



**PONTIAC SCHOOLS
TOGETHER WE STAND**

www.pontiac.k12.mi.us

2019-2020

THE SCHOOL DISTRICT
OF THE CITY OF PONTIAC

STUDENT CODE OF CONDUCT

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



SUPERINTENDENT'S MESSAGE

Dear Parents:

I am pleased to provide you with the Pontiac School District (PSD) Student Code of Conduct. The Code of Conduct has been updated to reflect any changes to the District and/or the law. The Student Code of Conduct's main purpose is to provide our students, parents, and school personnel with guidelines for maintaining a safe, orderly, and successful learning environment. It is also a valuable resource for students to learn their rights and responsibilities in the learning environment. It sets the standard for student behavior and provides an opportunity for staff to identify and assist students whose actions are barriers to their educational success.

It takes a collective effort to nurture a positive and cooperative learning atmosphere where everyone is treated with dignity and respect. The safety and educational success of our students is our top priority at all times. Throughout your child's school career, it is imperative that you and our staff collaborate in supporting your child's educational progress and that you apprise your child of the importance of safety and non-violence.

Our Code of Conduct is designed to provide access and understanding to students of resources for their success. All students are entitled to a personal curriculum to achieve the graduation requirements as outlined by the Board of Education and State of Michigan. Personal curriculums can include credit earned by: traditional coursework; demonstrating mastery of subject area content; related course work in which content standards are embedded; non-traditional course work; independent teacher-guided study; testing out; dual enrollment; advanced placement courses; international baccalaureate or other early college programs; MDE-approved formal career and technical programs; or online classes.

Please take the time to review the Student Code of Conduct Table of Contents and become familiar with specific policies and procedures. We ask that you review and sign the "Parent and Student Statement of Receipt," and have your child return it to his/her school.

If you have questions or concerns that are not addressed in the Code of Conduct, please contact your local school administrator or the Board of Education. We look forward to educating your children and working with you to prepare each student to thrive as they embark on working and living in a global society. We remain committed to providing a learning environment where ALL excel — Students, Faculty, Parents, and Community.

Sincerely,

Kelley Williams

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City of Pontiac Ordinance

Article IX. OFFENSE ON SCHOOL PROPERTY

Sec.86-331. Disturbances in and around school.

(a) A person shall not disturb or assist in disturbing the peace, good order, and quietude of any school.

(b) A person who is not a regularly enrolled student, teacher, or other employee of the school shall not enter and remain in any school building between 8:00 A.M. and 4:30 P.M. on days when school is in session, without first going to the school's office, identifying himself or herself to the principal or a designee, and receiving approval to remain.

(c) A person shall not remain on school grounds after being requested to leave by a principal, designee, or other competent authority who finds such person to be creating a disturbance or diversion or on school premises while school or school activities are in progress. Such person shall leave immediately upon request.

(d) A person shall not be on school premises between 4:30 P.M. and 5:00 A.M. unless actively engaged as a participant or spectator in athletic or other school-sponsored events.

(e) A person shall not use profane, indecent, or immoral language or indulge in indecent or immoral conduct in any building or on any property adjacent to any building in the city occupied as a public, private, or parochial school.

(Ord. No. 2050, 1, 11-21-96)

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 Student Code of 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 (e.g., selling drugs off-campus), or which reasonably makes the continued presence of the student in the school disruptive to the educational process (e.g., committing a vicious crime off-campus).

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

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.

Fair Administration of the Code of Conduct

The Student Code of Conduct sets forth student rights and responsibilities while at school and school-related activities, and the consequences for violating school rules/working agreements. 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 Student Code of 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/working agreements and policies.
7. Participate in your learning communities, including helping formulate rules/working agreements 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/working agreements. 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 Responsibilities details the expected behaviors of parents/guardians and visitors when on school property, field trips, athletic and extracurricular events, or when engaging with school personnel. The Pontiac Schools' Parent/Guardian 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 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 your 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/working agreements 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 (students') 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 (students') 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 responsibility 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/working agreements and policies consistently, fairly, and equitably.
7. Participate in formulating rules/working agreements 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.

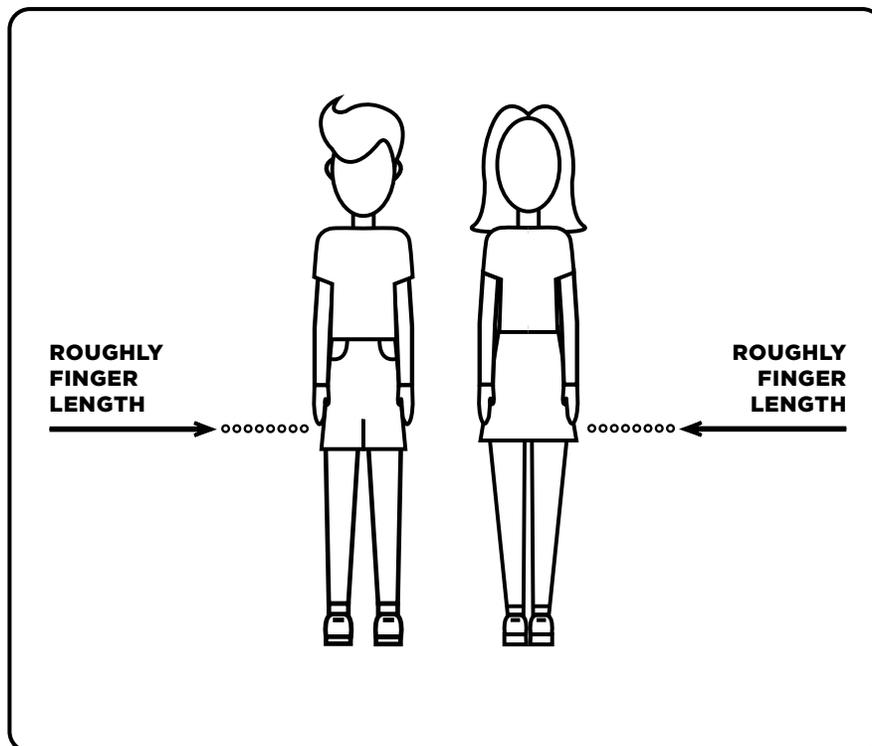
Student Dress Code

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 students are expected to dress, groom, and attire themselves in a manner that is not potentially dangerous, does not distract others or disrupt education, and does not convey a message contrary to District policy. The

following are examples of dress, grooming, and attire that may violate District policy. This should not be considered an exclusive list. Students should reference their own school's dress code for more detailed examples.

Distracting, Disruptive, or Dangerous Items:

- Clothing that exposes or draws unusual attention to breasts, buttocks, or genitals, or styles that expose undergarments.
- Grooming or attire that focuses attention on a student or group of students at the expense of learning, such as nightwear or beachwear, etc.
- Students must wear shoes with a strap across the heel (no flip flops or mules)
- Chains, pointed rings, metal spikes, clothing, or attire restricting physical movement, etc.
- Outdoor apparel, coats/jackets, and backpacks must be stored in the student's locker until the end of the day.
- The staff will ask students to remove headwear (except for religiously mandated attire). Hooded clothing is not permissible.
- Shirts/tops should cover at least the areas in the image below. Clothing should not be transparent.
- Skirts/dresses and shorts must cover the image below — roughly at least to finger length.



Clothing which is Contrary to District Policy:

Clothing that is contrary to district policy is not permissible, including clothing that advertises or promotes smoking, alcohol, or the illegal use of drugs; clothing reasonably likely to be perceived as promoting racial, ethnic, or religious discrimination or intolerance; clothing reasonably likely to be perceived as advertising or promoting illegal behavior; clothing reasonably likely to be perceived as obscene, lewd, vulgar, or plainly offensive, etc.

Student Dress Code Expectations:

1. Adhere to the student dress code

2. Exemplify proper grooming standards in a manner that projects an appropriate image for the student, the school, and the Pontiac School District.

Students who violate the Pontiac School District's dress code may be subject to discipline according to the Student Code of Conduct.

Students Violating the Dress Code:

1. Students will be asked to change into clothes that comply with the Pontiac School District's dress code immediately.
 - a. Students may check their locker/gym locker for a change of clothes.
 - b. When applicable, students may be given clothes from school closet.
2. If necessary, parents/guardians will be called to bring proper clothing so that the student may resume his/her regular schedule.
3. Repeated violations of the dress code will be treated as a violation of district dress code requirements and expectations.

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, or 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/working agreements 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/working agreements.

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 designees 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 a 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.
- Abstain from eating or drinking 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 that 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 of 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 DISTRICT OF THE CITY OF PONTIAC ADMINISTRATIVE PROCEDURES GOVERNING STUDENT USE OF PERSONAL COMMUNICATION DEVICES

The Pontiac School District's Administrative Procedures Governing Student Use of Personal Communication Devices (PCDs) helps to support a safe and productive learning environment in our schools, and is grounded in the District's Bylaws and Policies, including Policy 5136, regarding the use of PCDs (including, but not limited to, cellular phones, "dummy/fake" phones, pagers, and personal entertainment devices — i.e. CD players, MP3 players, iPods, etc.). Cellular phones have increasingly become a distraction to the learning process. Students are encouraged not to bring PCDs to school. However, if they choose to bring them, the following policy must be adhered to and will be strictly enforced henceforth:

1. The Administration has the discretion to prohibit, allow, and otherwise regulate the use of PCDs during the school day. In that regard, it is the responsibility and right of teachers and staff to monitor all use of PCDs on school property.
2. Each teacher has the discretion to allow, regulate, or deny the use of PCDs in their classrooms by their students. In the classroom, and only if given permission by their teacher, students may use PCDs solely for the purpose of accessing materials that are relevant to the classroom curriculum. Students shall not record, transmit, or post images or a video of a person or persons on campus during school activities and/or hours, unless provided with written authorization by a teacher or administrator.
3. The use of cellular phone cameras or audio recording features on any PCD is especially prohibited in the following areas/situations: locker rooms, bathrooms, and private areas used for the purpose of changing clothes, or any other areas designated by the administration. Any such use will be reported and dealt with by the Oakland County Sheriff's Department and/or the Oakland County Prosecuting Attorney.
4. Students shall not use PCDs to cheat on assignments or tests or send and receive information from other mobile devices.
5. Students are not allowed to enable "hot spots" and tethering while in the school building.
6. Students shall not play video games, visit chat rooms, or otherwise use PCDs on school property for any purpose.
7. Students shall not use PCDs in any school building on any school day. Throughout the school day, all personal electronic devices shall be turned off and out of sight. (For PE/gym classes, the phones need to be locked and secured in the gym locker. It cannot be seen or heard during the class hour.)
8. By allowing students to carry PCDs into buildings, students and their families acknowledge that possession of any such devices is not a right, but rather a privilege; this privilege may be forfeited at the District's discretion, for any reason or no reason at all, but especially if any student fails to abide by the terms of these Administrative Procedures.
9. Students and their families further acknowledge that they are consenting to a search of any student's PCD by school officials when the need to conduct a search is determined. Instances may include, but are not limited to: bullying, harassment, academic integrity (cheating), threats, inappropriate or unintended photos of students and staff, or any other actions deemed inappropriate by administration.

CONSEQUENCES FOR VIOLATION OF PCD USE/POSSESSION POLICY

If a student is found to be in violation of these Administrative Procedures or Policy 5136, **the PCD WILL BE confiscated by school personnel. Parents will be required to pick up a student's PCD. PCDs will NOT be returned to students.**

First Violation: The PCD will be confiscated and kept by the school for 7 calendar days. The student will lose her/his privilege to possess any PCD for 7 calendar days and it **must be picked up ONLY by a parent/guardian.**

Second Violation: The PCD will be confiscated and kept by the school for 28 calendar days. **The student will lose her/his privilege to possess any PCD for 28 calendar days** and it must be **picked up ONLY by a parent/guardian.**

Third Violation: The PCD will be confiscated and kept by the school until the end of the school year/semester and it must be picked up **ONLY by a parent/guardian.**

Fourth and Future Violations: The PCD will be confiscated and kept by the school until the end of the school year. **The student will lose her/his privilege to possess any PCD indefinitely.** The student will be referred to the Oakland County Sheriff's Office for suspicion of violating City of Pontiac Ordinance 86-142, governing DISORDERLY PERSONS, whereupon a ticket may be issued by the Oakland County Sheriff's Department, and the parents would then have to pay a fine in order to have the device returned to them.

CONSEQUENCES FOR REFUSAL TO TURN IN PCDS

If student and/or parent refuses to relinquish his/her PCD when requested, the incident will be considered insubordination and, in addition to any penalty given in paragraph 10, above, the student will suffer suspension as follows:

- First Violation Refusal: Automatic one day suspension and parent meeting for the student to return
- Second Violation Refusal: Automatic three day suspension and parent meeting for the student to return
- Third Violation Refusal: Automatic five day suspension and parent meeting for the student to return

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 the 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 (i.e., 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 a 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:

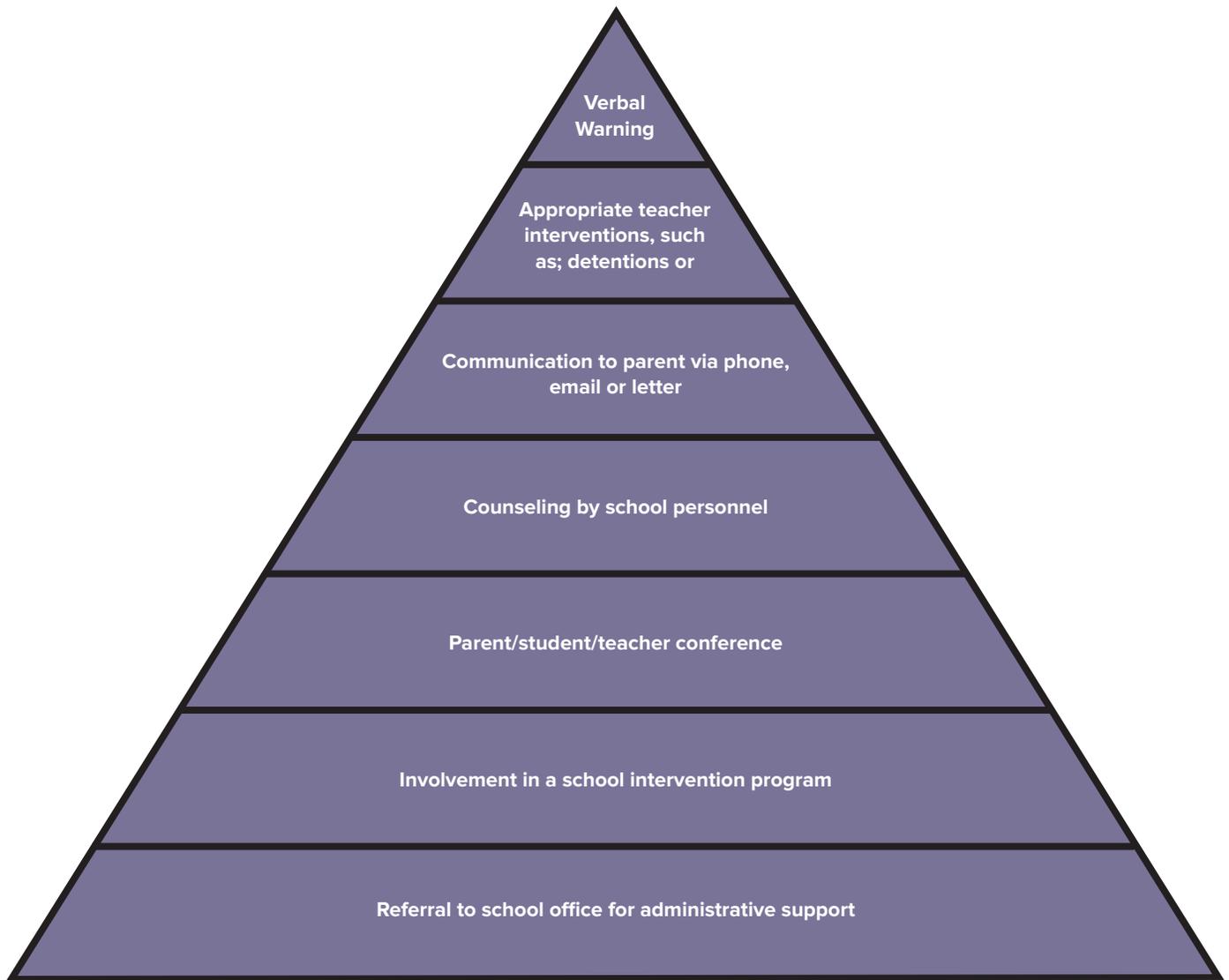
1. A measure of the student's strengths;
2. Clear goals for the intervention(s);
3. Adjustments to the environment that reduce the likelihood of the problem;
4. Teaching replacement skills and building general competencies;
5. Contingent consequences to promote positive behaviors and deter problems; 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)
 - Psychological/relational (e.g., rumors, social exclusion)
2. A real or perceived imbalance of power between the bully and victim.
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 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

- **Cyberstalking:** 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 at another 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
- 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
- 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, or 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 Procedures

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.

The District considers the following factors to be reasonable excuses for time missed at school:

- A. Illness
- B. Recovery from accident
- C. Required court attendance

- D. Professional appointments
- E. Death in the immediate family
- F. Observation or celebration of a bona fide religious holiday
- G. Such other good cause as may be acceptable to the Superintendent

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 communication will be sent home to the student's family.
2. After 5 unexcused tardies and/or unexcused absences, student will meet with a counselor or attendance team member. A communication will be sent to the student's family.
3. After 10 unexcused tardies and/or unexcused absences, students will be referred to an administrator where a meeting will be set up with the student, the family, MDHHS and/or Pontiac Youth Assistance to discuss concerns and create a new plan moving forward. A communication will be sent to the student's family.
4. After 15 unexcused tardies and/or unexcused absences, a formal referral will be made to 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 an outside agency (Youth Assistance)
- Referral to the proper authorities

Potential Failure of Courses/Loss of Credit Due To Excessive Absences

After 10 unexcused or excused absences in a class, a letter will be sent home notifying parents and

requesting communication with administration. 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/her 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 E. 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.

Student Records

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

This includes 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.

- ▶ Parents and eligible students have the right to request an 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.
- ▶ Parents and eligible students have 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.

Suspensions and Expulsions

THE STUDENT CODE OF CONDUCT IS IN COMPLIANCE WITH DISTRICT POLICY 5610.01, WHICH ALIGNS WITH MCL 380.1310(c)(d) AS REVISED.

5610.01 - EXPULSIONS/SUSPENSIONS - REQUIRED BY STATUTE

The Board of Education is continually concerned about the safety and welfare of District students and staff and, therefore, will not tolerate behavior that creates an unsafe environment, a threat to safety, or undue disruption of the educational environment.

Weapons, Arson, Criminal Sexual Conduct

In compliance with State and Federal law, the Superintendent or his/her designee shall expel any student who possesses a dangerous weapon in a weapon-free school zone in violation of State law or commits either arson or criminal sexual conduct in a District building or on District property, including school buses and other school transportation. For purposes of this policy, a dangerous weapon is defined as "a firearm, dagger, dirk, stiletto, knife with a blade over three (3) inches in length, pocket knife opened by a mechanical device, iron bar, or brass knuckles" or other devices designed to or likely to inflict bodily harm, including, but not limited to, air guns and explosive devices. The term "firearm" is defined as: a) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of the explosive; b) the frame or receiver of any such weapon; c) any firearm muffler or firearm silencer; or d) any destructive device. Such term does not include an antique firearm.

The Superintendent or his/her designee need not expel for possession of a dangerous weapon if the student can establish in a clear and convincing manner to the satisfaction of the Superintendent or his/

her designee that:

- A. The The object or instrument was not possessed 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;
- C. The student did not know or have reason to know that the object or instrument possessed constituted a dangerous weapon; or dangerous weapon; or
- D. The weapon was possessed at the suggestion, request, or direction of, or with the express permission of, a District administrator or the police.

There is a **rebuttable presumption** that expulsion for possessing the weapon is not justified if the Superintendent or his/her designee determines in writing that the student has established that s/he fits under one of the exceptions above by clear and convincing evidence, and that the student has no previous history of suspension or expulsion.

The above exceptions will not apply to student misconduct involving sexual conduct or arson.

Physical and Verbal Assault

The Superintendent or his/her designee shall permanently expel a student in grade six (6) or above if that student commits physical assault at school against a District employee, volunteer, or contractor.

The Superintendent or his/her designee shall suspend or expel a student in grade six (6) or above for up to 180 school days if the student commits physical assault at school against another student.

Physical assault is defined as “intentionally causing or attempting to cause physical harm to another through force or violence.”

The Superintendent or his/her designee shall suspend or expel a student in grade six (6) or above and may discipline, suspend, or expel a student in grade five (5) and below for a period of time as determined at the Superintendent’s or his/her designee’s discretion if the student commits verbal assault at school against a District employee, volunteer, or contractor, or makes a bomb threat or similar threat directed at a school building, property, or at a school-related activity.

Verbal assault is a communicated intent to inflict physical or other harm on another person, with a present intent and ability to act on the threat.

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

Factors To Be Considered Before Suspending or Expelling a Student

Prior to suspending or expelling a student for any of the above statutorily mandated reasons, except as noted below, the Board shall consider the following factors:

- A. The student’s age
- B. The student’s disciplinary history
- C. Whether the student has a disability
- D. The seriousness of the violation or behavior
- E. Whether the violation or behavior committed by the student threatened the safety of any student or staff member
- F. Whether restorative practices will be used to address the violation or behavior
- G. Whether a lesser intervention would properly address the violation or behavior

The Superintendent or his/her designee will exercise discretion over whether or not to suspend or expel a student for the statutorily mandated reasons. In exercising that discretion for a suspension of more than ten (10) days or expulsion, there is a rebuttable presumption that a suspension or expulsion is not justified unless the Superintendent or his/her designee can demonstrate that it considered each of the factors listed above. For a suspension of ten (10) days or fewer, there is no rebuttable presumption, but the Superintendent or his/her designee will still consider the factors.

Exception: If a student possesses a firearm in a weapon-free school zone, the student will be permanently expelled without considering the above factors, unless the student can establish mitigating factors by clear and convincing evidence.

If the District determines that it will utilize restorative practices in addition to or as an alternative to suspension or expulsion of a student, it will engage in restorative practices which emphasize 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.

Alternative Services

An expelled or suspended student may be enrolled in the District's Alternative Education Program upon the Superintendent's recommendation and Board approval. Students who are expelled for dangerous weapons, arson, criminal sexual conduct, or assault upon an employee, volunteer, or contractor and are enrolled in a program operated for expelled students shall be physically separated at all times during the school day from the general student population.

The District may provide appropriate instructional services at home for an expelled student who is not placed in an Alternative Education Program. The type of instructional services provided shall be similar to that provided to homebound or hospitalized students and shall be contracted for in the same manner.

Disabled students under IDEA or Section 504 shall be expelled only in accordance with Board Policy 5605 and Federal due process rights appropriate to these students.

For expulsions for dangerous weapons, arson, criminal sexual conduct, or assault upon an employee, volunteer, or contractor, the Superintendent or his/her designee shall provide that the expulsion is duly noted in the student's record and that the student has been referred to the Department of Human Services or Mental Health Department within three (3) school days after the expulsion and that the parents have been informed of the referral. Furthermore, the Superintendent or his/her designee shall ensure that if a student who is expelled is below the age of sixteen (16), then notification of the expulsion shall be given to the Juvenile Division of the Probate Court. In compliance with Federal law, the Superintendent or his/her designee shall also refer any student, regardless of age, expelled for

possession of a dangerous weapon to the criminal justice or juvenile delinquency system serving the District. In addition, the Superintendent or his/her designee shall ensure that a copy of this policy and Policy 5610 is sent to the State Department of Education as well as a description of the circumstances surrounding the expulsion of a student for possessing a weapon in a weapon-free school zone together with the name of the school, the number of students so expelled, and the types of weapons that were brought into the weapon-free school zone and other reasons listed in Policy 8400.

A student who has been expelled under this policy for dangerous weapons, arson, criminal sexual conduct, or assault upon an employee, volunteer, or contractor may apply for reinstatement in accordance with the following guidelines:

- A. If the student is in grade five (5) or below at the time of the expulsion and was expelled for possessing a firearm or threatening another person with a dangerous weapon, the parents, legal guardian, the adult student, or the emancipated minor may submit a request for reinstatement after sixty (60) school days from the date of expulsion, but the student may not be reinstated before ninety (90) school days from the expulsion date.
- B. If the student is in grade five (5) or below at the time of the expulsion and was expelled for a reason other than possessing a firearm or threatening another person with a dangerous weapon, the parents, legal guardian, the adult student, or the emancipated minor may submit a request for reinstatement at any time, but the student may not be reinstated before ten (10) school days from the expulsion date.
- C. If the student is in grade six (6) or above at the time of the expulsion, the parents, legal guardian, the adult student, or the emancipated minor may submit a request for reinstatement after 150 school days from the date of the expulsion, but the student may not be reinstated before 180 school days from the expulsion date.
- D. The parent, adult student, or emancipated minor shall submit the request for reinstatement to the Superintendent or his/her designee on District Form 5610.01 F1.
- E. The Superintendent or his/her designee shall, within ten (10) school days after receiving the form, submit the request, together with any other information s/he deems pertinent to the requested reinstatement, to a Superintendent-appointed committee consisting of one (1) Board member, a District principal, a teacher, the District's general counsel, the District's Director of Student Services, and at the Superintendent's discretion, a parent of a student or a Board member.
- F. The committee shall, within ten (10) school days after being appointed, review all pertinent information and submit its recommendation to the Superintendent. The recommendation may be for unconditional reinstatement, conditional reinstatement, or non-reinstatement, based on the committee's consideration of:
 1. The extent to which reinstatement would create a risk of harm to students or school personnel;
 2. The extent to which reinstatement would create a risk of District or individual liability for the Board or District personnel;
 3. The age and maturity of the student;
 4. The student's school record before the expulsion incident;
 5. The student's attitude concerning the expulsion incident;
 6. The student's behavior since the expulsion and the prospects for remediation;
 7. If the request was filed by a parent, the degree of cooperation and support the parent has provided and will provide if the student is reinstated, including, but not limited to, the parent's receptiveness toward possible conditions placed on the reinstatement. Such conditions may, as an example, include a written agreement by the student and/or a parent who filed the reinstatement request to:
 - a. Abide by a behavior contract, which may involve the student, his/her parents, and an outside agency;
 - b. Participate in an anger management program or other counseling activities;

- c. Cooperate in processing and discussing periodic progress reviews;
- d. Meet other conditions deemed appropriate by the committee;
- e. Accept the consequences for not fulfilling the agreed-upon conditions.

The committee may also allow the parent, adult student, or emancipated minor to propose conditions as part of the request for reinstatement.

The Board shall make its decision no later than the next regular Board meeting following the committee's submission of its recommendations. The Board's decision shall be final and not subject to appeal.

In the event a student who has been permanently expelled from another school district requests admission to this District, the Board shall, in making its decision, rely upon the recommendation of the Superintendent or his/her designee.

Students expelled for reasons other than dangerous weapons, arson, criminal sexual conduct, or assault upon an employee, volunteer, or contractor may also petition the Board for reinstatement. The Board may, at its discretion, consider the petition in accordance with the procedures set forth above or the standards and the procedures it determines to be appropriate under the circumstances.

The Superintendent shall ensure that Board policies and District guidelines regarding a student's rights to due process are adhered to when dealing with a possible suspension or expulsion under this policy.

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5611 - DUE PROCESS RIGHTS

The Board of Education recognizes the importance of safeguarding a student's constitutional rights, particularly when subject to the District's disciplinary procedures.

To better ensure appropriate due-process is provided a student, the Board establishes the following guidelines:

A. Students subject to short-term suspension:

Except when emergency removal is warranted, a student must be given oral or written notice of the charges against him/her and the opportunity to respond prior to the implementation of a suspension. When emergency removal has been implemented, notice and opportunity to respond shall occur as soon as reasonably possible. The principal or other designated administrator shall provide the opportunity to be heard and shall be responsible for making the suspension decision. An appeal may be addressed to the Superintendent whose decision will be final.

B. Students subject to long-term suspension and expulsion:

A student and his/her parent or guardian must be given written notice of the intention to suspend or expel and the reasons therefore, and an opportunity to appear with a representative before the Board to answer the charges. The student and/or his/her guardian must also be provided a brief description of the student's rights and of the hearing procedure, a list of the witnesses who will provide testimony to the Board, and a summary of the facts to which the witnesses will testify. At the student's request, the hearing may be private, but the Board must act publicly. The Board shall act on any appeal, which must be submitted in writing, to an expulsion (Policy 5610 and/or Policy 5610.01), to a request for reinstatement (Policy 5610.01), or to a request for admission after being permanently expelled from another district (Policy 5610.01).

The Superintendent shall establish procedures so that all members of the staff use the above guidelines when dealing with students. In addition, this statement of due process rights is to be placed in all student handbooks in a manner that will facilitate understanding by students and their parents.

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Legal

M.C.L. 380.1310, 380.1311, 280.1310d, 380.1311a

UNACCEPTABLE CONDUCT IS DIVIDED INTO THREE CLASSES OF OFFENSES THAT MAY RESULT IN DISCIPLINARY ACTION FOR STUDENTS UNDER THIS CODE.

Class I Offenses (A) are behaviors that disrupt the educational process, school environment, and/or interfere with teaching and learning.

Class II Offenses (B) are behaviors likely to result in physical altercations, damage to property, and/or interference with the rights of others.

Class III Offenses (C) are behaviors that are considered illegal or extremely dangerous and may lead to the school contacting the appropriate law enforcement agency.

The following list of unacceptable behaviors is meant to be instructive and not all-inclusive. School administration has the authority to deal appropriately with any misconduct not listed below that interferes with the educational process.

Class I Offenses

Code	Offense	Description	Recommended Action
A01	Cafeteria Disruption	Violation of cafeteria rules such as throwing food/other objects, turning over tables, etc.	<ol style="list-style-type: none"> 1. Use progressive disciplinary practices beginning with a student warning and parent contact (i.e. detention, alternative education placement, removal from non-curricular activities/programs) 2. Up to, but not more than, a 1-day suspension
A02	Classroom Disruption	Creating, or contributing to, a disturbance in the classroom that interferes with the educational experience of others.	<ol style="list-style-type: none"> 1. Use progressive disciplinary practices beginning with a student warning and parent contact (i.e. detention, alternative education placement, removal from non-curricular activities/programs) 2. Up to, but not more than, a 1-day suspension
A03	Insubordination	<p>Failure to obey or respond to a fair and reasonable request made by any adult school employee.</p> <p>This will include excessive violations of dress code expectations.</p>	<ol style="list-style-type: none"> 1. Use progressive disciplinary practices beginning with a student warning and parent contact (i.e. detention, alternative education placement, removal from non-curricular activities/programs) 2. Up to, but not more than, a 1-day suspension
A04	Littering	Intentionally throwing debris/trash on the floor of the school building or school grounds.	<ol style="list-style-type: none"> 1. Use progressive disciplinary practices beginning with a student warning and parent contact (i.e. detention, alternative education placement, removal from non-curricular activities/ programs) 2. Up to, but not more than, a 1-day suspension

A05	Misuse of School Property	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).	<ol style="list-style-type: none"> 1. Use progressive disciplinary practices beginning with a student warning and parent contact (i.e. detention, alternative education placement, removal from non-curricular activities/ programs) 2. Up to, but not more than, a 1-day suspension
A06	Refusal to Identify Self	Failure to show ID card or to provide correct name when requested.	<ol style="list-style-type: none"> 1. Use progressive disciplinary practices beginning with a student warning and parent contact (i.e. detention, alternative education placement, removal from non-curricular activities/ programs) 2. Up to, but not more than, a 1-day suspension
A07	Tardiness	Consistently being late for class.	<ol style="list-style-type: none"> 1. Use progressive disciplinary practices as outlined in the attendance policy section of the Student Code of Conduct, beginning with a student warning/communication and parent contact (i.e. detention, alternative education placement, removal from non-curricular activities/ programs) 2. Up to, but not more than, a 1-day suspension
A08	Truancy	Failure of student to attend all class periods during the school day (includes in- school truancy).	<ol style="list-style-type: none"> 1. Use progressive disciplinary practices as outlined in the attendance policy section of the Student Code of Conduct, beginning with a student warning and parent contact (i.e. detention, alternative education placement, removal from non-curricular activities/ programs) 2. Up to, but not more than, a 1-day suspension

A09	Insulting or Demeaning	Conduct that is directed at a person that has the affect of insulting or demeaning any student or group of students.	<ol style="list-style-type: none"> 1. Use progressive disciplinary practices beginning with a student warning and parent contact (i.e. detention, alternative education placement, removal from non-curricular activities/ programs) 2. Up to, but not more than, a 1-day suspension
A10	Disorderly Conduct	Acting in a manner that disrupts the normal operation of the school day or any school-sponsored activity.	<ol style="list-style-type: none"> 1. Use progressive disciplinary practices beginning with a student warning and parent contact (i.e. detention, alternative education placement, removal from non-curricular activities/ programs) 2. Up to, but not more than, a 1-day suspension

Class II Offenses

Code	Offense	Description	Recommendation
B01	Destruction of School Property	Defacing or destroying school property including minor damage, which can be repaired or replaced at no cost to the District.	<ol style="list-style-type: none"> 1. One day suspension w/restitution
B02	Possession/Inappropriate Use of Electronic Devices	A student shall NOT USE a cellular telephone or personal electronic communication devices (ECD) on school property during the school day.	<ol style="list-style-type: none"> 1. Use progressive disciplinary practices as outlined in the District Electronic Device Policy.

B03	Forgery	Falsifying any information, which may include hall passes, permits, written communication from parents or school personnel, school records, and/or grades.	<ol style="list-style-type: none"> 1. Use progressive disciplinary practices beginning with a student warning and parent contact (i.e. detention, alternative education placement, removal from non-curricular activities/programs) 2. Maximum 3 day out-of-school suspension
B04	Gambling	Participating in any games of chance or skill for the purpose of profit, of any kind, in or around school property.	<ol style="list-style-type: none"> 1. Use progressive disciplinary practices beginning with a student warning and parent contact (i.e. detention, alternative education placement, removal from non-curricular activities/programs) 2. Maximum 3 day out-of-school suspension
B05	Gross Insubordination	Persistent refusal or abusive response to a directive made by an adult employee.	<ol style="list-style-type: none"> 1. Use progressive disciplinary practices beginning with a student warning and parent contact (i.e. detention, alternative education placement, removal from non-curricular activities/programs) 2. Maximum 3 day out-of-school suspension
B06	Theft, Possession/ Transfer of Stolen Property	Taking something without permission from the school or another person that has a monetary value less than \$100.00.	<ol style="list-style-type: none"> 1. Use progressive disciplinary practices beginning with a student warning and parent contact (i.e. detention, alternative education placement, removal from non-curricular activities/programs) 2. Maximum 3-5 day out-of-school suspension
B07	Use of Profanity	Swearing or use of inappropriate and profane language	<ol style="list-style-type: none"> 1. Use progressive disciplinary practices beginning with a student warning and parent contact (i.e. detention, alternative education placement, removal from non-curricular activities/programs) 2. Maximum 1 day out-of-school suspension

B08	Harassment: Ethnic, Religious, Sexual, etc.	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.	<ol style="list-style-type: none"> 1. Use progressive disciplinary practices as outlined in The District Harassment Section of the Student Code of Conduct, beginning with a student warning and parent contact (i.e. detention, alternative education placement, removal from non-curricular activities/programs) 2. Maximum 3-5 day out-of-school suspension
B09	Smoking	Possessing/smoking a cigarette, vaping, or using tobacco products on school property.	<ol style="list-style-type: none"> 1. Use progressive disciplinary practices beginning with a student warning and parent contact (i.e. detention, alternative education placement, removal from non-curricular activities/programs) 2. Maximum 1-day suspension
B10	Fighting	A confrontation between two or more persons that leads to physical contact.	<ol style="list-style-type: none"> 1. Use progressive disciplinary practices beginning with a student warning and parent contact (i.e. detention, alternative education placement, removal from non-curricular activities/programs) 2. Maximum 1-5 day(s) out-of-school suspension (pending severity of the fight)
B11	False Fire Alarm	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.	<ol style="list-style-type: none"> 1. Use progressive disciplinary practices beginning with a student warning and parent contact (i.e. detention, alternative education placement, removal from non-curricular activities/programs) 2. Maximum 1-3 day(s) suspension
B12	Breach of Security/ Trespassing	<p>Entering building without permission/bypassing metal detector</p> <p>Failing to identify oneself</p> <p>Being on school property without permission</p>	<ol style="list-style-type: none"> 1. Use progressive disciplinary practices beginning with a student warning and parent contact (i.e. detention, alternative education placement, removal from non-curricular activities/programs) 2. Maximum 1-5 day(s) out-of-school suspension

Class III Offenses

Code	Offense	Description	Recommended Action
C01	Arson	Intentional setting of any fire in school or school grounds.	<ol style="list-style-type: none"> 1. Principal or designee notifies Chief of Security and Office of Protective Services 2. Recommendation to the District Hearing Officer and Superintendent for Expulsion Review
C02	Bomb Threat	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.).	<ol style="list-style-type: none"> 1. Principal or designee notifies Chief of Security and Office of Protective Services 2. Recommendation to the District Hearing Officer and Superintendent for Expulsion Review
C03	Bullying	To place another student in reasonable fear of bodily harm through the use of threatening words, and/or other conduct including harassment, cyberstalking, cyberbullying, but without displaying a weapon or subjecting the victim to actual physical attack. (See "Bullying" as previously defined by the Student Code of Conduct)	<ol style="list-style-type: none"> 1. Principal or designee notifies Chief of Security and Office of Protective Services 2. Recommendation to the District Hearing Officer and Superintendent for Expulsion Review
C04	Criminal Sexual Conduct	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.	<ol style="list-style-type: none"> 1. Principal or designee notifies Chief of Security and Office of Protective Services 2. Recommendation to the District Hearing Officer and Superintendent for Expulsion Review

C05	Sexual Misconduct	<p>1) Consensual 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.</p> <p>2) Non-consensual sexual 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.</p>	<ol style="list-style-type: none"> 1. Principal or designee notifies Chief of Security and Office of Protective Services 2. Recommendation to the District Hearing Officer and Superintendent for Expulsion Review
C06	Drugs/Alcohol	The possession, use, sale, or distribution of any drugs or alcohol.	<ol style="list-style-type: none"> 1. Principal or designee notifies Chief of Security and Office of Protective Services 2. Recommendation to the District Hearing Officer and Superintendent for Expulsion Review
C07	Explosives/ Fireworks	The possession, use, sale, or distribution of any explosives or fireworks, including “live” ammunition.	<ol style="list-style-type: none"> 1. Principal or designee notifies Chief of Security and Office of Protective Services 2. Recommendation to the District Hearing Officer and Superintendent for Expulsion Review
C08	Extortion/ Blackmail	An attempt to obtain favor, property, or money from another student through coercion, intimidation, and/or written/ verbal threats.	<ol style="list-style-type: none"> 1. Principal or designee notifies Chief of Security and Office of Protective Services 2. Recommendation to the District Hearing Officer and Superintendent for Expulsion Review
C09	Grand Larceny	Taking something without permission from the school or another person that has a monetary value of more than \$100.00.	<ol style="list-style-type: none"> 1. Principal or designee notifies Chief of Security and Office of Protective Services 2. Recommendation to the District Hearing Officer and Superintendent for Expulsion Review

C10	Gross Disorderly Person	Acting in a violent manner towards another person, which causes that person to fear for his/her life, limb, or personal property.	<ol style="list-style-type: none"> 1. Principal or designee notifies Chief of Security and Office of Protective Services 2. Recommendation to the District Hearing Officer and Superintendent for Expulsion Review
C11	Internet Threat	Use of the Internet to email any message that expresses profane, obscene, or threatening language.	<ol style="list-style-type: none"> 1. Principal or designee notifies Chief of Security and Office of Protective Services 2. Recommendation to the District Hearing Officer and Superintendent for Expulsion Review
C12	Disruptive Behavior by a Group	Actions by students that seriously disrupt the educational process at the school building.	<ol style="list-style-type: none"> 1. Principal or designee notifies Chief of Security and Office of Protective Services 2. Recommendation to the District Hearing Officer and Superintendent for Expulsion Review
C13	Physical Assault of an Employee, Contractor, or Volunteer	Intentionally causing or attempting to cause harm or injury to an adult by direct or indirect actions.	<ol style="list-style-type: none"> 1. Principal or designee notifies Chief of Security and Office of Protective Services 2. Recommendation to the District Hearing Officer and Superintendent for Expulsion Review
C14	Physical Assault of a Student	Causing or attempting to cause harm or injury to another student through direct or indirect actions.	<ol style="list-style-type: none"> 1. Principal or designee notifies Chief of Security and Office of Protective Services 2. Recommendation to the District Hearing Officer and Superintendent for Expulsion Review
C15	Vandalism	Participating in the extensive destruction or damage to school or personal property belonging to others.	<ol style="list-style-type: none"> 1. Principal or designee notifies Chief of Security and Office of Protective Services 2. Recommendation to the District Hearing Officer and Superintendent for Expulsion Review

C16	Verbal Assault	A student who verbally threatens to do bodily harm to another student or adult on school property.	<ol style="list-style-type: none"> 1. Principal or designee notifies Chief of Security and Office of Protective Services 2. Recommendation to the District Hearing Officer and Superintendent for Expulsion Review
C17	Possession of a Weapon	The possession, use, sale, or distribution of any weapon or instrument that could cause injury. This includes pellet guns, BB guns, stun guns, razors, knives, box cutters, brass knuckles, mace, pepper spray, etc., and other objects used as weapons.	<ol style="list-style-type: none"> 1. Principal or designee notifies Chief of Security and Office of Protective Services 2. Recommendation to the District Hearing Officer and Superintendent for Expulsion Review
C18	Use of a Weapon or Object as a Weapon	Using or threatening to use a weapon or object capable of harming another person.	<ol style="list-style-type: none"> 1. Principal or designee notifies Chief of Security and Office of Protective Services 2. Recommendation to the District Hearing Officer and Superintendent for Expulsion Review

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 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 that 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 ability.

- 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 the 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(s) of that decision and provide the parent(s) with a copy of

the Pontiac School District's 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 if the situation involves great bodily harm, drugs, or weapons, 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 IEPs

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 an 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 factors such 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 the 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 the above is affirmatively determined, then the conduct is a manifestation of the student's disability.



PARENTAL ACKNOWLEDGEMENT OF UNDERSTANDING AND ACCEPTANCE OF STUDENT CODE OF CONDUCT

I, _____ parent/legal guardian of _____
confirm that I have read and understand the rights and responsibilities outlined in the
2019-2020 Pontiac School District Student Code of Conduct.

Signed: _____ Date: _____

Please sign, date and return to your student's (students') school upon receipt. Thank you.

APPENDIX



Pontiac High School Attendance Appeal Form

Ten Absence Limit — Students may face disciplinary action when they exceed more than ten of any of the following absences per class: Truant, Unexcused, or Vacation. Students may appeal the penalty at the end of the semester by submitting the attached appeal form.

If you wish to appeal the PSD Attendance Policy, please do the following:

- Complete this form and return it to the main office.
- Attach a statement from the student explaining the absences and the rationale for the waiver (see Question #3, below).
- Attach all supporting documentation. (The main office may help you with this.) Return this form and its attachments to the high school's main office no later than one (1) week after the end of the semester.

The student's attendance records, disciplinary history, and teacher recommendations will be considered in making a decision on the student's appeal. If the student's appeal is not granted, the student's consequence will stand.



Pontiac High School Attendance Appeal Form

Student Name: _____

Grade: _____ Year: _____ Semester: _____

Attach a list of the courses for which you are requesting an appeal, utilizing the below titles/
information:

<u>Course Name(s)</u>	<u>Teacher Name(s)</u>	<u>Number of Absences</u>
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Have you previously completed an appeal of the PSD Attendance Policy? __Yes__No

1. Please explain the extenuating circumstances you feel should result in a waiver of the PSD Attendance Policy.
2. Attach this explanation to your Attendance Appeal Form.
3. With the explanation, please attach all medical or legal documentation that is not already on file in the attendance office.

Note: If you claim that you missed over 10 days of class because of a chronic medical condition, you need to submit a note from a doctor, on their letterhead, explaining the nature of the condition and the particular days missed because of the condition.

4. You may also include your parent's signature on your explanation.
5. Have you been working with a staff member this semester regarding your grade? If so, what is the staff member's name?

ALL parts (#1-5) MUST be addressed for appeal consideration.

Forms are due NO LATER than one (1) week after the end of the semester.

Contact the PHS main office at 248-451-7300 with any questions.

2019-2020



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