

STUDENT CODE OF CONDUCT

(Policy 5500A)

**WEST BLOOMFIELD SCHOOL DISTRICT
NATIONAL EXEMPLARY SCHOOLS**



Policy Approved: August 29, 2011 as
8360 renumbered on May 22, 2017 to
5500A to correspond with new NEOLA
numbering

**WEST BLOOMFIELD SCHOOL DISTRICT
West Bloomfield, Michigan**

STUDENTS

Policy 5600A
(Replaces policy 8360
adopted 8/29/11
(Replaces policy 5130
adopted 8/8/05)

Student Code of Conduct

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WEST BLOOMFIELD SCHOOL DISTRICT
West Bloomfield, Michigan

Student Code of Conduct

POLICY:

I. PHILOSOPHY

The primary goal of the West Bloomfield School District is to create a positive learning environment in which all students are provided an opportunity to grow academically and socially. In order to attain this goal there must be a shared commitment among parents, staff, and students.

The West Bloomfield School District strives to develop in all students an understanding and appreciation of our representative form of government, the rights and responsibilities of the individual and the legal processes whereby necessary changes are accomplished.

The West Bloomfield School District, and each school within the district, is an academic learning community comprised of students, parents, teachers, administrators, support staff and members of the community at large. The rules and regulations of the school are the laws of the community. All those enjoying the rights of citizenship in the school community must accept the corresponding responsibilities of citizenship. A basic responsibility of those who enjoy the rights of citizenship is to respect the laws (code of conduct) of the community and the rights of the other members of that community.

Where dangerous weapons violations, criminal sexual conduct or arson are concerned, this policy is subject to Section 1311 of the School Code of 1976, as amended (MCL 380.1311; MSA 15.41311). For convenience only, the text of said statute is reproduced in the appendix; any application of the statute shall be of the actual provisions of the then-existing statute, not the appendix.

II. STUDENT RIGHTS

As citizens of the United States, the State of Michigan, and the school community, students have certain rights. By way of example, some of these are set forth below:

A. Freedom to Form Ideas

Every student has an absolute right to form and hold his or her own ideas and beliefs. The encouragement of this right requires that each student be permitted to disclose or express any ideas in the course of academic dialogue without fear of penalty or embarrassment. The encouragement of this right further requires that academic evaluation not be affected by the exercise of this right.

B. Freedom of Speech

Students are entitled to express their personal opinions verbally. Such expression, however, must not interfere with either the freedom of others to express themselves or with the educational process.

C. Freedom to Publish

Students are entitled to express their personal opinions in writing and to circulate petitions, subject to the following:

1. Administrative review of content within a reasonable amount of time.
2. Students who edit, publish or distribute handwritten, printed, electronic, duplicated, or other matter, or who produce media material within the school and/or school community, must assume responsibility for the content of such publications, and such students' names shall be contained in the publication or production.
3. Students offered such materials shall not be pressured or forced into receiving them.
4. No student publication or media production shall contain libelous, pornographic or obscene matters, intentional distortions, or statements which evidence a reckless disregard for the truth.
5. No material whose primary purpose is commercial advantage may be distributed.
6. No communication advocating racial, religious, or ethnic in-tolerance is permitted.
7. The distribution or communication of such material shall not interfere with or disrupt the educational process. The building administrator may impose reasonable restrictions on the time and place for distribution of all student publications and communications.

D. Freedom of Assembly

Students have the right to assemble peaceably. All student meetings or gatherings in school buildings or on school grounds may function only for purposes not inconsistent with the educational process as defined by existing curriculum or as authorized by the Board of Education or school administration. Building administrators must be informed of the meeting in advance and may impose reasonable restrictions on the time and place of student gatherings or

assemblies. Attendance at such meetings and assemblies is limited to students regularly enrolled in that building unless prior approval is given by the building administrator.

III. RESPONSIBILITIES OF THE SCHOOL COMMUNITY

Discipline within the school is a cooperative effort which involves the students, parents, and school staff. An environment which is safe, orderly, and conducive to learning cannot be maintained unless everyone cooperates. Therefore, it is necessary that the total school community of students, parents, and staff understands its responsibilities.

- A. The STUDENTS have the responsibility to:
 - 1. Accept that learning is their responsibility and that it is a life-long process.
 - 2. Attend school regularly, arrive on time, and be prepared to learn.
 - 3. Conduct themselves properly in class, on school grounds, on buses, or at any school-related activity.
 - 4. Respect the rights, privacy, and feelings of fellow students, parents, teachers, support staff, other school visitors, and guests.
 - 5. Work within the existing structure of the school to address concerns.
 - 6. Know and comply with school district rules and policies.
- B. The PARENTS have the responsibility to:
 - 1. Support the school's efforts to provide a safe and orderly learning environment.
 - 2. See that the student attends school regularly and on time.
 - 3. Provide for the general health and welfare of the student.
 - 4. Provide a home atmosphere and a study area suited for learning and the development of good study habits.
 - 5. Cooperate with school personnel and community agencies in solving their student's school problems.
 - 6. Work within the existing structure and processes of the school to address concerns.
 - 7. Know and support school and district rules and policies.
- C. The SCHOOL DISTRICT staff members have the responsibility to:
 - 1. Provide a good atmosphere for learning and teaching.
 - 2. Accept students as important and worthwhile individuals.
 - 3. Help students as group members to act in responsible ways.
 - 4. Schedule conferences with students, parents, and other school personnel in an effort to understand and resolve academic and behavioral problems before they become serious matters.
 - 5. Enforce the rules and policies of the school consistently and fairly.
 - 6. Encourage students to participate in classroom, extracurricular, and other school-related activities.
 - 7. Participate in formulating rules and procedures in the school.
 - 8. Keep parents informed of a child's progress and problems.

IV. STUDENT CONDUCT

Each student is accountable for his or her own conduct. When it becomes necessary to discipline a student, appropriate consideration will be given to the student's age, experience, and abilities.

The Revised School Code provides that the School District, may and in certain circumstances must, order the suspension or expulsion of a student from school. (MCL § 380.1310; § 380.1311; § 380.131 1a.) The Board of Education hereby establishes the following categories of misconduct which may result in suspension or expulsion from the West Bloomfield School District. These categories are generally descriptive of the most obvious types of misconduct and are not to be considered an exclusive list or as a limitation upon the authority of school officials to deal appropriately with any other types of conduct which interfere with the good order of the school system or the proper functioning of the educational process.

- A. Definitions:
 - 1. "Expulsion"

Expulsion is the total and permanent exclusion of a student from the West Bloomfield School District, subject to the provisions of §V.B.3. below.
 - 2. "Suspension"

A suspension is the denial of a student's right to attend school, attend or participate in a selected activity or class, be present on school grounds, or attend any or a selected school function.

 - a. "Long-Term Suspension"

A long-term suspension is a suspension exceeding 10 days.

b. "Short-Term Suspension"

A short-term suspension is a suspension not exceeding 10 days.

3. "Harassment"

Harassment means sexual harassment and/or ethnic, religious and general harassment/intimidation as defined herein.

a. "Sexual Harassment"

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, or other spoken, written, or electronic communications, or physical conduct, or communication other behaviors of a sexual nature when that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's education, or creating an intimidating, hostile, or offensive educational or social environment.

Sexual harassment may include but is not limited to:

- i. spoken, written or electronic harassment or abuse,
- ii. subtle pressure for sexual activity,
- iii. inappropriate patting or pinching,
- iv. intentional brushing against another person's body,
- v. any sexually motivated unwelcome touching.

b. Ethnic, Religious, sexual orientation and General Harassment/Intimidation

Ethnic, religious and general harassment or intimidation means: slurs, spoken, written, or electronic communications, references, gestures or other behavior which tend to humiliate or threaten others on the basis of race, creed, religion, ethnic background, nationality or personal characteristics.

c. Cyberbullying

Cyberbullying includes, but is not limited to, the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another person by sending, posting, or displaying inappropriate and hurtful email messages, instant messages, text messages, digital images/photos/videos, or website postings (including wikis, blogs, etc.) which has the effect of:

- i. inciting physical, emotional, or mental harm to a student
- ii. placing a student in reasonable fear of physical, emotional or mental harm
- iii. placing a student in reasonable fear of damage to or loss of personal property
- iv. creating an intimidating or hostile environment that substantially interferes with a student's educational opportunities, or
- v. subjecting a student to sexual, and/or ethnic, religious and general harassment.

4. "Misconduct"

Misconduct is a violation of one or more provisions of the code of student conduct as defined in this policy.

5. "Dangerous Weapon/Weapon"

The term "dangerous weapon" shall mean a firearm (including a starter gun) or any device which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; any destructive device or any explosive, incendiary, or poison gas bomb, grenade, rocket having a propellant charge of more than four (4) ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or similar device; a dagger, dirk, stiletto, knife with a blade over three (3) inches in length, or pocket knife opened by a mechanical device; an iron bar or brass knuckles; or, any other weapon as set forth in 18 USC § 921.

The term "weapon" shall mean any object or instrument the principal use of which is to inflict injury or physical harm upon the person of another, or the use of which may result in pain or suffering. The term "weapon" shall also include a facsimile of objects or instruments which are weapons. The term "weapon" shall additionally include an object or instrument which is not in and of itself a weapon as defined above, but where the possession or use of same is coupled with the intent by a student to inflict injury or harm upon another person.

B. Attendance

Daily attendance in all classes is necessary for school success. It is the policy of the West Bloomfield School District that all students shall be in regular and continuous attendance in all classes and shall report on time. Since repeated absence from school interferes with both individual progress and with the teacher's ability to conduct the instructional program effectively for all other students in the class, truancy may subject the student to disciplinary action and possible loss of academic credit, and may result in referral to the Juvenile Division of the Oakland County Probate Court.

C. Dress and Appearance

School dress and personal adornment are forms of self-expression. As such, they are subject to fashion trends and the personal taste of the student and his or her individual family. However, no student's dress or personal adornment shall materially jeopardize, interfere with, disturb, or negatively affect:

1. the health of the student or other students,
2. the safety and welfare of the student or other students,
3. the orderly conduct of the educational process.

D. Off-Campus Conduct

Students in attendance at school-sponsored, off-campus events are subject to the direction and authority of school district personnel and are governed by all applicable rules and regulations of the West Bloomfield School District. In addition, student's off-campus actions, which have a direct and immediate effect on the general safety and welfare of students and staff may result in disciplinary action whether or not part of a school-sponsored activity. These include, but are not limited to, loitering at another school, harassment (including electronic communications), and other misconduct.

E. Failure to Cooperate with School Personnel

Students are required to obey all directives given by school personnel.

F. Disruptive Conduct

A student shall not engage in any type of conduct that causes, or has the potential for causing, disruption or obstruction of any function, process, or activity of the school district.

G. Fighting or Physical Assaults Against Other Students

A student shall not engage in fighting or otherwise physically assault another student at school. "Physical assault" means intentionally causing or attempting to cause physical harm to another through force or violence. "At school" means in a classroom, on school premises, on a school bus or other school vehicle, or any school sponsored activity.

Subject to the due process requirements set forth in the Student Code and Disciplinary Steps, students in Grade 6 and above who commit a physical assault against another student at school shall be suspended from school as set forth in Infraction No. 6.6 of the Disciplinary Steps.

Students in Grade 6 and above who commit a physical assault against another student in a class, subject or activity at school may be suspended immediately from the class, subject or activity by the teacher supervising such class, subject or activity and for one (1) school day. The teacher shall immediately report the physical assault and send the student to the Principal or his/her designee for appropriate action, consistent with the due process requirements in the Student Code and Disciplinary Steps. The student may not be returned to the class, subject or activity in question without the concurrence of the teacher and the Principal or designee. However, the Principal or designee may otherwise permit the student to continue the school day under appropriate supervision. Following such a teacher initiated suspension, the teacher shall ask the student's parent(s) or guardian(s) to attend a conference regarding the suspension. If practicable, a school counselor, psychologist, or social worker shall attend the conference, and a building administrator shall also attend if requested by either the teacher or parent(s)/guardian(s). Teachers may not initiate a unilateral suspension from the class, subject or activity for any misconduct other than a physical assault against another student committed in the class, subject or activity by a student in Grade 6 or above.

H. Physical Assaults Against School District Employees, Volunteers or Contractors

A student shall not commit a physical assault against a School District employee, volunteer or contractor while at school. "Physical assault" means intentionally causing or attempting to cause physical harm to another through force or violence. "At school" means in a classroom, on school premises, on a school bus or other school vehicle, or at any school sponsored activity.

Subject to the due process requirements set forth in the Student Code and Disciplinary Steps, students in Grade 6 and above who commit a physical assault against a School District employee, volunteer or contractor at school shall be permanently expelled from school, subject to potential reinstatement after the expiration of 180 school days, under the procedure set forth in Section V(3) of the Student Code.

I. Spoken/Written/Electronic Threats Against School District Employees, Volunteers, Contractors, or Agents

A student shall not directly nor indirectly make a spoken/written/ electronic threat against any School District employee, volunteer or contractor.

A spoken/written/electronic threat may include, but is not limited to:

1. A threat of immediate physical contact or harm
2. A threat causing a person to be reasonably apprehensive of physical contact or harm

Subject to the due process requirements set forth in the Student Code and Disciplinary Steps, students in Grade 6 and above who make a spoken/written/electronic threat against a School District employee, volunteer or contractor at school shall be suspended from school as set forth at Steps 7 to 12 of the Disciplinary Steps.

- J. Bomb Threats and Other Similar Threats
A student shall not make a bomb threat or other similar threat directed at a school building, other school property, or a school related event.
- Subject to the due process requirements set forth in the Student Code and Disciplinary Steps, students in Grade 6 and above who make such bomb threat or other similar threat shall be suspended from school as set forth in Infraction No. 27.4 of the Disciplinary Steps.
- K. False Fire Alarm
A student shall not cause a false fire alarm within any school building or vehicle. A student engaging in such conduct shall be reported to the police department in addition to being subject to disciplinary action.
- L. Use of Tobacco
Students shall not possess or use smoking or smokeless tobacco while on school property, in school-owned vehicles, or while in attendance at school-sponsored functions or activities.
- M. Theft, Possession of Stolen Property, and Extortion
Students shall not, without permission, take the property or belongings of other persons and shall not at any time maintain in their possession objects which have been either stolen or taken from other persons or the possession of which is otherwise contrary to law. Students shall not obtain from fellow students money, other items of value, or advantages by threat of violence or harm or by threat of disclosure of misconduct to a third party.
- N. Possession, Use, Under the Influence of Alcoholic Beverages/Controlled Substances
Students are strictly prohibited from being in the possession of or using alcoholic beverages or controlled substances, or from being under the influence of alcohol or controlled substances, while on school grounds, in school-owned vehicles, or while in attendance at school-sponsored functions or activities.
- O. Sale or Distribution of Controlled Substances
Students are strictly prohibited from being involved in the sale or distribution of controlled substances.
- P. Possession or Use of Dangerous and Other Weapons
Students are strictly prohibited from possessing or using any dangerous or other weapons, as herein defined.
- Q. Harassment/Bullying/Cyberbullying/Threats
The West Bloomfield Board of Education recognizes that harassment, bullying, cyberbullying, and threats are all inappropriate conduct detrimental to the learning process and establishment of a safe school environment. The West Bloomfield Board of Education therefore prohibits harassment, bullying, cyberbullying, and threats that may occur at school: anywhere else on or immediately adjacent to school premises, on a school bus or other school-related vehicle, at an official school bus stop, on a pupil's way to or from school, or at a school-sponsored activity or event whether or not it is held on school premises. In addition, the board prohibits cyberbullying that may occur during or after the school day which is likely to cause a material and substantial disruption of school activities. Cyberbullying that occurs outside of the school day may be referred to the local police department or other appropriate authority.
- R. Previous Misconduct in Another School District
A student who seeks to enroll in the West Bloomfield School District and who previously has been found to have engaged in misconduct in another school district as the term "misconduct" is defined in this policy or by the other school district and which resulted in long-term suspension or expulsion, or who is alleged by school authorities to have engaged in such misconduct in another school district but withdrew from such school district prior to the misconduct being established, may be subject to suspension or expulsion from the West Bloomfield School District. Such student shall be permitted to enroll but shall be held on suspension pending a hearing before the superintendent or his designee in accordance with paragraph V. B. (Long-Term Suspension or Expulsion) below. A student who has been expelled from another School District for criminal sexual conduct, arson, possession of a dangerous weapon in a weapon-free school zone, or for committing a physical assault upon a school employee, volunteer or contractor, as these terms are defined in the Revised School Code (MCL § 380.1311, § 380.1311a, § 380.1313), or who is found to have committed such offenses prior to enrollment in the West Bloomfield Schools, shall not be admitted to school in the District except in accordance with Sections 1311(5) and/or 1311a(5) of the Revised School Code. (MCL § 380.1311(5), § 380.1311A(5)).
- S. Unacceptable Use of and Access to Computers, Peripherals, and Networks (Voice/Video/Data)
Students shall not vandalize the school district's network infrastructure or computer equipment, shall not interfere or disrupt network users or services, and shall not attempt to gain or gain access to passwords, information resources, files, programs, or data belonging to other users or secured on computers or networks.
- Students shall not use network services or computers or any other device to:
1. execute schemes to obtain money, property, services, or other things of value
 2. invade the privacy of individuals or entities, intimidate or harass school district employees, volunteers, contractors, agents or students

3. access, submit, or publish defamatory, inaccurate, racially offensive, abusive, profane, obscene, pornographic, or threatening materials
4. establish commercial or political activities.

Students shall not download or install unauthorized software or attach unauthorized hardware to computers and networks. Students shall not make attempts to obtain, modify, or replace computers, infrastructure, or software for the purpose of compromising the integrity of computers and networks, or for any unauthorized activity.

T. Trespassing/Loitering

A student shall not be present in a school building or on school property, except to participate in the educational process of the School District, including school related activities and events. A student shall not loiter in a school building or on school grounds, beyond regular building hours.

V. SUSPENSION AND EXPULSION

A. Short-Term Suspension

1. Authority
2. A principal or his or her designee acting in the principal's absence has the authority to impose a short-term suspension when there is reasonable cause to believe that there has been misconduct.
3. Procedure
 - a. The student must be informed of the specific charges that serve as the basis for the possible suspension or other disciplinary action.
 - b. The student has the right to present any information supporting his or her defense to the administrator who will decide whether disciplinary action is warranted.
 - c. The student's parent(s) or guardian(s) shall be notified as soon as possible if the student is temporarily suspended from school or retained after school.
 - d. The building principal or his/her designee may impose a suspension not to exceed ten (10) school days. Before imposing suspension, the administrator shall consider, without limitation, the actual misconduct, the extent of the student's individual involvement, and the student's academic and behavioral record.
4. An appeal of a short-term suspension of between one (1) and five (5) school days that has been imposed by an administrator or designee shall be directed to the building principal. The requested appeal must be made in writing stating the adjustments being requested and the reasons therefore. Such appeal may include a parent conference. The decision of the building principal shall ordinarily be final with respect to short-term suspensions of between one (1) and five (5) school days; and, there shall be no right of further appeal.
5. An appeal of a short-term suspension of between six (6) and ten (10) school days that has been imposed by an administrator or designee shall be directed to the building principal. The requested appeal must be made within three (3) days of the date the disciplinary action was taken. Such request must be in writing and state the adjustments being requested and the reasons there-for. The appeal may include a parent conference. If the principal upholds the administrator or designee's decision or if the principal initially made the suspension decision, an appeal, within three (3) school days, may be made to the superintendent's designee. The superintendent's designee will conduct a review conference within five (5) days of receipt of the appeal and issue a final determination on the level of discipline. There is no other right of appeal in conjunction with short-term suspensions of six - ten (6 - 10) school days.

B. Long-Term Suspension and Expulsion

1. Authority
 - a. The superintendent or his designee has the authority to impose a long-term suspension based upon a finding of misconduct.
 - b. The Board of Education has the authority to expel based upon a finding of misconduct.
2. Procedure
 - a. A long-term suspension or expulsion shall not be imposed absent an investigation by a building administrator or the superintendent's designee. In the investigation, the student shall be advised of the misconduct with which he or she is charged, the evidence supporting the charges, and shall be given the opportunity to present his or her version of the alleged incident(s). At the discretion of the investigator, other persons may be interviewed, may be requested to attend the hearing, or otherwise requested to provide information which will tend to assist in the resolution of the charges.

- b. Where, upon the conclusion of an investigation of the charges the investigator determines that the student has engaged in misconduct which merits the imposition of a long-term suspension or expulsion, the investigator shall recommend, in writing, to the superintendent or a designee of the superintendent who has not investigated the charges that the student be so disciplined, identifying the basis upon which his or her recommendation is founded. The investigator may also, upon making such determination, impose an immediate suspension of the student, pending further review of the recommendation.
- c. Upon receipt of a recommendation from the investigator for a long-term suspension or expulsion of a student, the superintendent or his designee shall review such recommendation and shall determine, based upon the information before him or her, whether to retain the matter for a hearing to determine the appropriateness of a long-term suspension, forward the matter to the Board of Education for a hearing to determine the appropriateness of expulsion or take such other action as is appropriate.
- d. If the superintendent or his/her designee determines that it is appropriate to pursue either a long-term suspension or expulsion, then the superintendent or his designee shall schedule a hearing before the Board of Education, when expulsion is at issue, or before the superintendent or his designee, when long-term suspension is at issue. The hearing shall take place within ten (10) school days following the commencement of the student's suspension. When expulsion is at issue and a hearing cannot be scheduled before the Board of Education within the ten (10) school-day period, or if it appears to the superintendent or his designee that the Board of Education may not be able to conclude the hearing within the ten (10) school-day period, the superintendent or his designee shall offer the student or his or her parent(s) or guardian(s) an opportunity for an intermediate hearing before the superintendent or his designee, within the ten (10) school-day period, on the merits of the charges and the propriety of continuing the suspension until the Board of Education may conduct a hearing.
- e. At a hearing or intermediate hearing as described in the preceding sub-section before the superintendent or his designee, evidence in support of the charges shall be presented by the investigator. The hearing officer shall not be bound by formal rules of evidence and may limit disclosure of the identity of students providing information relative to the charges in accordance with statutes and case law concerning student discipline proceedings. All witnesses who testify at the hearing shall be sworn. The student may be represented by counsel and may present witnesses in his or her behalf as well as cross-examine witnesses who testify at the hearing in support of the charges. Following the conclusion of the evidence and within ten (10) school days following the commencement of the student's suspension, the superintendent or his designee shall render a decision. Appeal is to the Board of Education.
- f. If the student and/or parent(s) or guardian(s) elect to have a hearing or take an appeal before the Board of Education on the charges, either with or without first participating in an intermediate hearing before the superintendent or his designee, the hearing shall be convened in open or closed session, as elected by the student and/or parent(s) or guardian(s). The board may designate a hearing officer who shall preside over the hearing until such time as deliberations begin and whose rulings on evidence and procedure shall stand unless overruled by a majority of the board on motion. In any such hearing, the administration shall present evidence in support of the charges. The rules of evidence applicable in administrative proceedings shall generally apply, as modified by statute or case law relative to the hearsay rule and other aspects of student discipline proceedings. The board may limit disclosure of the identity of students providing information relative to the charges in accordance with statutes and case law concerning student discipline proceedings the confidentiality accorded student witnesses. All witnesses who testify at the hearing shall be sworn. The student may be represented by counsel and may present witnesses in his or her behalf as well as cross-examine witnesses who testify in support of the charges.
- g. At the conclusion of the evidence, the Board of Education shall deliberate and may, if the hearing is in closed session, do so in private. Following such deliberations, the Board of Education shall, through an appropriate resolution adopted by a majority vote of its members, either dismiss the charges or order the suspension or expulsion of the student based upon a finding that the charges have been established through the evidence presented at the hearing.
- h. If the Board of Education decides to expel the student, a copy of the board resolution shall be sent to the student and his or her parent(s) or guardian(s).
- i. Certain legal protections exist for students with disabilities. if a student with a disability will be recommended for suspension of more than ten (10) consecutive school days, or if the suspension currently under consideration will casue the number of days of suspension during the school year to cumulate to more than ten (10) school days, the administration shall ensure that the required statutory and regulatroy processes are followed.

3. Conditions for Readmission

- a. A student who is expelled shall not be readmitted to any school within the West Bloomfield School District except by action of the Board of Education. Following expulsion, the Board may, but is not required to, authorize administration to render services to the expelled student such as admission to a community education program within the district for continuation of academic classes or assistance in obtaining placement in an alternative program. After an expelled student's absence from school for the remainder of the semester during which the incident leading to the expulsion occurred and the one regular school semester following, the student or, on behalf of the student, the student's parent(s) or guardian(s) may seek readmission by applying to the Board of Education through the superintendent or his designee. The Board of Education may, in its discretion and subject to paragraph 3(b), below, choose to readmit the student if he or she can satisfactorily demonstrate that he or she has made a sincere effort at rehabilitation subsequent to the expulsion and will not represent a threat to the safety and welfare of the students of the West Bloomfield School District. The Board of Education shall base its decision in part on the severity of the incident leading to expulsion. The Board of Education may further qualify readmission upon specified conditions which it determines are appropriate. Such applications shall be filed no earlier than forty-five (45) days prior to the commencement of the semester for which readmission is sought. The decision of the Board of Education on a question of readmission is final.

- b. A student who is found to have committed criminal sexual conduct, arson, possession of a dangerous weapon in a weapon-free school zone, or for committing a physical assault upon a school employee, volunteer or contractor, as those terms are defined in the Revised School Code (MCL § 380.1311, § 380.1311a, § 380.1313), shall not be readmitted to school in the District except in accordance with Section 1311(5) and/or 1311a(5) of the Revised School Code (MCL § 380.1311(5), 380.1311a(5)).

VI. SEARCH AND SEIZURE

- A. General Searches
General searches of school property may be conducted at any time by school personnel for the purpose of enforcing school regulations concerning health, safety, or order.

- B. Student Privacy
The utilization of surveillance cameras will in no way abrogate the defined rights of students to privacy and appropriate due process as it relates to search and seizure. The board of education recognizes that the privacy of students in their persons and their immediate personal property may not be violated by an unreasonable search and seizure, and accordingly students and their immediate personal property will not be subject to search and seizure without reasonable, individualized suspicion of misconduct as set forth below.

- C. Specific Searches
Any search of school property assigned to a specific student may be made only if school authorities have reasonable suspicion to believe that the property contains an item, the possession of which constitutes a crime or code violation, is a threat to the health or safety of the student or others, or threatens a disruption of the educational process.

- D. Searches of Person and Personal Property
Upon good cause or reasonable suspicion to believe that a student may possess illegal items (firearms, weapons, drugs, etc.) or other items reasonably determined to be a threat to the safety or security of the student or others, or items which are used or attempted to be used to disrupt or interfere with the educational process, an administrator may search that student's person and the property of that student, including by way of example: bags, briefcases, purses, and automobiles.

- E. Lockers
Students are assigned school lockers for use during the school year for the sole purpose of storing supplies, clothing, and other items essential to their daily needs while in attendance in school. All lockers remain the property of the West Bloomfield School District, and school authorities reserve the right to conduct specific or general searches as set forth above.

- F. Seizure

Illegal items or other items reasonably determined to be a threat to the safety or security of others, or items which are used or attempted to be used to disrupt or interfere with the educational process, will be removed from the student's possession. Such items may be turned over to law enforcement agencies and used in connection with criminal proceedings against the student, as well as disciplinary action by the West Bloomfield School District.

VIII. CORPORAL PUNISHMENT

- A. Board Policy #5129
- B. No School District employee, volunteer, or contractor shall inflict any form of corporal punishment upon any pupil under any circumstances. However, an employee, volunteer, or contractor may use reasonable restraint as necessary to maintain order and control in the following circumstances:
 - 1. To restrain or remove pupil whose behavior is interfering with the orderly exercise and performance of the School District, within a school, or at a school-related activity, if that pupil has refused to comply with a request to refrain from further disruptive acts:
 - For self-defense or the defense of another;
 - To prevent a pupil from inflicting harm on himself or herself;
 - To quell a disturbance that threatens physical injury to any person;
 - To obtain possession of a weapon or other dangerous object upon or within the control of a pupil;
 - To protect property. MCL §380.1312.

IX. MAKE-UP WORK POLICY

Policies and procedures regarding make-up work for absences from school (excused, unexcused, and absence resulting from suspension) are outlined in building newsletters and student handbooks. The same policies and procedures are intended to apply to suspensions resulting from disciplinary action taken under the terms of this Code of Student Conduct.

X. MISCELLANEOUS

- A. A copy of this Code of Student Conduct shall be available online at www.wbsd.org. Hard copies are available upon request at each building. When the Code of Student Conduct requires an administrator to inform a student of his/her right to appeal any disciplinary decision, a copy of this Code of Student Conduct shall be provided upon request of the student or his or her parent(s) or guardian(s).
- B. This document supersedes and replaces any and all documents or portions thereof with which it may be in conflict.
- C. In the event that any portion of this document is determined to be contrary to law, the particular provision will be considered null and void, but the remainder shall continue in full force and effect.
- D. This document, entitled Code of Student Conduct, is designed to inform students of the West Bloomfield School District, and their parent(s) or guardian(s), about the student citizenship code, appeal procedure, and aspects of student behavior.
- E. Local school rules are published by each building and distributed as newsletters or student handbooks and are to be read in conjunction with this Code of Student Conduct. To the extent such local school rules are inconsistent with this Code of Student Conduct, the Code of Student Conduct shall take precedence.

Policy approved: August 29, 2011

APPENDIX A

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THE REVISED SCHOOL CODE OF 1976

§380.1311

§380.1 311 Suspension or expulsion of pupils.

Sec. 1311.

(1) Subject to subsection (2), the school board, or the school district superintendent, a school building principal, or another school district official if designated by the school board, may authorize or order the suspension or expulsion from school of a pupil guilty of gross misdemeanor or persistent disobedience if, in the judgment of the school board or its designee, as applicable, the interest of the school is served by the authorization or order. If there is reasonable cause to believe that the pupil is handicapped, and the school district has not evaluated the pupil in accordance with rules of the state board to determine if the student is handicapped, the pupil shall be evaluated immediately by the intermediate school district of which the school district is constituent in accordance with section 1711.

(2) If a pupil possesses in a weapon free school zone a weapon that constitutes a dangerous weapon, commits arson in a school building or on school grounds, or commits criminal sexual conduct in a school building or on school grounds, the school board, or the designee of the school board as described in subsection (1) on behalf of the school board, shall expel the pupil from the school district permanently, subject to possible reinstatement under subsection (5). However, a school board is not required to expel a pupil for possessing a weapon if the pupil establishes in a clear and convincing manner at least 1 of the following:

- (a) The object or instrument possessed by the pupil was not possessed by the pupil for use as a weapon, or for direct or indirect delivery to another person for use as a weapon.
- (b) The weapon was not knowingly possessed by the pupil.
- (c) The pupil did not know or have reason to know that the object or instrument possessed by the pupil constituted a dangerous weapon.
- (d) The weapon was possessed by the pupil at the suggestion, request, or direction of, or with the express permission of, school or police authorities.

(3) If an individual is expelled pursuant to subsection (2), the expelling school district shall enter on the individual's permanent record that he or she has been expelled pursuant to subsection (2). Except if a school district operates or participates cooperatively in an alternative education pro-gram appropriate for individuals expelled pursuant to subsection (2) and in its discretion admits the individual to that program, an individual expelled pursuant to subsection (2) is expelled from all public schools in this state and the officials of a school district shall not allow the individual to enroll in the school district unless the individual has been reinstated under subsection (5). Except as otherwise provided by law, a program operated for individuals expelled pursuant to subsection (2) shall ensure that those individuals are physically separated at all times during the school day from the general pupil population. If an individual expelled from a school district pursuant to subsection (2) is not placed in an alternative education program, the school district may provide, or may arrange for the intermediate school district to provide, appropriate instructional services to the individual at home. The type of services provided shall be similar to those provided to homebound or hospitalized pupils under section 109 of the state school aid act of 1979, being section 388.1709 of the Michigan Compiled Laws, and the services may be contracted for in the same manner as under that section. This subsection does not require a school district to expend more money for providing services for a pupil expelled pursuant to subsection (2) than the amount of the foundation allowance the school district receives for the pupil under section 20 of the state school aid act of 1979, being section 388.1620 of the Michigan Compiled Laws.

(4) If a school board expels an individual pursuant to subsection (2), the school board shall ensure that, within 3 days after the expulsion, an official of the school district refers the individual to the appropriate county department of social services 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.

(5) The parent or legal guardian of an individual expelled pursuant to subsection (2) or if the individual is at least age 18 or is an emancipated minor, the individual may petition the expelling school board for reinstatement of the individual to public education in the school district. If the expelling school board denies a petition for reinstatement, the parent or legal guardian or, if the individual is at least age 18 or is an emancipated minor, the individual may petition another school board for reinstatement of the individual in that other school district. All of the following apply to reinstatement under this subsection:

(a) For an individual who was enrolled in grade 5 or below at the time of the expulsion and who has been expelled for possessing a firearm or threatening another person with a dangerous weapon, the parent or legal guardian or, if the individual is at least age 18 or is an emancipated minor, the individual may initiate a petition for reinstatement at any time after the expiration of 60 school days after the date of expulsion. For an individual who was enrolled in grade 5 or below at the time of the expulsion and who has been expelled pursuant to subsection (2) for a reason other than possessing a firearm or threatening another person with a dangerous weapon, the parent or legal guardian or, if the individual is at least age 18 or is an emancipated minor, the individual may initiate a petition for reinstatement at any time. For an individual who was in grade 6 or above at the time of expulsion, the parent or legal guardian or, if the individual is at least age 18 or is an emancipated minor, the individual may initiate a petition for reinstatement at any time after the expiration of 150 school days after the date of expulsion.

(b) An individual who was in grade 5 or below at the time of the expulsion and who has been expelled for possessing a firearm or threatening another person with a dangerous weapon shall not be reinstated before the expiration of 90 school days after the date of expulsion. An individual who was in grade 5 or below at the time of the expulsion and who has been expelled pursuant to subsection (2) for a reason other than possessing a firearm or threatening another person with a dangerous weapon shall not be reinstated before the expiration of 10 school days after the date of the expulsion. An individual who was in grade 6 or above at the time of the expulsion shall not be reinstated before the expiration of 180 school days after the date of expulsion.

(c) It is the responsibility of the parent or legal guardian or, if the individual is at least age 18 or is an emancipated minor, of the individual to prepare and submit the petition. A school board is not required to provide any assistance in preparing the petition. Upon request by a parent or legal guardian or, if the individual is at least age 18 or is an emancipated minor, by the individual, a school board shall make available a form for a petition.

(d) Not later than 10 school days after receiving a petition for reinstatement under this subsection, a school board shall appoint a committee to review the petition and any supporting information submitted by the parent or legal guardian or, if the individual is at least age 18 or is an emancipated minor, by the individual. The committee shall consist of 2 school board members, 1 school administrator, 1 teacher, and 1 parent of a pupil in the school district. During this time the superintendent of the school district may prepare and submit for consideration by the committee information concerning the circumstances of the expulsion and any factors mitigating for or against reinstatement.

(e) Not later than 10 school days after all members are appointed, the committee described in subdivision (d) shall review the petition and any supporting information and information provided by the school district and shall submit a recommendation to the school board on the issue of reinstatement. The recommendation shall be for unconditional reinstatement, for conditional reinstatement, or against reinstatement, and shall be accompanied by an explanation of the reasons for the recommendation and of any recommended conditions for reinstatement. The recommendation shall be based on consideration of all of the following factors:

(i) The extent to which reinstatement of the individual would create a risk of harm to pupils or school personnel.

(ii) The extent to which reinstatement of the individual would create a risk of school district or individual liability for the school board or school district personnel.

(iii) The age and maturity of the individual.

(iv) The individual's school record before the incident that caused the expulsion.

(v) The individual's attitude concerning the incident that caused the expulsion.

(vi) The individual's behavior since the expulsion and the prospects for remediation of the individual.

(vii) If the petition was filed by a parent or legal guardian, the degree of cooperation and support that has been provided by the parent or legal guardian and that can be expected if the individual is reinstated, including, but not limited to, receptiveness toward possible conditions placed on the reinstatement.

(f) Not later than the next regularly scheduled board meeting after receiving the recommendation of the committee under subdivision (e), a school board shall make a decision to unconditionally reinstate the individual, conditionally reinstate the individual, or deny reinstatement of the individual. The decision of the school board is final.

(g) A school board may require an individual and, if the petition was filed by a parent or legal guardian, his or her parent or legal guardian to agree in writing to specific conditions before reinstating the individual in a conditional reinstatement. The conditions may include, but are not limited to, agreement to a behavior contract, which may involve the individual, parent or legal guardian, and an outside agency; participation in or completion of an anger management program or other appropriate counseling; periodic progress reviews; and specified immediate consequences for failure to abide by a condition. A parent or legal guardian or, if the individual is at least age 18 or is an emancipated minor, the individual may include proposed conditions in a petition for reinstatement submitted under this subsection.

(6) A school board or school administrator that complies with subsection (2) is not liable for damages for expelling a pupil pursuant to subsection (2), and the authorizing body of a public school academy established under part 6a is not liable for damages for expulsion of a pupil by the public school academy pursuant to subsection (2).

(7) The department shall develop and distribute to all school districts a form for a petition to be used under subsection (5).

(8) Subsections (2) to (7) do not diminish the due process rights under federal law of a pupil who has been determined to be eligible for special education programs and services.

(9) If a pupil expelled from a public school district pursuant to sub-section (2) is enrolled by a public school sponsored alternative education program or a public school academy during the period of expulsion, the public school academy or the alternative education program shall immediately become eligible for the prorated share of either the public academy foundation allowance or the expelling school district's foundation allowance, whichever is higher.

(10) As used in this section:

(a) "Arson" means a felony violation of chapter X of the Michigan penal code, Act No. 328 of the Public Acts of 1931, being sections 750.71 to 750.80 of the Michigan Compiled Laws.

(b) "Criminal sexual conduct" means a violation of section 520b, 520c, 520d, 520e, or 520g of Act No. 328 of the Public Acts of 1931, being sections 750.520b, 750.520c, 750.520d, 750.520e, and 750.520g of the Michigan Compiled Laws.

(c) "Dangerous weapon" means that term as defined in section 1313.

(d) "Firearm" means that term as defined in the federal gun-free schools act of 1994, Public Law 103-227, 20 U.S.C. 3351.

(e) "School board" means a school board, intermediate school board, or the board of directors of a public school academy established under part 6a or 6b.

(f) "School district" means a school district, a local act school district, an intermediate school district, or a public school academy established under part 6a or 6b.

(g) "Weapon free school zone" means that term as defined in section 237a of the Michigan penal code, Act No. 328 of the Public Acts of 1931, being section 750.237a of the Michigan Compiled Laws.

History: 1976, Act 451, Imd. Eff. Jan. 13, 1977; Am. 1993, Act 335, Imd. Eff. Dec. 31, 1993; Am. 1994, Act 328, Eff. Jan. 1, 1995; Am. 1995, Act 250, Eff. Dec. 29, 1995.

DISCIPLINARY STEPS

PHILOSOPHY

The primary goal of the West Bloomfield School District is to create a positive learning environment in which all students are provided an opportunity to grow academically and socially. In order to maintain this goal there must be a shared commitment among parents, staff, and students.

The West Bloomfield School District strives to develop in all students an understanding and appreciation of our representative form of government, the rights and responsibilities of the individual and the legal processes whereby necessary changes are accomplished.

The West Bloomfield School District, and each school within the district, is an academic community comprised of students, parents, teachers, administrators, and members of the community at large. The rules and regulations of the school are the laws of the community. All those enjoying the rights of citizenship in the school community must accept the corresponding responsibilities of citizenship. A basic responsibility of those who enjoy the rights of citizenship is to respect the laws of the community and the rights of the other members of that community.

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**WEST BLOOMFIELD SCHOOL DISTRICT
DISCIPLINARY STEPS
Elementary, Middle, High School**

Explanation of Disciplinary Steps

STEP 1. Verbal Warning

STEP 2. Administrative Conference

An administrative conference with the student that will include reviewing the disciplinary policy and procedure.

STEP 3. Administrative Conference

An administrative conference with the student and the parents.

STEP 4. Lunch and/or After-School Detention

STEP 5. In-School Suspension (1-3 Days)

STEP 6. Saturday School Assignment (Not Applicable to Elementary School)

STEP 7. 1-2 Day Out-Of-School Suspension (Short-Term)

STEP 8. 3-Day Out-Of-School Suspension (Short-Term)

STEP 9. 5-Day Out-Of-School Suspension (Short-Term)

STEP 10. 10-Day Out-Of-School Suspension (Short-Term)

STEP 11. Long-Term Out-Of-School Suspension (Up to 30 Days) Superintendent's Action Required

STEP 12. Expulsion from School

Board of Education Action Required

In addition to the steps provided for possession of prohibited articles, the school district may confiscate any such article and return same to the student, parent, guardian and/or law enforcement authority as the circumstances require.

Placement and movement on the step system will be proportionate to the severity of the misconduct. The administration reserves the right to deal with each offense on an individual review basis, and before imposing placement on the step system, the administration shall consider, with-out limitation, the actual misconduct, the extent of the student's individual involvement, and the student's record, both academic and behavioral. This review may result in disciplinary action being more or less severe than outlined.

Note: Steps listed represent a range of options. It is not to be construed that all steps will be incorporated with each offense.

Where a range of disciplinary steps is established for an infraction, the factors that lead to more severe penalties include:

- 1) the actual harm or injury caused
- 2) the risk of harm to the student and/or others
- 3) the intent of the student
- 4) the number and seriousness of prior infractions committed by the student
- 5) the seriousness of the penalty required in the circumstances to discourage future violations by the student or others.

<u>Infraction</u>	<u>Elementary</u>	<u>Middle</u>	<u>High School</u>
1.			
1.1) Swearing, foul language, rude, inconsiderate or disrespectful behavior.	Steps 1-5	Steps 1-10	Steps 1-10
1.2) Swearing, rude, inconsiderate and/or disrespectful behavior directed toward a staff member.	Steps 3-7	Steps 3-10	Steps 3-11
1.3) Verbal threat of a school employee, volunteer or contractor while at school.	Steps 1-6	Steps 7-12	Steps 7-12
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2.			
2.1) Violation of specific classroom regulations which are consistent with Board of Education policies and administrative procedures.	Steps 1-3	Steps 1-8	Steps 1-8
=====			
3.			
3.1) Leaving class without permission.	Steps 1-4	Steps 1-8	Steps 1-8
3.2) Leaving school or campus without permission.	Steps 3-7	Steps 3-9	Steps 6-9
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4.			
4.1) Failure to complete a school personnel assigned disciplinary action.	Steps 2-5	Steps 1-7	Steps 1-8
4.2) Refusal to obey a staff member's instructions, accompany a staff member to the office when directed to do so, or provide identification to a staff member when requested to do so.	Steps 3-7	Steps 1-10	Steps 5-10
4.3) Interfering with a disciplinary action (either by word or action)	Steps 2-7	Steps 2-8	Steps 1-8
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5.			
5.1) Excessive, inappropriate and/or disruptive behavior	Steps 4-9	Steps 2-10	Steps 5-12
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6.			
6.1) Horseplay which may include pushing, shoving and/or wrestling.	Steps 1-5	Steps 1-8	Steps 1-8
6.2) Fighting on school premises or at any school sponsored activity.	Steps 2-8	Steps 7-12	Steps 9-12

<u>Infraction</u>	<u>Elementary</u>	<u>Middle</u>	<u>High School</u>
6.3) Inciting a fight and/or encouraging others to participate in a fight.	Steps 2-8	Steps 5-12	Steps 9-12
6.4) Planning, pre-arranging a fight.	Steps 2-8	Steps 3-12	Steps 9-12
6.5) Bringing in others (including non-students) to assist in a fight.	Steps 2-8	Steps 7-12	Steps 9-12
6.6) Physical assault of other students WHILE at school or at any school-sponsored activity.	Steps 2-8	Steps 9-12	Steps 9-12
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7.			
7.1) Spoken, written or electronic slurs which tend to humiliate another's personal characteristics (minor offense).	Steps 1-7	Steps 2-8	Steps 1-10
7.2) Ethnic, religious and/or general harassment or intimidation by means of slurs, spoken, written or electronic references, gestures, or other behaviors which tend to humiliate or threaten others on the basis of race, creed, religion, ethnic background, nationality or personal characteristics.	Steps 1-7	Steps 7-12	Steps 7-12
7.3) Extortion, blackmail.	Steps 4-8	Steps 7-12	Steps 7-12
7.4) Harassment/Bullying/Cyberbullying/Threats or falsely accusing another person of bullying or harassment (as defined in Policy 5132 Bullying)	Steps 3-10	Steps 4-12	Steps 6-12
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8.			
8.1) Food and/or drink in unauthorized areas.	Steps 1-3	Steps 1-7	Step 1-7
8.2) Littering in the building and/or school grounds. Consequence to include cleaning areas within the school property.	Steps 1-3	Steps 1-7	Step 1-7
=====			
9.			
9.1) Defacing school property (minor offense) Negligent care of school property.	Steps 1-4	Steps 1-7	Steps 1-6
9.2) Willful destruction of school property or property of another individual. Restitution may be required.	Steps 3-9	Steps 7-10	Steps 7-10
9.3) Unauthorized possession of school property or property of another individual, theft and/or robbery. Restitution may be required.	Steps 3-7	Steps 5-10	Steps 6-10
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Infraction	Elementary	Middle	High School
9.4) Breaking/entering school, theft, defacement, or destruction of school property. Restitution may be required. Police involvement may occur.	Steps 7-11	Steps 10-12	Steps 10-12
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10.			
10.1) Being in unauthorized areas inside/outside school. (H.S. This includes hallways during class time without a pass; wooded areas outside the building; private property adjacent to the building).	Steps 1-2	Steps 1-7	Steps 1-8
10.2) Unauthorized loitering at another school.	Steps 1-2	Steps 1-9	Steps 7-10
10.3) Trespassing/loitering on school grounds beyond regular building hours.	N/A	Steps 1-9	Steps 2-10
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11.			
11.1) Gambling or accepting gambling money on school premises.	Steps 1-4	Steps 1-10	Steps 1-10
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12.			
12.1) Unacceptable public displays of affection.	Steps 1-3	Steps 1-8	Steps 1-10
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13.			
13.1) Dress or personal adornment which jeopardizes the health, safety, welfare and orderly conduct of the educational process. Dress or adornment which promotes drug and/or alcohol use.	Steps 1-3	Steps 1-8	Step 1-8
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14.			
14.1) Overdue school property (e.g. media center books, athletic equipment, classroom materials (May require restitution if material is lost.)	Steps 1-3	Steps 1-5	Steps 1-6
=====			
15.			
15.1) Possession or use of school keys.	Steps 1-5	Steps 5-10	Steps 5-10
15.2) Possession, use, distribution and/or duplication of school keys	Steps 5-8	Steps 10-12	Steps 10-12
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16.			
16.1) Fraudulent calls to the attendance office.	Steps 1-5	Steps 4-10	Steps 6-10
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<u>Infraction</u>	<u>Elementary</u>	<u>Middle</u>	<u>High School</u>
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17.

17.1) Reckless driving, misuse of a motor vehicle, NON-REPORTING OF ACCIDENTS, or repeated parking violations. (Consequence may include loss of driving privileges.)	N/A	N/A	Steps 5-10
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18.

18.1) Threatening or intimidating a school district employee, volunteer, contractor or agent	Steps 3-8	Steps 7-10	Steps 7-12
18.2) Striking a staff member	Steps 7-10	Steps 10-12	Steps 10-12
18.3) Physical assault of a school district employee, volunteer, contractor or agent	Steps 7-10	Step 12	Step 12

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19.

19.1) Behavior or activities that cause or have the potential to cause danger and/or bodily harm to staff and/or students.	Steps 3-9	Steps 5-12	Steps 5-12
19.2) Intentional and false reporting that a person's food or beverage has been adulterated.	Steps 2-9	Steps 3-10	Steps 3-10
19.3) Adulterating the food or beverage of another, with or without the intent to cause injury.	Steps 2-11	Steps 10-12	Steps 10-12

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20.

20.1) Possession and/or failure to surrender materials which are potentially disruptive to the learning process such as frisbees, squirt guns, water balloons, shaving cream or related material. Items will be confiscated.	Steps 1-7	Steps 1-9	Steps 5-10
20.2) Use or possession of an electronic device on school property or at school sponsored activities. Items will be confiscated. Note: The school district is not responsible for the above listed items if lost or stolen while at school.	Steps 5-10	Steps 5-10	Steps 5-12

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<u>Infraction</u>	<u>Elementary</u>	<u>Middle</u>	<u>High School</u>
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21.

21.1) Sexual harassment that may consist of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, or other spoken, written, or electronic communication or other behaviors of a sexual nature when that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's education or creating an intimidating, hostile or offensive educational or social environment	Steps 2-7	Steps 2-12	Steps 2-12
21.2) Sexual conduct that violates the rights of others.	Steps 2-9	Steps 10-12	Steps 10-12
21.3) Criminal Sexual Conduct.	Steps 10-12	Step 12	Step 12
21.4) Display, distribution, possession or sale of pornographic materials.	Steps 3-7	Steps 5-10	Steps 6-12

22.

22.1) Behavior or actions considered to be indecent.	Steps 2-7	Steps 5-12	Steps 6-12
22.2) The use of vulgar acts or gestures which have the tendency to disrupt the orderly conduct of the educational process or violates the rights of others.	Steps 2-7	Steps 2-10	Steps 10-12

23.

23.1) Falsifying or changing any note, pass, school communication or document.	Steps 1-5	Steps 2-10	Steps 6-10
23.2) Falsifying, theft, damage or defacement of school records including teacher's grade books, attendance records, discipline records, transcripts, computer files.	Steps 3-8	Steps 10-12	Steps 10-12
23.3) Theft or unauthorized possession and/or distribution of tests and exams.	Steps 3-8	Steps 7-10	Steps 10-12

24.

24.1) Use or possession of fireworks, smoke or stink bombs, or any related material on school property or at any school sponsored activity.	Steps 3-8	Steps 8-10	Steps 8-10
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Infraction

Elementary

Middle

High School

25.

25.1) Use or possession of any illegal or unauthorized medicines, inhalants, drugs or narcotics, including but not limited to: Marijuana, Heroin, Cocaine, LSD, Barbiturates, Amphetamines, drugs manufactured for use with animals and drug paraphernalia on school property or at any school sponsored activity.

Steps 3-8 Steps 10-12 Steps 10-12

If the student fails to complete one of these programs, the additional days of suspension will be served. (First offense, only.) (Elementary — Referral to Youth Assistance.)

25.2) Drinking, possession or evidence of consumption of alcoholic beverages, on school property or at any school sponsored activity

Steps 3-8 Steps 10-11 Steps 10-12

The length of the suspension will be reduced upon completion of a substance abuse program.

25.3) Under the influence of alcohol or other drugs on school property or any school sponsored activity

Steps 3-8 Steps 10-11 Steps 10-12

The length of the suspension will be reduced if the student successfully completes a Chemical Abuse Program or a professional evaluation and a program from an outside agency. If the student fails to complete A PROGRAM, the additional days of suspension will be served. (First offense, only.) (Elementary — Referral to appropriate agency.)

25.4) THE Sale/DISTRIBUTION of any alcohol, illegal or unauthorized medicines, drugs or narcotics including but not limited to: Marijuana, Heroin, Opium, Cocaine, LSD, Barbiturates, Amphetamines, and drugs manufactured for use with animals on school property or at any school sponsored activity.

Police involvement will occur. Steps 8-11 Steps 10-12 Steps 10-12

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Infraction

Elementary Middle High School

26.

26.1) Possession or use of dangerous weapons on school property, in any school owned vehicle, or at any school sponsored activity. A dangerous weapon shall include a firearm (including a starter gun) or any device which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; any destructive device or any explosive, incendiary, or poison gas bomb, grenade, rocket having a propellant charge of more than four (4) ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or similar device; a dagger, dirk, stiletto, knife with a blade over three(3) inches in length, or pocketknife opened by a mechanical device; an iron bar or brass knuckles; or, any other weapon as set forth in 18 USC § 921. Also, any electronic device that inflicts or causes pain or suffering is likewise to be considered a weapon. Police involvement will occur.

Step 12 Step 10-12 Step 10-12

26.2) Possession or use of any other weapon on school property, in any school owned vehicle, or at any school sponsored activity. A weapon shall include any object or instrument the principal use of which is to inflict injury or physical harm upon the person of another, or the use of which may result in pain or suffering. The term "other weapons" shall also include a facsimile of objects or instruments which are weapons. The term "other weapons" shall additionally include a knife with a blade 3" or less in length, or an object or instrument which is not in and of itself a weapon as defined above, but where the possession or use of same is coupled with an intent by a student to inflict injury or harm upon another person. police involvement will occur.

Steps 3-12 Steps 10-12 Steps 10-12

27.

27.1) Refusal to leave building during an emergency drill

Steps 4-8 Steps 5-10 Steps 5-10

27.2) Tampering with a fire alarm box or system or fire fighting equipment

Steps 3-12 Steps 9-12 Steps 9-12

<u>Infraction</u>	<u>Elementary</u>	<u>Middle</u>	<u>High School</u>
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27.3) Setting off a false fire alarm. Police involvement	Steps 3-12	Steps 10-12	Steps 10-12
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27.4) Making or being a party to a bomb threat or similar threat	Steps 3-12	Steps 9-12	Steps 10-12
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27.5) Arson. Police involvement will occur.	Steps 10-12	Step 12	Step 12
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28.

28.1) Use and/or possession of tobacco products or any smoking paraphernalia on school property or at any school activity.	Steps 3-10	Steps 7-10	Under 18: see A. Over 18: see B.
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A. Under 18

- 1) Successful completion of a Substance Abuse Program and Saturday School
- 2) Referral to court system; community service and Step 8
- 3) Referral to court system for violation, community service and Steps 9-10

B. Over 18

- 1) Successful completion of the a Substance Abuse Program and Saturday School
 - 2) Community Service & Step 8
 - 3) Community Service & Steps 9-10
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29.

29.1) Downloading or installing unauthorized software, or attaching unauthorized hardware to computers or networks.	Steps 1-5	Steps 3-8	Steps 6-12
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29.2) Using network services or computers for unauthorized activities or in an inappropriate manner.	Steps 3-12	Steps 3-12	Steps 6-12
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29.3) Attempting to gain access or gaining access to passwords, information resources, files, programs, or data belonging to other users or secured on computers or networks.	Steps 5-12	Steps 7-12	Steps 9-12
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29.4) Interfering, disrupting, or vandalizing network infrastructure, software, services, or computer equipment.	Steps 7-12	Steps 7-12	Steps 9-12
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*Violations of this Disciplinary Step may additionally result in the loss of computer and/or technology privileges within the discretion of the building administrator and/or his/her designee. Restitution may be required.

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Appendix A

DEFINITIONS

After-school Detention

After-school detention is assigned to students by individual teachers or administrators for excessive tardiness to class. These detentions are served in a specific classroom within the building. Students will be given advance notice in order to make arrangements. A 4:00 p.m. bus is available for transportation home. Students are expected to report on time or they will be denied entrance. There are no exemptions from detention. Failure to serve an after-school detention will result in Saturday detention (if available) or short-term suspension.

In-school Suspension

In-school Suspension is the removal of students from the regular school routine. Students report to a supervised classroom in the building in lieu of attending their regular classes. They must have their homework assignments for that day. Notification is given in advance so that all necessary arrangements can be made and assignments picked up from classroom teachers.

In-school Suspension may also be given by individual teachers as a time-out option when a student is particularly disruptive in class. In this case, students are sent to the in-school suspension room with a demerit form indicating the time, the infraction, and homework assignment to be completed.

Saturday School Detention

Saturday School Detention is an alternative disciplinary consequence for violating the Student Code of Conduct. Students are assigned by administrators to a three (3) hour detention on Saturday from 8:00 a.m. to 11:00 a.m. They must report to a specific classroom in the school building and have adequate work to keep them occupied the entire time.

Saturday School Detention may be assigned for skipping an after-school detention, excessive tardiness to class, or as an alternative to in-school suspension. Failure to serve a Saturday School Detention as outlined in the guidelines given to students will result in an out-of-school suspension of two (2) days.

Suspension

A suspension is the denial of a student's right to attend school, attend or participate in a selected activity or class, be present on school grounds, or attend any or a selected school function.

"Short-Term Suspension" A short-term suspension is a suspension not exceeding ten (10) school days. A principal or his or her designee acting in the principal's absence has the authority to impose a short-term suspension when there is a reasonable cause to believe that there has been misconduct as identified in the Student Code of Conduct.

"Long-Term Suspension" A long term suspension is a suspension exceeding ten (10) school days. The superintendent or his designee has the authority to impose a long-term suspension based upon a finding of misconduct.

Expulsion

Expulsion is the total permanent exclusion of a student from the West Bloomfield School District. The Board of Education has the authority to expel based upon a finding of misconduct.

Appendix B

**APPEAL PROCEDURES FOR SHORT-TERM SUSPENSIONS
(Suspensions not exceeding ten (10) days)**

1. An appeal of a short-term suspension of between one (1) and five (5) school days that has been imposed by an assistant principal shall be directed to the building principal. The requested appeal must be made in writing stating the adjustments being requested and the reasons therefore. Such appeal may include a parent conference. The decision of the building principal shall ordinarily be final with respect to short-term suspensions of between one (1) and five (5) school days; and, there shall be no right of further appeal. However, the superintendent may, in his or her discretion, accept an appeal of the decision made at the building level, if the superintendent believes that such review would likely lead to a different result.
2. An appeal of a short-term suspension of between six (6) and ten (10) school days that has been imposed by an assistant principal shall be directed to the building principal. The requested appeal must be made within three (3) days of the date the disciplinary action was taken. Such request must be in writing and state the adjustments being requested and the reasons therefore. The appeal may include a parent conference. If the principal upholds the assistant principal's decision or if the principal initially made the suspension decision, an appeal, within three (3) school days, may be made to the superintendent's designee. The superintendent's designee will conduct a review conference within five (5) days of receipt of the appeal and issue a final determination on the level of discipline. There is no other right of appeal in conjunction with short-term suspensions of six - ten (6 - 10) school days.

**APPEAL PROCEDURE FOR LONG-TERM SUSPENSIONS AND/OR EXPULSIONS
(Suspensions exceeding ten (10) school days)**

Appeal of suspensions exceeding ten (10) days are to be directed to the superintendent's designee within three (3) school days of the date the disciplinary action was taken. This appeal must be made in writing stating the adjustments being requested and the reasons thereof.

NONDISCRIMINATION POLICY

It is the policy of the West Bloomfield School District that no person shall, on the basis of race, color, national origin, sex, age, height, weight, religion, marital status or disability, be excluded from participation in, be denied the benefits of or be subject to discrimination in employment or any of its programs or activities.

Inquiries concerning the nondiscrimination policy should be directed to:

Mr. Rick Arnett, Assistant Superintendent
Administrative & Community Services, 5810 Commerce Road
West Bloomfield, MI 48324 (248) 865-6424