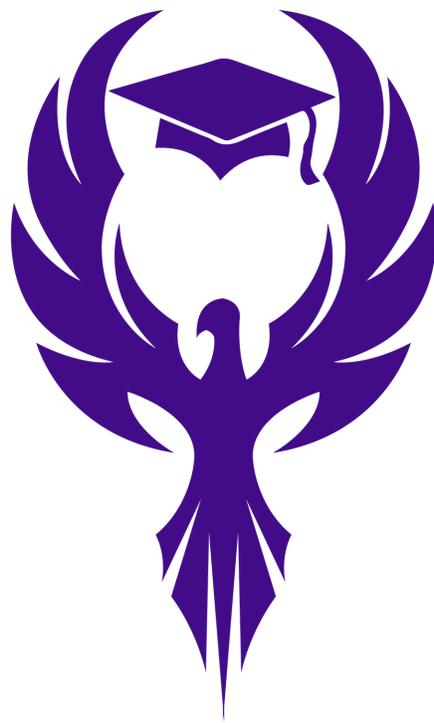




PONTIAC

SCHOOL DISTRICT



STUDENT CODE OF CONDUCT
2018-2019



The Vision Of Pontiac School District Is Achieving Educational Excellence Together

Dear Pontiac School District Parents:

With this vision in mind, Pontiac School District (PSD) has developed the **Student Code of Conduct** to help students, parents, and school personnel understand the guidelines for maintaining a safe learning environment.

The Student Code of Conduct explains the behavior expected of all students. The Student Code of Conduct applies to all PSD students in pre-kindergarten through 12th grades.

In order to promote the finest educational experience possible, the Pontiac School District has established high standards of conduct for its students and student organizations. Individual students and student organizations are expected to know and comply with the policies in the Student Code of Conduct. Students who violate, attempt to violate, or aid others in violating its provisions may face sanctions for their actions. The Student Code of Conduct explains Pontiac School District's standards and procedures.

The District conducts regular reviews and updates to this student guide, determined by District policies and guidelines. The District may, due to legal or institutional need, make changes to the Student Code of Conduct at any time as deemed appropriate by District officials. The Student Code of Conduct is posted online at pontiacschools.org

Each PSD student must follow district rules:

- While on school grounds
- While being transported to or from school at District/public expenses
- During school-sponsored events, such as field trips, athletic functions, and similar activities

Schools also have authority to discipline students for acts near or related to the school, or when a student's conduct has a detrimental effect on the health, safety or welfare of the student, of other students, of the school or of school personnel.

While students may be disciplined for infractions according to the responses outlined in the Student Code of Conduct, please be aware that there could be additional consequences through law enforcement for acts that violate the law.

The District administration reserves the absolute discretion to determine appropriate sanctions to be imposed upon a student for any infraction of the Code of Conduct.

We look forward to educating your children and working with you in preparing each student to successfully meet the challenges of living and working in a global society. To this end, we are committed to providing a learning environment where ALL excel—students, faculty, parents, and, the Pontiac community.

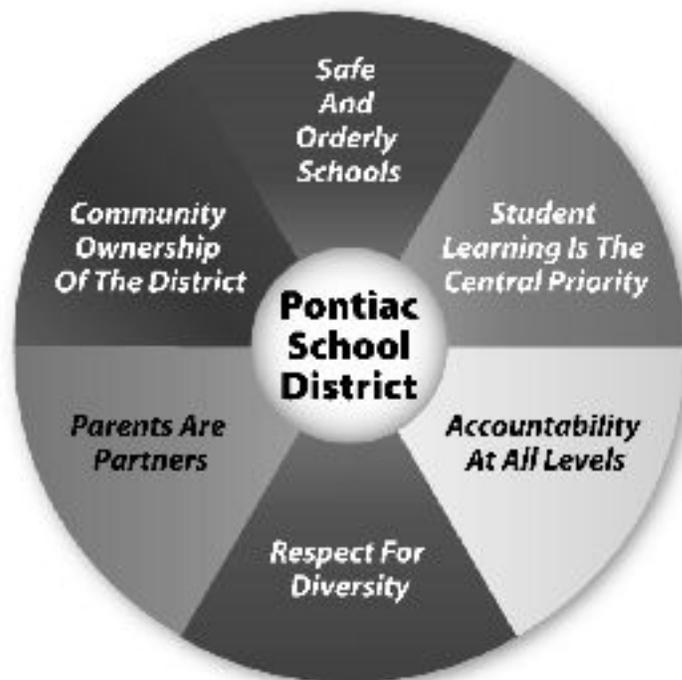
Sincerely,

Kelley Williams
Superintendent

VISION OF THE DISTRICT

“The Board of Education believes the Pontiac School District can become the premier school district as a recognized leader in student achievement, high school graduation rates, college readiness, and post-secondary success. We, the trustees of the Pontiac School District, are committed to achieving this vision, and realize that hard work coupled with community partnerships is paramount to not only the success of the school district, but for the success of all our communities”.

Core Values



Contents

Introduction	4
Fair Administration of the Code of Conduct	4
Student Responsibilities	5
Student Rights	5
Parent/Guardian Responsibilities	6
Educator Responsibilities	6
The Rights of Freedom of Expression	7
Student Dress Code	7
Freedom from Unreasonable Searches and Seizures	8
Search of Lockers, Desks, and Other Assigned Spaces	8
Metal Detector Searches	8
Student Rights When Questioned By the Police	8
Bus Service Eligibility:	9
Rules for School Bus Riders	9
School Level Intervention Process	10
Problem Solving Steps	10
Corrective Measures	11
Bullying /Cyberbullying	12
Definition of Bullying	12
Definition of Cyberbullying	12
Procedure for Addressing Bullying/Cyberbullying	13
Notification	14
Non-Retaliation/False Reports	14
Harassment	15
Sexual Harassment	15
Anti-Harassment Compliance Officers	16
Attendance Philosophy	17
Tardy	17
Attendance Regulations	17

Grading Policy 19

Student Records 20

Revised School Code 21

Class I Offenses 22

Class II Offenses 23

Class III Offenses 24

Administrative Disciplinary Actions 25

Disciplinary Procedures 26

 Due Process for Short-Term Suspensions 26

Appeal Process for Suspensions 27

 Expulsion 28

 Readmission Guidelines 28

Discipline of Students with IEPs 30

 Change of Placement 30

 Manifestation Determination Review (MDR) 30

 Possible Team Members for MDR 30

 Special Circumstances for Removal 30

 Free and Appropriate Public Education (FAPE) 30

 General Considerations 31

Suspension/Expulsion of Students with IEP's 32

 The Manifestation Determination Review Meeting must: 32

Introduction

The Pontiac School District Student Code of Conduct supports the belief that each person deserves and needs a positive, concerned, accepting educational community that values diversity and provides a comprehensive system of individual supports. The intent of this handbook is to set forth the policies, procedures, and expectations generated by the Pontiac School District community to foster a positive learning environment. By reading and discussing this Code and the importance of good behavior with your children, you will assist the district in its efforts to help all students reach their highest potential.

The Code of Student Conduct is enforced:

1. While students go to or from school.
2. On any school district property at any time.
3. At all school-sponsored or approved events or activities on or off campus.
4. At the bus stop or on a school bus.
5. With respect to any misconduct toward any school employee or damage to his/her property, whether on or off school premises.
6. With respect to any off-campus misconduct of a serious and/or criminal nature, which poses a likelihood of danger to the health (physical or emotional) or welfare of students or district personnel (i.e., selling drugs off-campus), or which reasonably makes the continued presence of the student in the school disruptive to the educational process. (i.e., committing a vicious crime off-campus).

The rules and regulations contained in this document do not include all conceivable student misbehavior that might result in administrative disciplinary action taken against a student.

Fair Administration of the Code of Conduct

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. It defines behaviors that undermine the safety and learning opportunities for all members of the school community and favors actions that encourage positive behavior and learning over actions designed to punish. When determining the consequences of student misconduct, school officials may use intervention strategies and/or disciplinary actions. Recognizing the importance of keeping students in school learning as much as possible, educators will consider 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 in determining how they will address misconduct.

The Code of Student Code of Conduct will be administered fairly, without partiality or discrimination. The Code of Student Conduct does not diminish any rights under federal law (20 U.S.C. 1400 et. Seq.) of a student determined to be eligible for special education programs and services.

Student Responsibilities

All students should recognize the consequences of their language, manners, and actions toward each other, school staff, and volunteers. 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 mutually respectful learning environment and support the reduction of any disruption to learning. The following pages list actions that can cause disruptions, and therefore, require some action to address the harm they cause. Whenever possible, the action to address this misconduct should include steps to heal the harm and restore the community members affected

1. Take responsibility for your learning and recognize that it is a process.
2. Attend school regularly, arrive on time, and be prepared to learn.
3. Respect yourself and others in class, on school grounds, on buses, and at any school-related activity.
4. Respect the rights and feelings of fellow students, parents, educators (including teachers, secretaries, custodians, aides, paraprofessionals, and other school personnel), 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.
7. Participate in your learning communities, including helping formulate rules and procedures in the school, engaging in school-related activities, and fostering a culture of respect for learning and for others.
8. Refrain from libel, slanderous remarks and obscenity in verbal and written expression and observe fair rules in conversation and responsible journalism.
9. Dress and appear in a manner that meets reasonable standards of health, cleanliness and safety.
10. Help maintain and improve the school environment, preserve school property and exercise the utmost care while using school facilities.

Student Rights

The immediate objective of the Student Code of Conduct is to assure a suitable environment in which learning can take place and to encourage student growth in abilities, attitudes and values essential to acceptable behavior. If a student feels unsafe or is threatened, the student or the student's parent/guardian should contact the principal. Individual rights relate to individual responsibilities and must be seen in relationship to the safety, health and welfare of all members of the school community. Disciplinary actions are applied to students when there are violations of the rules. Disciplinary actions take into account the specific offense and an understanding of the student, guidance procedures and the educational purposes of the school.

Parent/Guardian Responsibilities

In the Pontiac School District, we put children first. The Pontiac Schools' Parent/Guardian's Responsibilities details the expected behaviors of parents/guardians and visitors when on school property, field trips, athletic and extra-curricular events, or when engaging with school personnel. The Pontiac Schools' Parent/Guardian's Responsibilities are established to ensure a positive working relationship between the school, parents/guardians and the general community. As a part of the enrollment application process, parents and/or guardians will be required to sign the Parent/Guardian's Responsibilities agreement to:

1. Be courteous in speech and actions while on school property or in attendance at school-sponsored events.
2. See that your student(s) attends school regularly and on time.
3. Support the school's effort to provide a safe and orderly learning environment.
4. Meet with school staff when requested to discuss the education or behavior of my student(s).
5. Advocate for your student(s) and take an active role in the school community.
6. Know and support the district and school rules and policies and work within the existing structure of the school to address concerns.
7. Sign in at the office upon entering the school and seek permission prior to going to other areas of the building.
8. Take responsibility for your student(s) development as learners by, as much as possible, providing a home environment suited for learning and developing good study habits.
9. Provide for your student(s) general health and welfare as much as possible.
10. Teach and model respect for yourself, your student(s) and all members of the school community.

Educator Responsibilities

Educators have the responsibilities to:

1. Take responsibility for students' development as learners, including their academic success and positive social-emotional development, recognizing that children should be subject to behavior management and discipline policies appropriate to their ages and levels of understanding.
2. Model and provide a mutually respectful and accountable atmosphere for learning which includes all members of the school.
3. Cooperate and schedule conferences with students, parents and other school personnel in an effort to understand and resolve academic and behavioral problems. Make every effort to accommodate families whose work schedules, access to transportation or distance from school limits their ability to meet or participate.
4. Work within the existing structure of the school to address concerns.
5. Encourage students to participate in classroom, extracurricular and other school related activities.
6. Know and enforce the school rules and policies consistently, fairly and equitably.
7. Participate in formulating rules and procedures and other learning and developmental opportunities in the school.

The Rights of Freedom of Expression

Students have the right to express their beliefs and opinions on issues orally, symbolically and through publication, so long as such expression is made in a reasonable manner. However, freedom of expression does not include engaging in libelous, obscene or personal attacks on individuals and groups; defamation of character; commercial solicitations; or the distribution of materials of a racial, ethnic, sexual or religious nature, that are likely to result in disruption; nor materials that otherwise endanger the health and safety of people or threaten to disrupt the educational process.

Student Dress Code

The Pontiac School District dress code is designed to provide students with an educational environment that is conducive to the learning process. The policy is designed to prevent distractions including health and safety hazards that disrupt the educational environment.

Pontiac School District's students have the right to express their own individuality in their apparel, provided that such dress does not conflict with the student dress code established for all students in the school and/or in the Pontiac School District. The principal or his/her designee has the discretion to determine if a student is properly groomed or dressed appropriately.

Students violating the dress code will be asked to dress in the correct way immediately. If necessary, parents/guardians will be called to bring proper clothing so that the student may resume his/her regular schedule. Repeated violations of the dress code will be treated as a violation of district dress code requirements and expectations.

Students are expected to adhere to the student dress code and are expected to exemplify proper grooming standards in a manner that projects an appropriate image for the student, the school, and the Pontiac School District. Clothing and/or accessories shall not endorse any item or product related to tobacco, alcohol, other controlled substances, profane language or sexual activity.

The Pontiac School District acknowledges the right of a parent that a student be exempted from the mandatory dress code requirement on the basis of a religious objection.

Freedom from Unreasonable Searches and Seizures

Students have rights, which have been established and guaranteed by the Fourth amendment to the United States Constitution protecting their right of privacy of their person and freedom from the unreasonable search and seizure of property. Search of a student may be undertaken by any principal or his/her designee or authorized member of the staff when there is reasonable grounds to suspect that the search will uncover evidence that a student violated federal, state, local law or school rule.

Search of Lockers, Desks, and Other Assigned Spaces

All lockers assigned to pupils are the property of the school district. At no time does the school relinquish its exclusive control of its lockers. The school principal or his/her designee shall have custody of all combinations to all lockers or locks. Pupils are prohibited from placing locks on any locker without the advance approval of the public school principal or his/her designee.

Random searches of school lockers and their contents may have a positive impact on deterring violations of school rules and regulations, ensure proper maintenance of school property, and provide greater safety and security for pupils and personnel. Accordingly, the board authorizes the school principal or his/her designee to search lockers and locker contents at any time, without notice, and without parent/guardian or pupil consent.

The school principal or his/her designee shall not be obligated to, but may, request the assistance of a law enforcement officer in conducting a locker search. The school principal or his/her designee shall supervise the search. In the course of a locker search, the school principal or his/her designee shall respect the privacy rights of the pupil regarding any items discovered that are not illegal or against school policy and rules.

Metal Detector Searches

The administration is authorized to use stationary or mobile metal detectors at any time during the day whenever:

- the administration in any school has reasonable suspicion to believe that weapons or dangerous objects are in the possession of unidentified students; OR
- there has been a pattern of weapons or dangerous objects found at school, on school property, at functions or in the vicinity of a school; OR
- when violence involving weapons has occurred at a school or on school property, at school functions or in the vicinity of a school

Student Rights When Questioned By the Police

Building principals or designee are authorized to allow police officers and identified officials from the court to interview students on official business. Police officers can search students and make official arrests if deemed necessary by law. When applicable, the building principal or designee will be present during official police interviews. The principal or designee will inform parents of this questioning.

Bus Service Eligibility:

Bus service is provided for elementary age students (grades K-5) residing one mile or more from school. Middle school and high school students (grades 6-12) are required to walk up to one and one-half (1.5) mile radius from the school. Exceptions are made only when safety concerns are identified by the transportation office.

Rules for School Bus Riders

Students are required to:

- Be on time at the bus stop. Bus passengers should arrive at the bus stop ten minutes before the bus is scheduled to arrive. Buses will promptly depart all schools, seven minutes after dismissal times.
- Remain behind the curb until the bus comes to a complete stop.
- Stay seated when the bus is in motion.
- Remember that no part of the body is allowed to extend from a window.
- Do not eat or drink on the bus.
- Avoid loud talking, shouting, profanity, fighting, or disturbing and distracting behavior.
- Leave their seats only after the bus has come to a complete stop.
- Help keep the bus clean.
- Pay for any damage to the bus which they cause.
- Be courteous and obedient to bus drivers.

Special needs, preschool, and kindergarten students must be received by a parent or guardian. No one under the age of 12 is allowed to receive a special needs, preschool or kindergarten student. The following are standard actions that will generally be applied uniformly in response to documented incidents.

- **1st Offense:** Written warning and documentation issued
- **2nd Offense:** Phone conference with parent/guardian
- **3rd Offense:** Suspension of bus privileges for up to five days pending a meeting with a parent/guardian, transportation representative and school administrator
- **4th Offense:** Suspension of bus privileges for ten days or more, depending upon the nature or the offense. State and Local Agency (Child Protective Agency) notified of neglect.
- **5th Offense:** Services indefinitely suspended until further notice

Transportation is provided by First Student. The phone number for First Student is (248) 335-4921.

School Level Intervention Process

At times, students become habitual discipline problems involving persistent disobedience and class disruption. When efforts to effect a change in behavior, including parent contact, have been tried and student's behavior continues to disrupt the educational progress of others, it may be necessary to place the student on a behavior intervention. The school will adhere to the following Intervention Process.

Problem Solving Steps

Step 1: Problem Identification (What's the problem?)

Based on the available information, the team identifies the specific concerns and goals:

1. What is the student doing that is problematic (observable behaviors)?
2. To what extent (e.g., frequency) are these behaviors occurring?
3. What broad goals (academic/social behaviors to be decreased AND increased) does the team hope to achieve through intervention.

Members of the behavioral support team gather information through a variety of sources including review of existing records, interviews of support providers, and direct observation of patterns, antecedents, contexts, and consequences.

Step 2: Problem Analysis (Why is it occurring?)

The team uses the information to create summary statements or hypotheses that describe relationships between the student's behaviors of concern and aspects of the environments.

These statements include:

1. When, where, and with whom the behavior is most/least likely to occur,
2. What happens following the behavior (what they get or avoid), and
3. Other variables that appear to be affecting the person's behavior.

Step 3: Intervention Design (What are we going to do about it?)

A plan is developed, based on the summary statements, to address the behavioral concerns and fit within the environments in which it will be used. The behavioral support plan [for students who have IEPs this may also serve as the Behavior Intervention Plan (BIP)] includes:

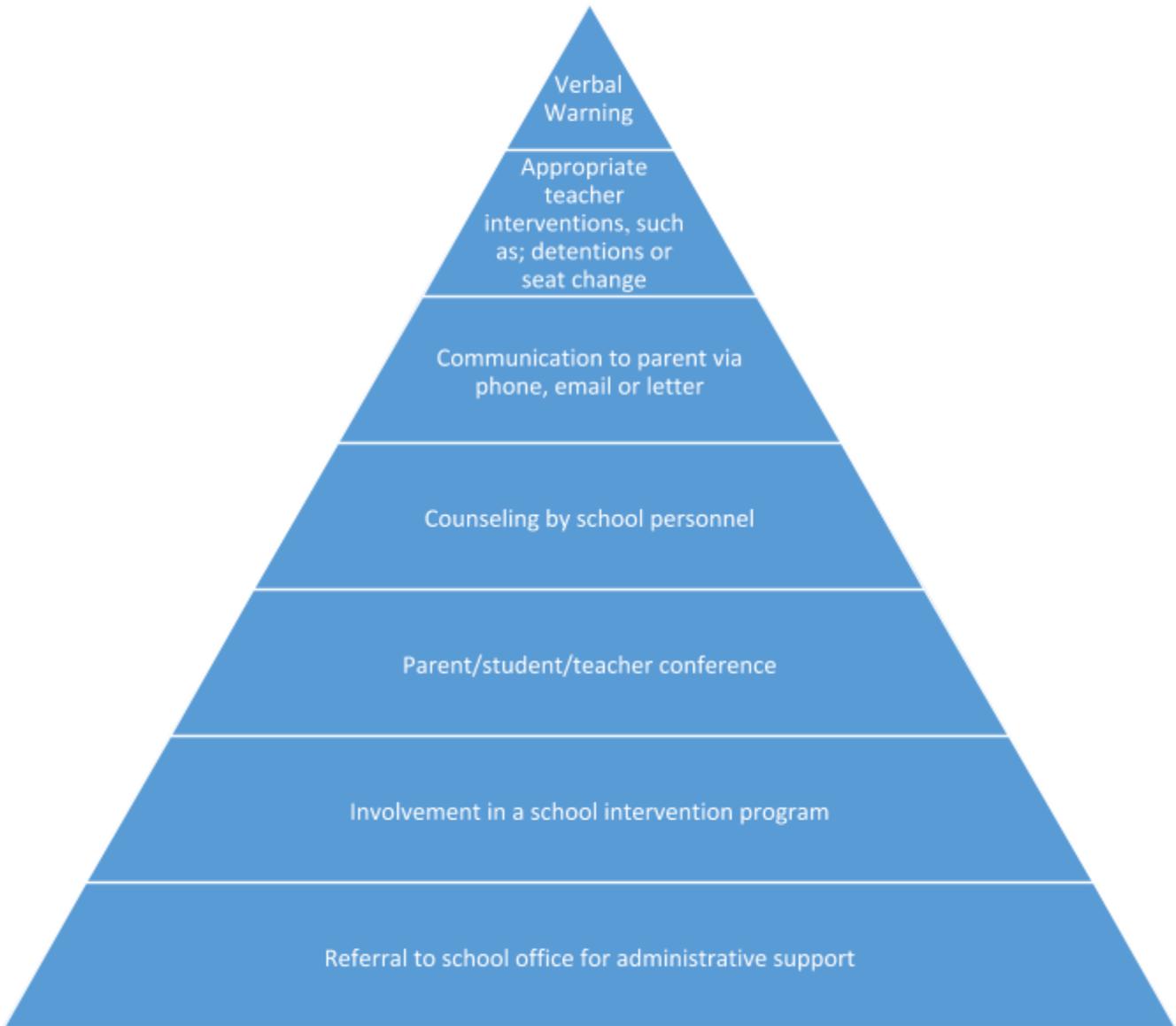
1. A measure of the student's strengths,
2. Clear goals for the intervention(s),
3. Adjustments to the environment that reduce the likelihood of problem,
4. Teaching replacement skills and building general competencies,
5. Contingent consequences to promote positive behaviors and deter problems, and
6. A crisis management plan (if needed).

Step 4: Response to Intervention (Is it working?)

The team works together to ensure that the plan is implemented with consistency and is effective in achieving the identified goals. The team identifies the training and resources needed, determines how to evaluate outcomes (consistent data collection), determines who is responsible for monitoring implementation, and determines how often to review data-making adjustments in the plan, as needed.

Corrective Measures

Definition: School authorities will take necessary action to assist the student to modify inappropriate behavior prior to recommendations for out of school suspension. Such corrective measures may include, but not be limited to the following:



Depending upon offenses, teachers or administrators shall implement no less than three (3) of the above noted interventions prior to long term suspensions or referral to the School Board.

Bullying /Cyberbullying

Bullying/Cyberbullying means any written, verbal, or physical act, or any electronic communication, including but not limited to cyberbullying, that is intended to (or that a reasonable person would know is likely to) harm one or more pupils either directly or indirectly by doing any of the following:

- Substantially interfering with educational opportunities, benefits or programs of one (1) or more pupils.
- Adversely affecting the ability of a pupil to participate in or benefit from the school district's or public school's educational programs or activities by placing the pupil in reasonable fear of physical harm or by causing substantial emotional distress.
- Having an actual and substantial detrimental effect on a pupil's physical or mental health.
- Causing substantial disruption in, or substantial interference with, the orderly operation of the school.

Definition of Bullying

Bullying includes, but is not limited to:

1. Attack or intimidation with the intention to cause fear, distress or harm that is either:
 - Physical (e.g., hitting, punching)
 - Verbal (e.g., name-calling, teasing), or
 - Psychological/relational (e.g., rumors, social exclusion);
2. A real or perceived imbalance of power between the bully and victim; and
3. Repeated attacks or intimidation between the same children over time.

Bullying can occur in person or through technology called "electronic aggression" or "cyberbullying".

Types of bullying may include but are not limited to:

- Verbal bullying including unwanted teasing, derogatory comments, rumor/falsehood spreading and bad names
- Physical bullying such as hitting, kicking, shoving, spitting and destruction of school or personal property
- Having money or other things taken or damaged by students who bully
- Being threatened, intimidated or being forced to do things by students who bully
- Cyberbullying (via cell phone or internet).

Definition of Cyberbullying

Cyberbullying is any type of harassment or bullying (i.e., teasing, telling lies, making fun of someone, making rude or mean comments, spreading rumors, or making threatening or aggressive comments) that occurs through e-mail, a chat room, instant messaging, any website (including blogs), text messaging, videos, or pictures posted on websites or sent through cell phones.

Cyberbullying differs from traditional bullying. It is highly accessible and can occur at any time both at school and at home.

Messages/images can be distributed to a wide audience very quickly. Cyberbullying is often anonymous, making it difficult to identify the perpetrator and therefore may encourage youth to engage in behavior that they wouldn't do face-to-face. Youth may be nervous to report cyberbullying because they fear adults will limit their access to technology. Bystanders and witnesses to cyberbullying are anonymous, viewing the harmful material on a website but not dealing with it face-to-face.

Types of cyberbullying may include but are not limited to:

- **Flaming:** Online fights using electronic messages with angry and vulgar language
- **Harassment:** Repeatedly sending offensive, rude and insulting messages
- **Cyber stalking:** Repeatedly sending messages that include threats of harm or are highly intimidating. Engaging in other online activities that make a person afraid for his or her own safety
- **Denigration:** Putting someone down online. Sending or posting cruel gossip or rumors about a person to damage his or her reputation or friendships
- **Impersonation:** Pretending to be someone else and sending or posting material online that makes that person look bad, gets that person in trouble or danger, or damages that person's reputation or friendships
- **Outing and Trickery:** Sharing someone's secret or embarrassing information online. Tricking someone into revealing secrets or embarrassing information which is then shared online
- **Exclusion:** Intentionally excluding someone from an online group, like a 'buddy list'

It is the policy of the district to provide a safe and nurturing educational environment for all of its students. A student shall not engage in bullying or cyberbullying any student for any reason in a classroom, elsewhere on school premises, on a school bus or other school related sponsored activity or event whether or not it is held on school premises. "At school" includes conduct using a telecommunications access device or telecommunications service provider that occurs off school premises if the telecommunications device or the telecommunications service provider is owned by or under the control of the school district. "Telecommunications access device" and "telecommunications service provider" mean those terms as defined in section 219a of the Michigan penal code, 1931 PA 328, MCL 750.219a.

Bullying or cyberbullying toward a student, whether by other students, staff, or third parties, including board members, parents, guests, contractors, vendors, and volunteers, is strictly prohibited.

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 "at school" activities in the district, 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 subject to discipline if it interferes with the school environment.

Procedure for Addressing Bullying/Cyberbullying

Any student who believes he or she has been or is the victim of bullying/cyberbullying should immediately report the situation to the Principal or Assistant Principal. 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 building principal should be filed with the Superintendent. Complaints against the Superintendent should be filed with the Board President.

Students may make contact either by a written report by telephone or personal visit. During this contact, reporting students should provide the name of the person(s) whom they believe to be responsible for the harassment and the nature of the harassing incident(s). A written summary of each incident reported will be prepared promptly and a copy forwarded to the Principal.

Alternatively, students may use the State of Michigan anonymous reporting tools through the **OK2SAY** program.

- **CALL** (855) 565-2729
- **TEXT** 652729
- **E-MAIL** ok2say@mi.gov
- **FROM THE WEBSITE** www.mi.gov/ok2say

Every student is encouraged, and every staff member is required, to report any situation that they believe to be bullying/cyberbullying 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.

The Principal (or other administrator as designated) shall promptly investigate and document all complaints about bullying/cyberbullying behaviors that may violate this policy. The investigation must be completed as promptly as the circumstances permit and should be completed within 48 hours after a report or complaint is made.

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

Notification

Parents or legal guardians of the alleged victim(s), as well as of the alleged aggressor(s), shall be promptly notified of any complaint relative to the investigation to the extent consistent with student confidentiality requirements. A record of the time and attempts of notification shall be kept in the investigation file.

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. Further, the appropriate authorities may be notified, depending on the nature of the complaint and/or the results of the investigation.

Non-Retaliation/False Reports

Retaliation or false allegations against any person who reports or is thought to have reported, files a complaint, participates in an investigation or inquiry concerning allegations of bullying or aggressive behavior (as a witness or otherwise) or is the target of the bullying/cyberbullying behavior being investigated is prohibited and will not be tolerated. Such retaliation shall be considered a serious violation of the Board policy, independent of whether a complaint of bullying/cyberbullying is substantiated. Suspected retaliation should be reported in the same manner as bullying/cyberbullying.

Making intentional false reports about bullying/cyberbullying 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.

Harassment

The Pontiac School District will not tolerate illegal discrimination, harassment, or bullying. Any student of the Pontiac School District who believes that he/she has been discriminated against, denied a benefit, or excluded from participation in any district educational program or activity on the basis of sex (including sexual harassment, as discussed below), race, color, religion, national origin, age, height, weight, marital status, ancestry, gender, sexual orientation, gender identity or expression, or mental, physical or sensory handicap or physical characteristic shall immediately report his or her complaint to the building principal or the deputy superintendent. The complaint will be promptly investigated.

Harassment means any threatening, insulting, or dehumanizing gesture, use of technology, or written, verbal or physical conduct directed against a student or school employee that:

- places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property
- has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or an employee's work performance; or
- has the effect of substantially disrupting the orderly operation of a school.

Harassing conduct may take many forms, including:

- verbal acts and name-calling;
- graphic and written statements, which may include use of cell phones or the internet; or
- other conduct that may be physically threatening, harmful or humiliating.

Harassment does not have to include intent to harm, be directed at a specific target or involve repeated incidents. Harassment creates a hostile environment when the conduct is sufficiently severe, pervasive or persistent so as to interfere with or limit a student's ability to participate in or benefit from the services, activities or opportunities offered by a school.

Sexual Harassment

Sexual harassment of students by other students or by employees of the district is unlawful and strictly prohibited. It is the policy of this school district that all contact between students, teachers or other adult employees of this district reflect respect for the individual student, and be conducive to creating a stable and positive learning environment. Pursuant to Title VII of the Civil Rights Act of 1964 and Title IX of the Educational Amendments of 1972, "sexual harassment" is defined as:

Sexual harassment is unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity.
- Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual.
- Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may involve the behavior of a person of either gender against a person of the same or opposite gender. Prohibited acts that constitute sexual harassment may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

- Unwelcome sexual propositions, invitations, solicitations, and flirtations.
- Unwanted physical and/or sexual contact.
- Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.
- Unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.
- Sexually suggestive objects, pictures, videotapes, audio recordings or literature, placed in the work or educational environment, which may embarrass or offend individuals.
- Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.
- A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.
- Remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.
- Inappropriate boundary invasions by a District employee or other adult member of the School District community into a student's personal space and personal life.
- Verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.

Anti-Harassment Compliance Officers

The Board designates the following individuals to serve as "Anti-Harassment Compliance Officers" for the District. They are hereinafter referred to as the "Compliance Officers".

Attorney Darryl Segars
General Counsel
248-451-6805
47200 Woodward
Pontiac, MI 48342
Darryl.segars@pontiacschools.org

Y'londa Kellum
Director of Human Resources
248-451-6804
47200 Woodward
Pontiac, MI 48342
Y'londa.kellum@pontiacschools.org

Attendance Philosophy

We believe in the value of every student in every class, every day. Regular attendance in class is of vital importance for a student to succeed in school. School attendance is the joint responsibility of the students, parents and school.

Absences: Excused absences are absences excused by a parent/guardian within 24 hours of the absence but not later than the next school day following the absence. Failure to contact the school by calling will result in an UNEXCUSED absence.

1. To excuse an absence, a parent/guardian must call the school office.
2. Exempt absences are absences due to school sanctioned activities. These absences do not count toward a student's total number of absences in a class.

Tardy

1. Please call the school office to excuse a tardy.
2. Students arriving late must check in the office to obtain a pass to class.
3. If a student is late to class without a pass, they will be sent to the office.
4. The 4th unexcused tardy will result in a referral.
5. Only 4 tardies per marking period may be excused.

Early Sign Outs: Students are not permitted to leave school for any reason without an early sign out pass from the office. An early sign out pass requires a parent/guardian to contact the office prior to the student's exit from the building. Students leaving the school without prior authorization from the office will be recorded as unexcused from classes missed and may result in violation of the Attendance Policy and Student Code of Conduct.

Unexcused Absences: An unexcused absence may result in the following actions:

1. After 3 unexcused tardies and/or unexcused absences, a letter will be sent home to the student's family.
2. After 6 unexcused tardies and/or unexcused absences, students will meet with an Attendance team member. A letter will also be sent home to the student's family.
3. After 9 unexcused tardies and/or unexcused absences, students will be referred to an administrator where a meeting will be set up with the student and the family to discuss concerns and create a new plan moving forward. A letter will also be sent home to the student's family.
4. After 10 or more unexcused tardies and/or unexcused absences, students will be referred to Pontiac Youth Assistance and possibly the Oakland County Truancy Officer.

Attendance Regulations

Regular and punctual attendance is essential to a quality educational experience. All students are required to be in school every day and on time for each class. Any absence from class not approved by a school official or justified by a written note by a parent or guardian or contact made to a parent or guardian by a school official will be identified as an unexcused absence.

Truancy from school and/or class will result in any of the following student support services provided by the school:

- Teacher and/or Administrator conference with the parent/guardian
- Referral / Conference to the attendance officer
- Referral to outside agency (Youth Assistance)
- Referral to the proper authorities

Potential Loss of Credit Due To Excessive Absences:

1. After 9 unexcused absences in a class, a letter will be sent home notifying parents and requesting communication with administration.
2. After 10 unexcused absences in a class, a student will not receive credit for passing the course without submitting an **Absence Appeal Form**, which may result in the student needing to take and pass an exit exam for that class in order to regain credit.
3. After 10 total absences in a class, both excused and unexcused, a letter will be sent home notifying parents and requesting communication with administration.
4. After 15 total absences in a class, both excused and unexcused, a student will not receive credit for passing the course without submitting an **Absence Appeal Form**, which may result in the student needing to take and pass an exit exam for that class in order to regain credit.

Make-Up Work:

Excused Absences: It is the responsibility of the student to make up any required work and tests that have been missed during any excused absence from a regularly scheduled class. The student has five (5) days upon return to make up work.

The student returning from an excused or exempt absence may be required to take a test immediately upon his return **if** the teaching was done, the test date scheduled, and the student was made aware of the test **prior to the absence**. This also applies to assignments due during a student's absence.

Unexcused Absences: Make-up privileges are denied and missed tests and quizzes are given a grade of F. Please note that absences cannot be excused after 24 hours.

Absence Resulting from Suspension: Students suspended from school will have the opportunity to make up any work and/or tests missed. For suspensions over three (3) days, in which a make-up packet was provided by the teacher to the office, the work will be due the day the suspended student returns to school. A homework request can be made by calling the office. For suspensions three (3) days or less, the student will receive the make-up work when he/she returns. Students will have one (1) day for each day suspended to make-up the work.

Grading Policy

The PSD school district has instituted the following grading scale (as reflected in MISTAR):

A+	100%+	C	76-73%
A	99-93%	C-	72-70%
A-	92-90%	D+	69-67%
B+	89-87%	D	66-63%
B	86-83%	D-	62-60%
B-	82-80%	E	59-0%
C+	79-77%		

Semester grades will be calculated on a 4 point scale. Honors and AP courses will receive an additional 1.0 boost where an A=5.0, B=4.0, etc. The grades would be awarded at the end of the semester.

Marking Period and Final Exam grades will be averaged with the following formula. The Marking Periods will all be averaged and weighted at 45% and the Final Exam grades will be weighted at 10%

A+ 4.4 A 4.0 A- 3.6 B+ 3.4 B 3.0 B- 2.6 C+ 2.4 C 2.0 C- 1.6 D+ 1.4 D 1.0 D- 0.6 E 0.0

Example:

1st MP .45 (45%) A (4) = 1.80, 2nd MP .45 (45%) B (3) = 1.35, Exam .10 (10%) E (0) = 0

Honors and AP courses will receive an additional 1.0 boost where an A=5.0, B=4.0, etc. The grades would be awarded at the end of the semester.

The following are the five required components that must constitute a marking period and semester grade in all K-12 classes (as reflected in MISTAR):

- | | |
|---|-----|
| 1) Formative Assessments | 0% |
| 2) Summative Assessments (Tests/Quizzes/Writings) | 40% |
| 3) Projects | 30% |
| 4) Graded Assignments | 25% |
| 5) Homework/Practice | 5% |

Rationale: Our approach must focus on **concept mastery** and **skill development**.

- Formative Assessments**- are a critical instructional tool that allows teachers to develop an ongoing awareness of student thinking and learning. Formative assessments provide teachers with the in-the-moment data to make the necessary instructional adjustments to move students to mastery; such assessments are never scored and calculated into a student's final grade.
- Summative assessments** (test/quizzes/writings) - provide evidence of whether or not concepts have been mastered.
- Projects**- offer students a variety of methods to demonstrate concept mastery through practical application.
- Graded assignments** (i.e. essays, labs, problem solving, response to texts, etc.)- allow teachers checkpoints for skill development as they grow towards mastery.
- Ungraded assignments and homework**- are to allow students opportunity to practice new skills as they move towards mastery.

Student Records

The Family Educational Rights and Privacy Act (FERPA) afford parents and students (over 18 years of age) certain rights with respect to the student's educational records.

The right to inspect and review the student's educational records within 45 days of the day the district receives a request for access. Parents or eligible students should submit to the school principal a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

- The right to request amendment to the student's educational records that the parent or eligible student believes is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.
- If the District decides not to amend the record as requested, the District will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. The hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
- The right to consent to disclosures of "personally identifiable information" contained in the student's educational records, except to the extent that FERPA authorizes disclosure without consent.
- Also, The School District of the City of Pontiac will forward educational records on request (including Discipline Records with respect to suspension or expulsion, and current certification and last program attended for special education students), to another school district in which the student seeks or intends to enroll without providing further notice of the transfer to the parent or eligible student.
- Unless notified to the contrary, The School District of the City of Pontiac may produce and release without prior permission, "Directory Information." Directory Information is defined as follows:
 1. Student's name
 2. Name(s) of the student's parent(s)/guardian(s)
 3. Student's address
 4. Student's telephone number
 5. Student's date of birth
 6. Student's grade
 7. Student's participation in recognized activities and sports
 8. Awards received by student
 9. Weight and height of member of student teams
 10. Student's photograph
 11. Previous school district(s) attended by student prior to enrollment in Pontiac School District
- Federal and state law requires all public school districts to make available Student Directory Information (names addresses, telephone numbers, etc.) of secondary students to military recruiters and/or military service academies unless the school receives a signed, written request from students eighteen (18) years old or older, or a minor student's parent/guardian requesting the school /Office of Student Management not to disclose such information.
- Any parent, guardian, or eligible student may prohibit the release of "Directory Information" by delivering a written objection to the building principal within 30 days of the first day of the school year.

Revised School Code

THE STUDENT CODE OF CONDUCT IS IN COMPLIANCE WITH MCL 380.1310(c)(d) AS REVISED.

The Revised School Code provides each school district with the authority to establish a local discipline policy. Each local school board or its designee has the authority to suspend or expel students guilty of “gross misdemeanor or persistent disobedience.” This must not, however, infringe on any of the federally protected rights guaranteed to students who qualify for special education programs and services [MCL 380.1311(9)]. County Intermediate School Districts or Regional Educational Service Agencies’ consultants, Community Mental Health Centers, medical clinics, and other human service agencies may need to be involved with a child whose behavior is “persistent.”

SEC. 1310D.

Before suspending or expelling a pupil under section 1310, 1311(1), 1311(2), or 1311a, the board of a school district or intermediate school district or board of directors of a public school academy, or a superintendent, school principal, or other designee under section 1311(1), shall consider each of the following factors:

- (A) the pupil's age.
- (B) the pupil's disciplinary history.
- (C) whether the pupil is a student with a disability.
- (D) whether the violation or behavior committed by the pupil threatened the safety of any pupil or staff member.
- (E) whether restorative practices will be used to address the violation or behavior committed by the pupil.
- (F) whether a lesser intervention would properly address the violation or behavior committed by the pupil.

Except as provided in subsection (3), this section applies to give the board of a school district or intermediate school district or board of directors of a public school academy, or its designee, discretion over whether or not to suspend or expel a pupil under section 1310, 1311(1), 1311(2), or 1311a. in exercising this discretion with regard to a suspension of more than 10 days or an expulsion, there is a rebuttable presumption that a suspension or expulsion is not justified unless the board or board of directors, or its designee, can demonstrate that it considered each of the factors listed under subsection (1). For a suspension of 10 or fewer days, there is no rebuttable presumption, but the board or board of directors, or its designee, shall consider each of the factors listed under subsection (1).

This section does not apply to a pupil being expelled under section 1311(2) for possessing a firearm in a weapon free school zone.

Except as provided in subsection (3), consideration of the factors listed in subsection (1) is mandatory before suspending or expelling a student under section 1310, 1311(1), 1311(2), or 1311a. the method used for consideration of the factors is at the sole discretion of the board of a school district or intermediate school district or board of directors of a public school academy, or its designee.

SUBJECT TO 1310(d), for students in grades six (6) and above, in addition to the suspension and expulsion of students who commit violations identified in a district’s Code of Student Conduct, Michigan law requires a school district to remove a student who possesses a dangerous weapon. Michigan law also requires removal of students who commit arson, criminal sexual conduct (as defined in the law), or a assault against a school employee or volunteer. Michigan law also requires school districts to remove students who commit physical assault against another student or make a bomb threat, or similar threat. Those exclusions can last no more than 180 days.

Class I Offenses

Code	Offense	Description
A01	Cafeteria Disruption	<i>Violation of cafeteria rules such as throwing food/ other objects, turning over tables, etc.</i>
A02	Classroom Disruption	<i>Creating, or contributing to, a disturbance in the classroom that interferes with the educational experience of others.</i>
A03	Insubordination	<i>Failure to obey or respond to a fair and reasonable request made by any adult school employee.</i>
A04	Littering	<i>Intentionally throwing debris/trash on the floor of the school building or school grounds.</i>
A05	Misuse of School Property	<i>Using school property for any purpose other than its intended use that may result in injury or disruption (i.e. - standing on furniture, inappropriate use of playground equipment, and misuse of science equipment).</i>
A06	Refusal to Identify Self	<i>Failure to show ID card or to provide correct name when requested.</i>
A07	Tardiness	<i>Consistently being late for class.</i>
A08	Truancy	<i>Failure of student to attend all class periods during the school day (includes in- school truancy).</i>
A09	Insulting or Demeaning	<i>Conduct which is directed at a person that has the affect of insulting or demeaning any student or group of students.</i>
A10	Disorderly Conduct	<i>Acting in a manner which disrupts the normal operation of the school day or any school-sponsored activity.</i>

Class II Offenses

B01	Destruction of School Property	<i>Defacing or destroying school property including minor damage which can be repaired or replaced at no cost to the district.</i>
B02	Possession/Use of Electronic Devices	<i>A student shall <u>NOT USE</u> a cellular telephone or personal electronic communication devices (ECD) on school property during the school day.</i>
B03	Forgery	<i>Falsifying any information, which may include hall passes, permits, written communication from parents or school personnel, school records, and/or grades?</i>
B04	Gambling	<i>Participating in any games of chance or skill for the <u>purpose of profit</u>, of any kind, in or around school property.</i>
B05	Gross Insubordination	<i>Persistent refusal or abusive response to a directive made by an adult employee.</i>
B06	Theft, Possession/Transfer of Stolen Property	<i>Taking something without permission from the school or another person that has a monetary value less than \$100.00.</i>
B07	Use of Profanity	<i>Swearing or use of inappropriate and profane language</i>
B08	Sexual Harassment	<i>Inappropriate verbal, nonverbal, or written conduct of a sexual nature (unwelcome sexual advances, requests for sexual favors, etc.) made by a student to another student or to an adult.</i>
B09	Smoking	<i>Possessing/ smoking a cigarette or using tobacco products on school property.</i>
B10	Fighting	<i>A confrontation between two or more persons which leads to physical contact.</i>
B11	False Fire Alarm	<i>Intentionally activating a fire alarm system in any school building on school property when no fire exists. A student will not destroy, damage, or otherwise tamper with a fire alarm in the school building.</i>

Class III Offenses

C01	Arson	<i>Intentional setting of any fire in school or school grounds.</i>
C02	Bomb Threat	<i>A bomb threat directed at a school or school-related event, or reporting a threat without reasonable basis for its existence (i.e.-prank calls, written notes, text messages, email, etc.)</i>
C03	Bullying	<i>To place another student in reasonable fear of bodily harm through the use of threatening words, and/or other conduct including harassment, cyber-stalking, cyber-bullying, but without displaying a weapon or subjecting the victim to actual physical attack</i>
C04	Criminal Sexual Conduct	<i>Conduct of a sexual nature that violates the Criminal Sexual Conduct Code. Criminal sexual conduct includes sexual penetration or touching a person's intimate parts, with or without consent.</i>
C05	Sexual Misconduct	<i><u>1) Consensual sexual contact</u> including but not limited to intentional touching of the other person's genitals, groin, inner thigh, buttock or breast or the clothing covering those areas. <u>2) Non-consensual sexual</u> contact involving unwanted or unwelcome sexual contact including but not limited to intentional touching of the other person's genitals, groin, inner thigh, buttock or breast or the clothing covering those areas.</i>
C06	Drugs/Alcohol	<i>The possession, use, sell or distribution of any drugs or alcohol.</i>
C07	Explosives/Fireworks	<i>The possession, use, sell or distribution of any explosives or fireworks, including "live" ammunition.</i>

Administrative Disciplinary Actions

In those instances in which the seriousness of the offense does not dictate an immediate disciplinary response, the administrator or the designee will attempt to take actions designed to encourage a change in the student's behavior. For example, the administrator/staff should develop behavior interventions and warn the student that the behavior was unacceptable and the reason why the behavior is unacceptable. When necessary, the assistance of the home, other educational supportive services and/or other professional community agencies may be utilized.

When disciplinary action is appropriate, it shall at all times

- Depend upon the substantiation of the referral;
- Involve a reasonable and logical relationship between the seriousness of the act and the severity of the discipline;
- Help the student learn to take responsibility for his/her own actions;
- Be directed, where possible, to reduce the effects of any harm which may have been caused by the student's misconduct
- Consider each of the following factors:
 - The student's age.
 - The student's disciplinary history.
 - Whether the pupil is a student with a disability.
 - Whether the violation or behavior committed by the student threatened the safety of any student or staff member.
 - Whether restorative practices will be used to address the violation or behavior committed by the student.
 - Whether a lesser intervention would properly address the violation or behavior committed by the student.

Restorative Practices emphasizes repairing the harm to the victim and school community caused by the student's misconduct. Restorative practices may include victim-offender conferences that

- A. are initiated by the victim;
- B. are approved by the victim's parent or legal guardian or, if the victim is at least fifteen (15), by the victim;
- C. are attended voluntarily by the victim, a victim advocate, the offender, members of the school community, and supporters of the victim and the offender (the "restorative practices team");
- D. would provide an opportunity for the offender to accept responsibility for the harm caused to those affected, and to participate in setting consequences to repair the harm, such as requiring the student to apologize; participate in community service, restoration of emotional or material losses, or counseling; pay restitution; or any combination of these. The selected consequences and time limits for their completion will be incorporated into an agreement to be signed by all participants.

Restorative practices will be given first consideration to remediate offenses such as interpersonal conflicts, bullying, verbal and physical conflicts, theft, damage to property, class disruption and harassment and cyberbullying.

Due process safeguards must apply in all instances where the behavior or rights of students are being evaluated. The student has the right to be fully informed about the alleged breach of behavior and must be provided with an opportunity to respond to such charges. Any permanent record that results from the student's actions or their consequences should clearly state whether the charges of misbehavior were or were not substantiated.

Disciplinary Procedures

To ensure that students receive fair treatment consistent with the fundamental requirement of due process, short-term or long-term suspensions, administrative transfers or recommendations for expulsions must be made in accordance with the following procedures.

Investigation-School Level

Before it is determined that a student should be disciplined, an investigation must be conducted. The investigation will be conducted by the principal or administrative designee. This official will inform the student orally and in writing of the charges against him/her including the basis (evidence) for such charges. A written statement must be given by the student. Following the investigation, if the charges are substantiated the parent will be notified by the telephone and a letter will be sent by mail within one (1) school day stating that the student is being removed from school and the reason(s) for the removal. The letter will include the time and place for parents to attend a re-admittance conference.

Short-Term Suspension is the temporary removal of a student from the building and all school sponsored activities, the denial of student's rights and privileges of attending school, and all school-related activities including extracurricular activities, for a period of one (1) school day to nine (9) school days. The principal or his/her designee has the authority to impose a short-term suspension based upon student misconduct.

Due Process for Short-Term Suspensions

For a suspension of nine (9) days or less, a student is entitled to minimal due process protections, including oral or written notice of the accusation(s), what disciplinary measures are being proposed, and an opportunity to respond.

Before a suspended student may be returned to school, he/she will be required to attend a readmission conference with the parents or designee to discuss the behavioral problem(s).

In the event the administrator is unable to arrange the conference by the date set for readmission, the principal may, at the request of the parent, authorize an alternative method of achieving a conference or may waive the requirement of the conference.

SHORT-TERM SUSPENSION RE-ADMITTANCE CONFERENCE

The administrator conference will decide whether the charges against the student have been sustained. If it is decided that the student engaged in the conduct as charged, the administrator will impose the appropriate disciplinary action. The school level hearing will be a **readmission** hearing. If the charges are not substantiated, the student's record will be expunged. The student record will be changed from suspension at the school to reflect "excused absence."

Long-Term Suspension is the denial of a student's rights and privileges of attending school, and all school-related activities including extracurricular activities, for a period of ten (10) or more school days. The principal or his/her designee has the authority to impose and recommend a student for a Long-Term suspension. A suspension pending an expulsion review may extend up to ten (10) school days. The District Hearing Officer shall reserve the right and authority to rescind and or refer all cases for school board expulsion hearings.

Make Up Work

Students who are suspended on a short-term or long-term suspension and/or are pending an expulsion hearing are eligible to receive make-up work. The school/district will provide any and all make-up work, including the material to complete the work. Any parent who is eligible to receive make-up work for his/her child must contact the school

principal or designee. Parents are responsible for picking up the make-up work and for returning the make-up work to the principal or designee on the due date.

Long-Term Suspension Disciplinary Action Re-Admittance Conference

For long-term suspensions, administrative transfers and expulsions, the school level re-admittance conference shall serve as a disciplinary action conference. The re-admittance conference shall be held within five (5) school days following removal, to determine whether the student engaged in the unacceptable behavior as charged and, if so, to determine what discipline should be rendered.

- a. Parent/guardian (or authorized designee) and student are expected to attend all disciplinary re-admittance conference. The principal/designee must hold a conference even though a parent/guardian is unable to, or chooses not to attend. The principal must document all attempts to reach parent/guardian.
- b. Parents may be represented by an advisor of their choice, who may or may not be an attorney. Parental authorization for an advisor to appear on behalf of the student must be on file in writing with principal at or before the time of the re-admittance conference.
- c. The staff person(s) making the charges of the misbehavior shall be present at the re-admittance conference as requested by the principal.
- d. While parents do not have the right to confront student witnesses, they may request their questions be asked of school representatives of witnesses.
- e. If the principal or designee is the target of the alleged behavior, another administrator assigned by the District Hearing Officer will conduct the re-admittance conference, advise the student of the charges and make the disciplinary decision.
- f. At the re-admittance conference, the student and the parents must first be fully informed about the alleged breach in behavior and then be afforded the opportunity to present his/her side of the case.
- g. Within one (1) day of the re-admittance conference, the principal or designee will forward communication to the student's parents by mail and phone, where possible advising them of :
 1. The decision as to whether the student engaged in the behavior as charged.
 2. What the recommended disciplinary action will be (if the charge was substantiated).
 3. The right to appeal and appeal procedures.

Appeal Process for Suspensions

1. A parent may appeal a Short or Long-Term Suspension for due process proceedings and/or the severity of the discipline. The appeal must be submitted in writing to the District Hearing Officer within three (3) days, following the school level re-admittance conference. The suspension remains in effect during the appeal process.
2. The District Hearing Officer will review the information and may schedule a meeting with the parent and building principal (if necessary).
3. A decision will be made by the District Hearing Officer after reviewing the information and/or at the conclusion of the meeting with the parent/student and principal. The decision will be in the best interest of the student and in line with district policies.
4. If the decision of the school level re-admittance conference is upheld by the District Hearing Officer, the parent may appeal the decision in writing to the General Counsel within two (2) days.

5. The General Counsel will review the decision made by the principal and the District Hearing Officer and make a determination.
6. If the Superintendent supports the decision made by the District Hearing, the decision of the Superintendent is final.

Expulsion

The denial of student's rights and privileges of attending school, and all school-related activities including extracurricular activities for an indefinite time, unless otherwise specified by the school board or state law. The Pontiac Board of Education reserves the right and authority to expel a student from the School District of the City of Pontiac based on Michigan State Mandates.

1. The charging administrator will conduct a building Hearing, and the administrator will be responsible for gathering all written statements from the students involved and the statements of other adult witnesses for presentation at the District Hearing
2. The charging administrator will contact the District Hearing Officer to schedule the Expulsion Hearing. The charging administrator, parent(s) and the student being charged will need to be present at the hearing.
3. The District Hearing Officer will consult with the General Counsel if there are any outstanding issues relative to the Expulsion of a student.
4. Once the District Hearing Officer determines a student should receive an Expulsion the recommendation will be written for General Counsel to review prior to forwarding the recommendation to the Superintendent who will review the recommendation prior to the submission of the student's name to the Board of Trustees for Expulsion.

District Hearing Officer: The District Hearing Officer will convene an expulsion hearing for all cases recommended for expulsion by school administrators. The District Hearing Officer will make a decision on behalf of The School District of the City of Pontiac whether sufficient evidence exists to sustain the finding that the student should be expelled from The School District of the City of Pontiac. A parent/guardian may be represented by an advisor of their choice who may or may not be an attorney. Parental authorization for any advisor to appear on behalf of the student must be on file in writing in the Office of District Hearing Office before the time of the hearing. Parent/guardian may bring witnesses to the hearing.

Readmission Hearing: Although expulsion is usually permanent, the State of Michigan and the Pontiac School District have established conditions under which the student may petition for readmission. An expelled student may be given the opportunity to petition the Office of the District Hearing Officer for readmission after 150 days have expired for secondary students and after 60 days for elementary students. The student must meet criteria set by the State and/or The City of Pontiac School District before readmission will be considered and/or approved.

Readmission Guidelines

- a. Once the conditions for readmission have been met, the parent may petition for readmission. A petition for school reinstatement form must be submitted to The City of Pontiac School District Hearing Officer.
- b. The District Hearing Officer will review all documents and timelines related to readmission and make a recommendation to the Superintendent/designee. If readmission is recommended and approved, a readmission hearing will be scheduled before the District Hearing Officer.
- c. The District Hearing Officer will review the evidence presented by the parents to the Board Hearing Committee and decision will be made after deliberation.
 - If the decision is to readmit the student, contractual agreement regarding expected behavior, attendance, and academic progress may be required to be signed by the student and parent.
 - If the decision is not to readmit the student, the District Hearing Officer will outline the steps that the student and parents must take before admission will be considered.

Michigan State Law (MCL 380.1311) states 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 District Hearing Officer, shall expel the pupil from the school district permanently, subject to possible reinstatement. 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.

Expulsion means the loss of the right to attend all schools and programs in Pontiac, as well as all other public schools in Michigan.

- Dangerous weapons are defined as a firearm, explosive device (including firecrackers), [any] knife, iron bar, brass knuckles, or switchblade. Firearms include, but are not limited to, any weapon designed to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, a muffler or silencer for such weapon, or destructive device.
- Arson is defined as the intentional burning of any “personal” or “real” property, (including a school bus), owned by himself, herself or another person.
- Physical Assault is defined as intentionally causing or attempting to cause physical harm to any school employee, volunteer, or contractor through force or violence committed by students in grade 6 or above.

If a dangerous weapon is found in the possession of a student while the student is in attendance at a school, school activity, or while the student is going to or from school on a school bus, a report shall immediately be made to the police department and to the parent/guardian.

- During an Expulsion, students can be permanently dismissed from the Pontiac School District as determined by the offense. The Board of Education has the authority to expel students once they are found guilty of a Class III offense.
- When students are found guilty at a school district formal hearing, secondary students (grades 6-12) may be expelled for up to 180 school days, while elementary students (grades K-5) may be expelled for up to 90 school days. Special Education students may be placed in an interim alternative educational placement or may be expelled for not more than 45 days.

Discipline of Students with IEPs

Students with IEPs **must** follow the district's student code of conduct and may be suspended or expelled following specific violations of school policy or state law. Students with IEPs are afforded additional due process rights to assure the district is in compliance with state and federal mandates. A student with an IEP can be suspended for up to 10 school days with no special considerations.

Change of Placement

Once a student with an IEP accumulates more than 10 days of disciplinary removal at any point during the school year, consideration must be given to each additional suspension with respect to whether a change of placement will occur. A change of placement occurs if:

- The removal is for more than 10 consecutive days
- The student has been subjected to a series of removals totaling more than 10 days that constitute a pattern:
 - a. because the behavior is substantially similar to the previous incidents that resulted in removals,
 - b. or additional factors such as length of each removal, the total removal time, and proximity of removals.

Manifestation Determination Review (MDR)

If a change of placement occurs as a result of disciplinary removal, the school must conduct a Manifestation Determination Review (MDR) to determine the relationship between the student's disability and the behavior subject to discipline. Depending on the relationship between the student's disability and the behavior that led to the disciplinary removal this review can result in:

- Continuation of the current disciplinary removal
- A change in educational placement/services/supports determined by the IEP team
- Or an immediate return to school

Possible Team Members for MDR

The Manifestation Determination Review is conducted by a multidisciplinary team may be composed of:

- The parent/guardian of a student with a disability
- At least one general education teacher of the student, if the student is participating in the general education environment
- Special education teacher or case manager
- District administrator/designee
- Other qualified personnel who may be knowledgeable about the student's disability

Special Circumstances for Removal

The following special circumstances permit the district to unilaterally decide to remove a student from his/her educational placement, even though the behavior was found to be a manifestation of the student's disability:

- Weapons
- Illegal drugs
- Serious bodily harm

Free and Appropriate Public Education (FAPE)

As a result of a change of placement, the student **must** be provided a Free and Appropriate Public Education (FAPE) for any days the student is out of school, regardless of the seriousness of the offense. This obligation begins on the 11th day the student is removed from school.

General Considerations

- A. In situations when a student with a disability exhibits behaviors which may result in disciplinary removal, the district will:
 - 1. Refer to district discipline procedures.
 - 2. Provide general education protections.
 - 3. Invoke procedures specific to students with a disability. Count previous removals if any exist.

- B. On the date on which the decision is made to make removal that constitutes a change of placement, the district will notify the parent of that decision and provide the parents with a copy of the Pontiac School District *Special Education Procedural Safeguards*.

- C. If the district believes that maintaining a student in their current placement as a result of a Manifestation Determination Review (MDR) is substantially likely to result in an injury to the student or others, the district may appeal the decision of the placement of the student by requesting a hearing. The hearing officer may:
 - 1. Return the student to the placement from which the student was removed; or
 - 2. Order a change of placement to an appropriate **Interim Alternative Education Setting (IAES)** for 45 school days, which may be repeated if the student still poses a threat.

The Director of Special Education will receive all Expulsion Requests for students with IEPs from the building administrators. The Director of Special Education will follow the same procedures outlined for Regular Education students. The Director will review each case prior to referring the case to the District Hearing Officer for an Expulsion Hearing.

Suspension/Expulsion of Students with IEP's

A **Manifestation Determination Review (MDR)** is the evaluation of the relationship between a student's disability and overt behavior that is subject to disciplinary action under the district's Student Code of Conduct that will constitute a change in educational placement during the school year. The same review is required under Section 504 in connection with disciplinary actions that constitute a change in educational placement during the school year.

Discipline removals that constitute a change in educational placement require a Manifestation Determination Review (MDR).

An **MDR** will be held whenever the district proposes a change of placement as follows:

- A single school removal (suspension) that exceeds ten (10) consecutive days
- Multiple removals (suspensions) that exceed ten (10) school days in accumulation and constitute a pattern based on such factors as:
 - Behavior is similar in the various removals;
 - Length of each removal;
 - Proximity of the removals;
 - Total time of removal
- Special circumstances removal:
- ***For drugs, weapons, or serious bodily harm, the school district may, without regard to whether the behavior is determined to be a manifestation, remove (suspend) the student to an interim alternative educational placement for not more than 45 school days.***

The Manifestation Determination Review Meeting must:

- Be held within ten (10) school days prior to the school removal (suspension) decision that constitutes a change in educational placement;
- Review the relationship between the child's disability and behavior subject to disciplinary action under the District's Code of Conduct. Consider all relevant information in the student's file including:
 - Evaluation data
 - Discipline history and details of the behavior incident(s)
 - Student's current IEP
 - Teacher observations
 - Relevant information provided by the parent/guardian

The IEP team ***makes*** the Manifestation Determination decision based on two (2) factors:

- Whether the conduct in question was caused by, or had a direct and substantial relationship to the student's disability and,
- Whether the conduct in question was the direct result of the school district's failure to implement the IEP



If either of the above is affirmatively determined, then the conduct is a manifestation of the student's disability.



2018-19

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