class schedule;
- Confiscation of inappropriate item;
- Restitution/restoration;
- Lunch and/or after-school detention;
- Denial of participation in class and/or school activities;
- In-school separation, if 3 Level I violations occur in one day
- Other intervention strategies, as needed;
- Out-of-school suspension (short-term) from one (1) school day up to and including ten (10) school days;
- Law enforcement agency notification.

LEVEL II VIOLATIONS;

Depending upon severity or repetition, a Level II violation may be reclassified as a Level III violation.

1. Bullying/Harassment/Intimidation

"Bullying, harassment or intimidation" means any gesture or written, verbal, or physical act that a reasonable person, under the circumstances, should know will have the effect of harming a student or damaging the student's property, placing a student in reasonable fear of harm to the student's person or damage to the student's property, or that has the effect of insulting or demeaning any student or group of students in such a way as to disrupt or interfere with the school's educational mission or the education of any student. Bullying, harassment or intimidation includes, but is not limited to, such a gesture or written, verbal, or physical act, that is reasonably perceived as being motivated by a student's religion, race, color, national origin, age, sex, sexual orientation, disability, height, weight, socioeconomic status, or by any other distinguishing characteristic. (See additional information on page 20)

2. Destruction of Property

A student will not intentionally cause destruction of property of the school or others. Actions that impair the use of something are destructive. Ruining bulletin boards, intentionally clogging the plumbing system, breaking light bulbs or fixtures, and damaging school equipment to the point where repair is necessary are acts of property destruction.

3. Failure to Serve Assigned Detention

A student will not fail to serve an assigned detention of which students and/or parents/guardians have been notified.

4. Fighting

A student will not physically fight with another person. Self-defense or defense of others may be taken into account in determining whether this provision has been violated.

5. Forgery

A student will not sign the name of another person for the purpose of defrauding school personnel or the Board of Education.

6. Fraud

A student will not deceive another or cause another to be deceived by false or misleading information in order to obtain anything of value.

7. Gambling

A student will not engage in any game of chance or contest wherein money or other items of monetary value are awarded to the winner, except for those games and contest authorized as official school functions.

8. Gang Activity

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 education mission.

Gang activity includes:

- a. 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.
- b. 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.
- c. Gathering of two or more persons for purposes of engaging in activities or discussion promoting gangs.
- d. Recruiting student(s) for gangs.

9. Improper, Negligent, or Reckless Operation of a Motor Vehicle

A student will not intentionally or recklessly operate a motor vehicle, so as to endanger the safety, health or welfare of others on school property.

10. Loitering

A student will not remain or linger on school property without a legitimate purpose and/or without proper authority.

11. Profanity and/or Obscenity Toward Staff

A student will not verbally, in writing, electronically, or with photographs or drawings, direct profanity or insulting, obscene gestures toward any school district staff members or adult volunteers.

12. Sexual Harassment (Level II)

A student will not make unwelcome sexual advances, request sexual favors or engage in verbal communication or physical conduct of a sexual nature with or toward any other student, school district personnel or adult volunteers.

13. Theft or Possession of Stolen Property

A student will not, without permission of the owner or custodian of the property, take property or have in his or her possession property valued a \$100.00 or less which does not belong to the student.

14. Threat/Coercion

A student will not threaten another with bodily harm. A student will not coerce another to act or refrain from acting.

School Responses to Level II Violations:

Intervention strategies are not limited to those listed herein. Other methods of addressing misconduct may be more appropriate, depending upon the circumstances. Any or all of the following intervention strategies and disciplinary actions may be used:

- Any school response to a Level I violation, listed above;
- Out-of-school suspension (short –term) for on (1) school day, up to and including ten (10) school days.

NOTE: Fighting poses an immediate threat to student safety. In most cases, out-of-school suspension is imposed even for a first offense. The length of suspension will depend on severity or repetition.

- Recommendation to the school district board of education or its designees for long-term suspension or expulsion;
- Law enforcement agency notification;
- Denial of driving privileges

LEVEL III VIOLATIONS: (MAJOR)

Depending on severity or repetition, a Level I or Level II Violation maybe reclassified as a Level III,

1. Alcohol and Drugs

A student will not possess, use, offer to buy or sell, or purport to buy or sell, a controlled substance, dangerous drug, prescription drug, counterfeit drug, intoxicating substance, or alcohol. A student legally in possession of prescribed medication will not be in violation of this section as long as his/her use and possession of the prescribed medication is authorized at school.

2. Arson (Starting a Fire)

A student will not intentionally, by means of starting a fire, cause harm to any property or person, or participate in the burning of any property or person.

If a student commits arson in a school building, on school grounds or other school property, the school board or its designee shall expel the student from the school district permanently, subject to possible reinstatement, pursuant to MCL 380.1311(5). (MCL 380.1211[2]).

“Arson” means a felony violation as set forth in Chapter X of the Michigan Penal Code. (MCL 750.71 to MCL 750.80).

3. Extortion

A student will not make another person do any act against his or her will, by force or threat of force, expressed or implied.

4. False Fire Alarm or Bomb Report; Tampering with Fire Alarm System

Unless an emergency exists, a student will not intentionally sound a fire alarm or cause a fire alarm to be sounded, nor will a student falsely communicate or cause to be communicated that a bomb is located in a building or on school property, or at a school-related event. These acts are prohibited, irrespective of the whereabouts of the student. A student will not destroy, damage, or otherwise tamper with a fire alarm system in a school building.

If a student enrolled in grade 6 or above makes a bomb threat or similar threat directed at a school building, other school property, or a school-related event, then the school board or its designee shall suspend or expel the student from the school district for a period of time as determined in the discretion of the school board, or its designee. (MCL 380.1311a[2]).

5. Felony

A student will not commit a criminal act that results in being convicted or, in some cases, charged with a felony offense.

6. Fireworks

A student will not possess, handle, transmit, conceal, or use any fireworks or firecracker.

7. Interference with School Authorities

A student will not interfere with administrators, teachers or other school personnel by threat of force or violence.

8. Physical Assault

A student will not physically assault another person.

If a student enrolled in grade 6 or above commits a physical assault at school against another student, then the school board or its designee shall suspend or expel the student from the school district for up to 180 school days. (MCL 380.1310[1]).

If a student enrolled in grade 6 or above commits a physical assault at school against a person employed by, or engaged as a volunteer or contractor by the school board, then the school board or its designee shall expel the student from the school district permanently, subject to possible reinstatement under MCL 380.1311a(5). (MCL 380.1311a[1]).

“Physical assault” means intentionally causing or attempting to cause physical harm to another through force or violence. (MCL 380.1210[3][b], MCL 380.1311a[12][b]).

9. Robbery

A student will not take or attempt to take from another person any property, by force or threat of force, expressed or implied.

10. Sexual Assault

A student will not sexually assault another person. If a student commits criminal sexual conduct in a school building, on school grounds or any other school property, the school board or its designee shall expel the student from the school district permanently, subject to possible reinstatement, pursuant to MCL 380.1311(5). (MCL 380.1311[2]).

“Criminal sexual conduct” means a violation as set forth in Chapter LXXVI of the Michigan Penal Code. (NDK 750,520b to MCL 750,520g)

11. Theft or Possession of Stolen Property

A student will not, without permission of the owner or custodian of the property, take property or have in his or her possession property valued at more than \$100.00 that does not belong to the student.

12. Weapons: Dangerous Instruments

A student will not possess, handle, transmit, or use a dangerous instrument capable of harming another person. A “dangerous instrument” means any device intended to cause injury or bodily harm, any device used in a threatening manner that could cause injury or bodily harm, or any device that is primarily used for self-protection. Dangerous instruments include, but are not limited to chemical mace, pepper gas or like substance; stun guns; BB guns; pellet guns; razors; or box cutters.

13. Weapons: Dangerous Weapons

A student will not possess, handle, transmit, or use as a dangerous weapon, any instrument capable of harming another person. A “dangerous weapon” means a firearm, dagger, dirk, stiletto, knife with a blade over three inches in length, pocketknife opened by a mechanical device, iron bar or brass knuckles. (MCL 380.1313).

A “firearm,” as defined in section 921, title 18 of the United States Code (18 U.S. C. § 921) means:

- * Any weapon (including a starter gun), which will or is designed to, or may readily be converted to expel a projectile by action of an explosive;
- * The frame or receiver of any such weapon;
- * Any firearm muffler or firearm silencer; or
- * Any destructive device.

The term “firearm” does not include an antique firearm (18 U.S.C § 921).

State law requires the school board or its designee to permanently expel from the school district a student who possesses a “dangerous weapon” in a “weapon-free school zone.” Subject to possible reinstatement, pursuant to MCL 380.1311(5). (MCL 380.1311[2]).

However, a school board is not required to expel a student for possessing a weapon if the student establishes in a clear and convincing manner at least one of the following:

- * The object or instrument possessed by the student was not possessed by the student for use as a weapon, or for direct or indirect delivery to another person for use as a weapon;
- * The weapon was not knowingly possessed by the student;
- * The student did not know or have reason to know that the object or instrument possessed by the student constituted a dangerous weapon;

- * The weapon was possessed by the student at the suggestion, request, or direction of, or with the express permission of, school or police authorities.

“Weapon-free school zone” means school property and a vehicle used by a school to transport students to or from school property. (MCL 750.237a).

“School property” means a building, playing field, or property used for school purposes to impart instruction to children or used for functions and events sponsored by a school, except a building used primarily for adult education or college extension courses. (MCL 750.237a).

If a dangerous weapon is found in the possession of a student while the student is in attendance at school or a school activity, or while the student is enroute to or from school on a school bus, the Superintendent of the school district or intermediate school district, or his or her designee, shall immediately report that finding to the student’s parent or legal guardian and the local law enforcement agency. (MCL 380.1313[1]).

14. Weapons: Use of Legitimate Tools as Weapons

A student will not use a legitimate tool, instrument, or equipment as a weapon including, but not limited to, pens, pencils, compass, or combs, with the intent to harm another.

SCHOOL RESPONSES TO LEVEL III VIOLATIONS:

Any or all of the following intervention strategies or disciplinary actions may be used:

- Any school response to a Levels I or II violation, listed above;
- Recommendation to the Board of Education or its designee for long-term suspension or expulsion;

[NOTE: Drug-related behaviors pose an immediate threat to student safety. In all Level III drug-related cases, out-of-school suspension is imposed even for the first offense.]

- Placement in an alternative education program or transfer to another building;
- In the event a student is expelled for possession of a dangerous weapon in a weapon-free school zone, arson in a school building or on school grounds, or criminal sexual conduct in a school building or on school grounds, the school board shall ensure that, within three days after the expulsion, an official of the school district refers the individual to the appropriate county department of the family independence agency or county community mental health agency, and notifies the individual’s parent or legal guardian or, if the individual is at least age 18 or is an emancipated minor, notifies the individual of the referral. (MCL 380.1311 [4]).
- Requesting an emotional, behavioral and/or chemical dependency evaluation and treatment and/or counseling recommendation. The intervention strategy or discipline may require the student to follow any or all treatment recommendations of the evaluation. The evaluation must be from a source approved by the administration.

Suspension of a Student by a Teacher

A teacher may suspend a student from the teacher’s class, subject, or activity for up to one full school day, if the teacher has good reason to believe that the student engaged in any excessively disruptive types of conduct in the class, subject, or activity.

For all other conduct, the teacher must handle the matter in accordance with the standard disciplinary process used in the school building. The teacher may also elect to not exercise the teacher suspension right as provided in this policy, and handle the matter in accordance with the standard disciplinary process used in the school building.

If the teacher suspends the student, the teacher shall immediately report the suspension and the reason for the suspension to the school principal, or the principal’s designee, for appropriate action consistent with the Code of Student Conduct. If the student remains in school, the student shall be under appropriate supervision. The student will not be returned to the class, subject, or activity from which he or she was suspended without the concurrence of the suspending teacher and school principal.

As soon as possible after the teacher-imposed suspension, the teacher shall contact the student's parent/guardian and schedule a parent-teacher conference to discuss the suspension. If possible, the parent-teacher conference should be scheduled during the teacher's non-instructional time, or before or after school. The teacher must report the outcome of the parent-teacher conference to the principal in writing. . A school administrator will attend the conference to re-enter the student.

SHORT – TERM SUSPENSION:

A short suspension occurs when a student is suspended for one (1) school day, up to and including ten (10) school days. During a short-term suspension, the student's rights and privileges of attending school, including extracurricular activities, are suspended.

LONG – TERM SUSPENSION:

A long-term suspension is when a student is suspended for more than ten (10) school days. During a long-term suspension, the student's rights and privileges of attending school, including extracurricular activities, are suspended.

EXPULSION:

An expulsion occurs when the school district's board of education terminates the student's right and privileges to attend school, including extracurricular activities. An expulsion is for an indefinite time, unless otherwise specified by the school board or state law. The parent/guardian of the student may petition the school board to request the student's reinstatement to school, as permitted by state law.

DISCIPLINARY ACTION/CONSEQUENCES:

Administrative Review
Contract/Probation
Detention, AM Recess
Detention, After School
Detention, In-School
Detention, Lunch
Detention, PM Recess
Disabled Network Account
Expulsion Recommendation
Expulsion
Parent Conference
Parent Contacted
Police Notified
Positive Behavior Support
Removed from Class
Restitution
Returned to Class
School Board Review
Social Service Referral
Student Advocate Referral
Student Conference
Student Study Team
Suspension, In-School Separation
Suspension, Out-of-School
Time Out
Other

A teacher may issue suspensions for up to one day. The principal or Discipline Coordinator may issue short-term suspensions. The district's board of education or its designee may issue long-term suspensions or expulsions.

DETENTION:

A. Lunch/Non-Academic Detention

The Principal or designee may designate an area in which the student must remain during the lunch/non-academic period. Failure to report to or remain in the area may lead to in-school Suspension, after school detention, or out-of-school suspension.

B. After School Detention

The Principal or designee may require a student to remain after school providing the parents have been given at least one (1) day's notice and have agreed to be responsible for their child's transportation at the end of the detention period. The student is to be given definite assignments or duties to complete during the detention period. Failure to report for or to complete the detention may result in either an in-school suspension or an out-of-school suspension.

SUSPENSION CAN BE OF TWO TYPES:

OUT OF SCHOOL SUSPENSION:

- Student(s) will not be allowed to attend school or any school sponsored functions during the suspension.
- Parent/teacher/principal conference is required before the student can return to school.

The school will keep a record of incidents for monitoring behavioral concerns. If the behavioral concerns are found to be excessive, then appropriate support personnel will be notified. Parents will be notified when the school makes referrals.

IN SCHOOL SEPARATION (ISS):

The ISS placement program was created to offer the students a supervised, self-contained and structured area in which to realize consequences for behavioral actions which allows academic progress without sending the student home, or suspending them outside of the school building. The program is a student structured learning environment that offers students the opportunity to complete all current and past assignments, and study in an environment least disruptive to them, and other students.

Students assigned ISS are not allowed to:

LEAVE the assigned area (unless escorted by a school administrator)
HAVE scheduled breaks or recesses
COMMUNICATE with other students in the room
CREATE noises, signals, etc. that may disrupt other students
SLEEP at any time
BRING toy, radios, tape players, etc. not required for assigned work
LEAVE their seat at any time without permission from the monitor

Students Assigned ISS must:

LEAVE their jackets and personal belongings in their lockers
EAT lunch provided by the school cafeteria and nothing else
SIT upright at all times
COMPLETE all course work assigned

Students assigned ISS are only allowed to:

LEAVE the room when dismissed
SPEAK when called on
POSSESS any materials and resources required for schoolwork

Students failing to comply with any of the above rules will be suspended from school pending a parent and board meeting for reinstatement.

Students are to report to ISS with their books. Any additional material will be brought to them. Student's progress for the day is monitored and documented as needed. Students are released from ISS at 3:05 p.m.

DUE PROCESS REGARDING ISS PLACEMENT

Students choosing to disregard posted rules will have the following action taken:

First Infraction: A verbal reprimand will call attention to student misbehavior. The reprimand will be documented on student/parent activity report. A video camera or tape recorder may be activated intermittently at the discretion of the monitor.

Second Infraction: An incident report will be filed with appropriate administration. After a conference with the discipline officer, the student will be returned to ISS. The student will be assigned 1 hour of detention served after school. **** School transportation services will not be provided. Parents/guardian must drop off and pick up their students.**

Third Infraction: The student will be removed from ISS by Principal/Discipline Coordinator and suspended outside of school for one complete scheduled school day. The student will be readmitted only after a parent meeting is held. The students must also complete the original ISS placement before returning to classes.

CONTRACTS: In an effort to assist students and parents to understand that appropriate behavior is necessary to ensure a good learning environment for all students and to prevent the necessity of expulsion being recommended, student and/or parent contracts may be necessary. A contract is a list of conditions that must be met by the student and/or parent in order for the student to remain at our school.

Failure to Follow Prescribed Intervention Strategy: Separate Violation.

If a student fails to comply with the terms of the disciplinary action, such failure is a separate violation of the Code of Student Conduct, at the same level for which the student was initially disciplined; the student may be disciplined for the additional violation.

Staff Authority

The authority of any member of the school staff extends to all school district students while the students are on school premises, on a school bus or other school-related vehicle, or at a school-sponsored activity or event, whether or not it is held on school premises.

School Activities

A student who is suspended from school for any reason will not be allowed to practice, participate in, or attend any school sponsored activity, regardless of location, during the suspension (including weekends and/or holidays).

Maintaining Class Progress

When appropriate in the judgment of the principal/discipline coordinator, a suspended student may maintain academic progress under the terms and conditions set by the principal/discipline coordinator.

DUE PROCESS PROCEDURES

Short-Term Suspension

Except in extraordinary circumstances, alleged violations of the Code of Student Conduct are initially handled at the student's school. If a short-term suspension is contemplated, the principal or discipline coordinator shall provide the student with oral or written notice of the charges or allegations, and an explanation of the evidence or

basis for the charges. The student shall be given the opportunity to present an explanation or a differing statement of the facts.

If the misconduct is found, the principal/discipline coordinator may authorize disciplinary action in accordance with this Code of Student Conduct, including short-term suspensions. Students whose presence pose a continuing danger to persons or property, or an ongoing threat of disrupting the educational process, may be immediately removed from the school without prior notice, explanation, or opportunity to respond. In such cases, the above procedures shall be provided as soon as practical.

The student and parent/guardian shall be notified of the circumstances and action taken.

Long-Term Suspension or Expulsion

If recommended by the principal or discipline coordinator, the school's board of education or its designee shall conduct a hearing to determine whether to impose a long-term suspension or expulsion.

The student and parent/guardian shall be notified of the allegation; the recommended disciplinary action; the time, date and location of the hearing; and of their right to attend and participate in the hearing.

The board of education or its designee shall conduct a hearing, which may be recorded. The student shall be advised of the alleged violation and be given an explanation of the facts. The explanation may include the written or oral testimony of others.

At the request of the student or the student's parents, the board of education may meet in a closed session to "consider the dismissal, suspension, or disciplining of a student." (MCL 15.268 [b]).

The student and parent/guardian may be represented at the hearing by an attorney or other adult. Written or oral evidence may be presented at the hearing on behalf of the student. After the hearing, the board of education or its designee shall issue a decision, including a determination of disciplinary action.

Appeal to Board of Education for Reconsideration

A student disagreeing with the decision of the board of education may, within five (5) days of receipt of the decision, petition the board of education for the opportunity to request a review or reconsideration by the board or its designee. The petition shall be in writing and contain the reasons that the board or its designee's decision should be reviewed or reconsidered. The board of education may grant or deny the request for an appeal or request for reconsideration. If granted, the board shall notify the student in writing of the procedures to be used for the appeal or request for reconsideration.

Suspension and Expulsion of Students Receiving or Otherwise Eligible for Special Education

Students previously identified under state and federal regulations as eligible for special education are entitled to an extra measure of consideration for the disability in student discipline procedures. Also, other due process provisions are triggered for any student if a review of a student's record indicates significant prior knowledge about a potential but unidentified disability. School personnel are advised to consult with their local and intermediate district administrators for special education and to refer to the most recent edition of Special Education Considerations in Student Disciplinary Procedures (Michigan Department of Education), or contact Mr. Brendan Williams, Special Ed Coordinator.

Interviews of Students by Police or Other Public Agencies

The school district endeavors to cooperate with law enforcement agencies. Nah Tah Wahsh policy is that only with parent/guardian permission may students be interviewed in school by law enforcement officials. School officials will grant law enforcement interviews with a student witness after considering the (1) type of incident; (2) seriousness of the incident; (3) age and maturity of the student; (4) relationship of the incident to school and the educational process; and (5) whether time is of the essence. When practical if requested, school personnel will be present during the police interview of a student witness, and an attempt will be made to contact the parent/guardian prior to the interview.

Notification to Law Enforcement Agencies

State law requires each school board to comply with the statewide school safety policy adopted by the Superintendent of Public Instruction, Attorney General, and Director of Michigan State Police on October 4, 1999. (MCL 380.1308). The statewide school safety policy requires the following types of incidents occurring at school be reported to a local law enforcement agency:

Armed Student or Hostage	Robbery or Extortion
Suspected Armed Student	Unauthorized Removal of Student
Weapons on School Property	Threat of Suicide
Death or Homicide	Suicide Attempt
Drive-By Shooting	Larceny (Theft)
Physical Assault (Fights)	Intruders (Trespassing)
Bomb Threat	Illegal Drug Use or Overdose
Explosion	Drug Possession or Drug Sale
Arson	Vandalism or Destruction of Property
Sexual Assault (Criminal Sexual Conduct)	Minor in Possession of Alcoholic Liquor or
Bus Incident or Bus Accident	Tobacco Products

BULLYING AND OTHER AGGRESSIVE BEHAVIOR TOWARD STUDENTS

The Board of Directors believes that a safe and civil environment in school is necessary for students to learn and achieve high academic standards.

It is the policy of the School to provide a safe and nurturing educational environment for all of its students. This policy applies to all activities on school property and to all school sponsored activities whether on or off school property.

Bullying or other aggressive behavior toward a student, whether by other students, staff, or third parties, including Board members, parents, guests, contractors, vendors, and volunteers, is strictly prohibited. This prohibition includes physical, verbal, and psychological abuse, including hazing, gestures, comments, threats, or actions to a student which cause or threaten to cause bodily harm, reasonable fear for personal safety, or personal degradation. Demonstration of appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment or bullying is expected of administrators, faculty, staff, and volunteers to provide positive examples for student behavior.

This policy applies to all activities in the School, including activities on school property, in a school vehicle and those occurring off school property if the student or employee is at any school-sponsored, school-approved or school-related activity or function, such as field trips or athletic events where students are under the school's control, or where an employee is engaged in school business. Misconduct occurring outside of school may also be disciplined if it interferes with the school environment.

"Bullying" is any gesture or written, verbal, graphic, or physical act (including electronically transmitted acts - i.e. internet, telephone or cell phone, personal digital assistant (PDA), or wireless hand held device) that is reasonably perceived as being motivated either by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression or a mental, physical, or sensory disability or impairment, or by any other distinguishing characteristic.

Such behavior is considered harassment or bullying whether it takes place on or off school property, at any school-sponsored function, or in a school vehicle.

Aggressive behavior is defined as inappropriate conduct that if repeated enough, or serious enough, negatively impacts upon a student's educational, physical, or emotional well-being. Such behavior includes, for example, bullying, hazing, stalking, intimidating, menacing, coercion, name-calling, taunting, and making threats.

"Bullying" is conduct that meets all of the following criteria:

- A. is directed at one (1) or more students;
- B. substantially interferes with educational opportunities, benefits, or programs of one (1) or more students;
- C. adversely affects the ability of a student to participate in or benefit from the school District's educational programs or activities by placing the student in reasonable fear of physical harm or by causing emotional distress; and
- D. is based on a student's actual or perceived distinguishing characteristic (see above), or is based on an association with another person who has or is perceived to have any of these characteristics.

Any student who believes s/he has been or is the victim of bullying, hazing, or other aggressive, should immediately report the situation to the Superintendent. The student may also report concerns to a teacher or counselor who will be responsible for notifying the appropriate administrator or Board official. Complaints against the Superintendent should be filed with the Board President.

Every student is encouraged, and every staff member is required, to report any situation that they believe to be aggressive behavior directed toward a student. Reports shall be made to those identified above. Reports may be made anonymously, but formal disciplinary action may not be taken solely on the basis of an anonymous report.

All complaints regarding aggressive behavior shall be promptly investigated, and documented.

If the investigation finds an instance of bullying or aggressive behavior has occurred, it will result in prompt and appropriate remedial action. This may include up to expulsion for students, up to discharge for employees, exclusion for parents, guests, volunteers, and contractors, and removal from any officer position and/or a request to resign for Board members. Individuals may also be referred to law enforcement officials.

The complainant shall be notified of the findings of the investigation, and as appropriate, what remedial action has been taken.

Retaliation against any person, who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry concerning allegations of aggressive behavior is prohibited and will not be tolerated. Such retaliation shall be considered a serious violation of Board policy and independent of whether a complaint is substantiated. Suspected retaliation should be reported in the same manner as aggressive behavior. Making intentionally false reports regarding aggressive behavior for the purpose of getting someone "in trouble" is similarly prohibited and will not be tolerated. Retaliation and intentionally false reports may result in disciplinary action as indicated above.

The following definitions are provided for guidance only. If a student or other individual believes there has been aggressive behavior, regardless of whether it fits a particular definition, s/he should report it and allow the administration to determine the appropriate course of action.

"Bullying" is defined as a person willfully and repeatedly exercising power or control over another with hostile or malicious intent (i.e., repeated oppression, physical or psychological, of a less powerful individual by a more powerful individual or group). Bullying can be physical, verbal, psychological, or a combination of all three. Some examples of bullying are:

- A. Physical - hitting, kicking, spitting, pushing, pulling; taking and/or damaging personal belongings or extorting money, blocking or impeding student movement, unwelcome physical contact.
- B. Verbal - taunting, malicious teasing, insulting, name calling, making threats.
- C. Psychological - spreading rumors, manipulating social relationships, coercion, or engaging in social exclusion/shunning, extortion, or intimidation.

"Harassment" includes, but is not limited to, any act which subjects an individual or group to unwanted, abusive behavior of a nonverbal, verbal, written or physical nature, often on the basis of age, race, religion, color, national origin, marital status, disability (sexual orientation, physical characteristic, cultural background, socioeconomic status, or geographic location).

"Intimidation" includes, but is not limited to, any threat or act intended to tamper, substantially damage or interfere with another's property, cause substantial inconvenience, subject another to offensive physical contact or inflict serious physical injury on the basis of race, color, religion, national origin or sexual orientation.

"Menacing" includes, but is not limited to, any act intended to place a school employee, student, or third party in fear of imminent serious physical injury.

"Harassment, intimidation, menacing, or bullying" means any act that substantially interferes with a student's educational benefits, opportunities, or performance, that takes place on or immediately adjacent to school grounds, at any school-sponsored activity, on school-provided transportation or at any official school bus stop.

"Staff" includes all school employees and Board members.

"Third parties" include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors, vendors, or others engaged in School business, and others not directly subject to school control at inter-School or intra-School athletic competitions or other school events.

For a definition and instances that could possibly be construed as hazing, see Policy 5516.

Confidentiality

To the extent appropriate and/or legally permitted, confidentiality will be maintained during the investigation process. However, a proper investigation will, in some circumstances, require the disclosure of names and allegations.

Notification

Notice of this policy will be annually circulated to and posted in conspicuous locations within the School and discussed with students, as well as incorporated into the teacher, student, and parent/guardian handbooks. State and Federal rights posters on discrimination and harassment shall also be posted at each building. All new hires will be required to review and sign off on this policy and the related complaint procedure.

The School Leader is directed to develop administrative guidelines to implement this policy. Guidelines shall include reporting and investigative procedures, as needed. The complaint procedure established by the School Leader shall be followed.

This policy is not intended to and should not be interpreted to interfere with legitimate free speech rights of any individual. However, the School reserves the right and responsibility to maintain a safe environment for students, conducive to learning and other legitimate objectives of the school program.

Policies on Bullying, Michigan State Board of Education, 7-19-01 Model Anti-Bullying Policy, Michigan State Board of Education, 9-12-06

Revised 2/10/05; 10/10/07