

*Anchor Bay School District*

**MISSION STATEMENT**

*“Empowering all students to succeed in an ever-changing world.”*

**VISION STATEMENT**

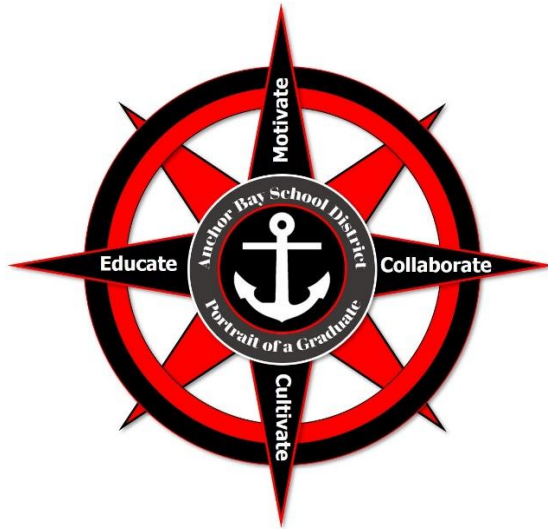
*Educate, Motivate, Collaborate, Cultivate.*

**BELIEF STATEMENTS**

*In Anchor Bay Schools, we believe in students first!  
Together we will:*

- *Provide a safe and supportive environment.*
- *Foster problem-solving and critical thinking skills for responsible decision-making.*
- *Respect and value the diversity of all participants.*
- *Develop lifelong learners who understand the importance of integrity, character, and empathy.*
- *Inspire innovative, adaptive leaders.*
- *Collaborate with our community.*

**PORTRAIT OF A GRADUATE**



**Stakeholder Expectations**

**Student**

- Attend school regularly and arrive to class on time.
- Be engaged in all classes and school activities.
- Come to school dressed in attire that meets the dress code.
- Return my assignments and home activities on time.
- Display positive behavior towards peers, staff, teachers, visitors, and administrators.
- Follow school and classroom rules and expectations.
- Communicate any difficulties or concerns with teachers or school counselors.
- Do my part to keep my school environment clean and safe.

**Parent**

- Ensure your child attends school regularly and arrives on time, inform the school of any absences.
- Encourage and support your child's learning and school activities.
- Read and review all the information my child brings home from school.
- Provide a quiet place for learning at home.
- Participate in parent-teacher meetings and school events.
- Reinforce the importance of education, respect, and good behavior.
- Maintain open communication with teachers and school staff.

**Educators**

- Provide clear, engaging, and effective instruction.
- Provide a caring learning environment where your child can be responsible for learning.
- Provide a safe and positive, healthy, creative, well-managed environment where children are respected and appreciated.
- Maintain open lines of communication with students, parents, and school administration.
- Seek ways to involve parents in educational activities.
- Provide students with strategies to increase competence, both in academics and in their interactions with others.
- Continue to participate in staff development, keeping current with best practices in the field of education.
- Maintain a high level of professionalism and integrity.

## INTRODUCTION

### INTERSCHOLASTIC OR EXTRACURRICULAR ACTIVITIES

Student participation in interscholastic or extracurricular activities is a privilege, not a right. Student-athletes are subject to the Student Code of Conduct at all times, as well as Additional disciplinary rules that govern the participants who represent the school district as members of an athletic team. These rules may be set forth in an athletic code of conduct and extracurricular code of conduct or other school district documents. An Athletic Responsibility Acknowledgement Form is required to be signed by the student and the student's parents and returned to the school before the student may participate in interscholastic or extracurricular activities.

### TRANSPORTATION

**Student Drivers** Student Drivers must be licensed and receive permission from the school district in order to park their vehicle on school district property or to use their vehicle during the school day. Student drivers must register with the school and park only in designated areas.

**School Transportation** Students transported by the school district or transported to a school district related event must abide by the driver's direction. The Student Code of Conduct and, if applicable, the school districts, Athletic Code of Conduct, extracurricular code of conduct, or similar documents. Violators face the loss of transportation Privileges and possible disciplinary action. Examples of misconduct that may lead to temporary or permanent suspension of transportation privileges or other possible disciplinary action include but are not limited to insubordination, smoking, fighting, profane or foul language, and destruction of property.

### STUDENT DRESS AND APPEARANCE

The style and manner. In which a student dresses while attending school and school-related functions is largely the responsibility of the student and the student's parents. The school district, however, maintains the right to impose reasonable restrictions on dress and grooming. Where the style of dress or grooming is reasonably considered disruptive or detrimental to the school district's mission and or the health, safety, or welfare of the student or other students with whom the student attends school.

### POLICE INVESTIGATIONS AND ARRESTS

The school district cooperates with local police authorities in the interest of the welfare of all citizens and the school community. Parents will be notified if police arrest or wish to question their student in school. The timing of parental notification will depend on the circumstances taken as a whole. Except as required. By law. The school district retains the discretion to report crimes/events, including, but not limited to, the following, to local law enforcement.

- Armed student or hostage or suspected armed student;
- Arson;

- Bomb threat;
- Death or homicide;
- Drive-by shooting;
- Explosion;
- Illegal drug use, overdose, possession or sale;
- Intruders;
- Larceny;
- Minor in possession of alcohol/tobacco products;
- Physical assault (e.g., fights);
- Robbery or extortion;
- Sexual assault;
- Suicide attempt or threat of suicide;
- Unauthorized removal of students;
- Vandalism/destruction of property; and
- Weapons on school district property.

### **SEARCH AND SEIZURE**

From time to time, school property such as lockers, desks, and technology devices, is assigned to a student. Students do not acquire a reasonable expectation of privacy in such property. The school district reserves the unrestricted right to search and seize property assigned to a student at any time, for any reason, with or without notice to the student or the student's parents. The privacy rights of students will be respected regarding any items found during a search that are not illegal or otherwise against school district policy or administrative guidelines.

The school district makes parking available to students who are licensed drivers. This privilege is conditioned on the student's consent in advance to the search of their vehicles by school district personnel at any time, for any reason, with or without notice to the student.

School district personnel may, to the full extent permitted by law, search and seize students and their personal effects. Illegal items and items inappropriate in the educational environment may be confiscated by the school district personnel and, when appropriate, delivered to police authorities or parents.

### **STUDENT BULLYING AND CYBERBULLYING**

#### **Student Bullying Implementation.**

*Responsible School Official.* The principal of each school building is primarily responsible for implementing this administrative regulation and its corresponding policy for the school to which the principal is assigned.

*Reporting.* The Tenant shall report to the Board of Education on an annual basis all verified incidents of "bullying" and the resulting consequences that were imposed.

*Definitions.* The following definitions apply for the purposes of this administrative regulation and its corresponding policy.

"Bullying" Means any written, verbal or physical act, or any electronic communication, including but not limited to cyberbullying that is intended or that a reasonable person would know is likely to harm one or more school district students. Either directly or indirectly. By doing any of the following.:

- (I) Substantially interfering with the educational opportunities, benefits, or programs;
- (II) Adversely affecting the student's ability to participate in or benefit from educational programs or activities by placing a student in reasonable fear of harm or by causing some. Substantial emotional stress;
- (III) Having an actual and sub. Detrimental effect on a student's physical or mental health; or
- (IV) Causing some. Substantial disruption in or. Essential interference with the orderly operation of the school.

"At school" means in a classroom, anywhere else, on school premises, on a school bus or other school-related vehicle, and at a school-sponsored activity or event, whether or not it is held on school premises.

"At school" includes the off-premises use of a telecommunications access device or telecommunications school provider if the device or service provider is owned by or under the control of the school district.

"Cyberbullying" means any electronic communication that is intended or that a reasonable person would know, is likely to harm one or more students, either directly or indirectly, by doing any of the following:

- (I) Substantially interfering with educational opportunities, benefits, or programs;
- (II) adversely affecting the student's ability to participate in or benefit from educational programs or activities by placing the student in reasonable fear of physical harm or by causing substantial emotional distress;
- (III) having an actual and substantial detrimental effect on a student's physical or mental health; or
- (IV) Causing substantial disruption in, or substantial interference with, the orderly operation of the school.

**Accountability.** Each student in the school district is accountable for their own behavior, based on age-appropriate expectations. Respect for all students is a part of a safe and healthy learning environment. Each student is expected to demonstrate respect through their interactions with the give-and-take of friendships group cooperation, social interaction, compromise, and acceptance of differences among other students and staff.

**Retaliation.** Retaliation against a target of bullying, A witness, another person with reliable information about an act of bullying, or any person who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry concerning allegations of bullying is prohibited and will not be tolerated. Such retaliation shall be considered a serious violation of Board policy, independent of whether a complaint is found to have been sub. Instantiated. So. expected reprisal or retaliation should be reported in the same manner as bullying.

Making intentionally false reports about bullying to get someone in trouble is similarly prohibited and will not be tolerated. Retaliation and intentionally false reports may result in disciplinary action.

**Complaint Procedure.** In order to implement the bullying policy, the school district has developed the following complaint procedure:

A student who believes they have been the victim of bullying or cyberbullying must immediately report the incident(s) To the building principal. A student's parent must also report any such incident(s) on behalf of the student. Upon receipt of a report (complaint), The principal or designee (the investigator) will conduct a prompt investigation. At the request or with the permission of the complainant. The investigator may first attempt to resolve the matter informally, such as through restorative practices. Informal steps will not, however, cause a substantial delay in the investigation. The complainant may, at any time, request that the matter move to a formal investigation. Where the bullying activity is alleged to have been based, in whole or in part, on the protected classifications of race, color, sex, national origin, or disability, the building principal will notify the School Districts designated Compliance Officer or Coordinator pursuant to the Board Education Policy 8006.

**Step 1: Formal Investigation.** The investigator will interview the complainant and document the interview. Generally, the complainant will be asked to reduce the complaint to writing, to provide the names and contact information, if known, of any persons who witnessed and may be able to substantiate the allegations of the complaint, and to produce any documents or other things supporting the complaint. The complainant will be directed not to discuss the complaint with other students while the investigation is pending.

The investigator will interview the accused and document the interview. Generally, the accused will be asked to reduce their response to writing and to produce any documents or other things supporting their response. The investigator should not disclose the identity of the complainant unless this is necessary to enable the accused student to respond to the allegations. The accused will be directed not to contact the complainant if the identity is known or suspected, or retaliate or threaten to retaliate in any way against the complainant or any potential witnesses.

In the event of a significant discrepancy between the complainant and the accused, the investigator will interview other persons reasonably necessary to resolve the discrepancy.

#### **Step 2: Decision.**

*Complaint Found Valid.* If the investigator concludes that the complaint is valid, (I. E., Bullying or cyberbullying in violation of the school district policy has occurred), The following actions will be taken:

- the parent of both the complainant and the accused will be notified of the results of the investigation;
- The results of the investigation will be reported to the Superintendent;
- The Superintendent will consider whether restorative practices may be appropriate and, if so, invite the complainant and the accused to participate in a Restorative Practices team meeting;
- The Superintendent will consider whether disciplinary action may be appropriate and, if so, initiate disciplinary action in accordance with the Student Code of Conduct; and
- The Superintendent will determine whether relief to the complainant is feasible and available.

*Complaint Found Not Valid.* If the investigator concludes that the complaint is not valid, (i.e., no bullying or cyberbullying in violation of the school district policy has occurred or can be substantiated), the following actions will be taken:

- The parent of both the complainant and the accused will be notified of the results of the investigation;
- The complainant and the accused will be reminded the School District prohibits retaliation or threats of retaliatory action;
- The results of the investigation will be reported to the Superintendent and any references to the complaint will be removed from the educational records of the accused. The investigator will retain the investigative file for at least three (3) years.

#### **Presumption Against Long-Term Suspension or Expulsion and Consideration of Individual Factors**

**Rebuttable Presumption** Consistent with Michigan law, the School District adopts a rebuttable presumption that students should not be disciplined by the imposition of long-term suspension. (i.e., more than 10 school days) or expelled (i.e., 60 or more school days) unless the school district has determined, in its sole discretion, that the presumption has been rebutted by considering each of the following seven factors:

- The student's age;
- The student's disciplinary history;

- Whether the student is disabled Meaning of DEA or ADA slash section 504.;
- The seriousness of the student's misconduct or behavior;
- Whether the student's misconduct or behavior threatened the safety of any pupil or staff member;
- Whether restorative practices will be used to address the student's misconduct or behavior; and
- Whether less severe discipline would properly address the student's misconduct or behavior.

This rebuttable presumption does not apply to short-term suspensions (i.e., 10 school days or fewer) or to a student who possesses a firearm in a weapons free school zone. However, with respect to all long-term suspensions and expulsions, the School District administrator implementing the discipline will consider and document consideration of the seven factors listed above.

**Restorative Practices** Consistent with Michigan law in every case, the school district will consider restorative practices as an addition or alternative to suspension or expulsion. Restorative practices are practices that emphasize repairing the harm of the victim and the School District Community of a student's misconduct or other behavior. Restorative practices may be considered and implemented by a restorative practice team. The Restorative Practices team may be constituted and act in a manner described in section 1310c(2) of the Revised School Code or in a different manner, depending on the circumstances as a whole.

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

## **DEFINITIONS OF DISCIPLINE**

**Administrative Intervention** Disciplinary action that does not result in an out-of-school suspension and which includes, but is not limited to, restorative practices. Administrative intervention may include the removal of a student from a class, in-school suspension, a reprimand, restitution, detention and/or work assignment before or after school, additional classroom assignments, and revocation of the privilege of attending after-school functions and activities, events, etc.

**Snap Suspension** if, during a class, subject, or activity, a teacher has good reason to believe: a student has engaged in conduct that unquestionably interferes with the education of that student or other students, or a student has engaged in conduct that poses a clear and present danger to that student or other students, the teacher may suspend the student from that class, subject or activity for up to one full school day.

**Suspension** Exclusion of a student from school for fewer than 60 school days or exclusion from school, which will terminate upon the fulfillment of a specific set of conditions.

**Expulsion** Exclusion of the student from the school district for 60 days or more or permanent exclusion.

### **Introduction to the Disciplinary Actions and Prohibited Acts**

**Introduction** This student code of conduct balances the school district's obligation to maintain safety and a conducive educational environment with the school district's obligation to teach appropriate behavior to students who engage in misconduct and inappropriate behavior.

The Student Code of Conduct establishes the rules governing the most serious and obvious types of student misconduct. The prohibited acts listed in the Student Code of Conduct are not to be considered as an all-inclusive list or as a limitation upon the authority of the school officials to deal appropriately with violations of the school buildings, individual rules and regulations, or other types of conduct which interfere with the good order of a school system, the proper functioning of the educational process, or the health and safety of students.

**Attendance and Tardiness Policies** The student code of conduct does not include the School District's attendance and tardiness policies, The School District's requirement for credit and graduation, or the school district's authority to regulate the participation of students in extracurricular and athletic activities.

**Range of Discipline** Each prohibited act listed in the Student Code of Conduct, references the discipline which may be imposed for a violation. The school district will also consider restorative practices as an addition or alternative to discipline. The discipline for violating some prohibited acts ranges from administrative intervention to expulsion. For other prohibited acts, the penalty ranges from suspension to expulsion. For violation of the most serious prohibited acts, the penalty is expulsion. In cases where the stated penalty is not expulsion, but is set forth in terms of a range, the actual penalty imposed will depend upon the nature of the severity of the offense, particular facts involved, the age of the student, the student's prior behavioral record, the persistent and/or chronic nature of the misconduct, the recommendation of school personnel, and all other circumstances deemed relevant.

A student violating any of the prohibited acts listed in this student code of conduct will be disciplined in accordance with the code of conduct. Additionally, A student who engages in a prohibited act that violates the law may be referred to the appropriate police authority.

The prohibited act on school property;

- Engages in a prohibited act on school property;
- Engages in a prohibited act in a motor vehicle, including one being used for a school-related purpose;
- Engages in a prohibited act at a school-related activity, function, or event;
- Engages in a prohibited act in route to or from school;
- Engages in a prohibited act involving another student who is in route to or from school;
- Engages in a prohibited act off school premises, which act is either prohibited by law or, in the judgment of the building administrator, is of such seriousness that the student's continued attendance in school would present a danger to the health and safety of students or employees, and/ or would substantially interfere with the proper functioning of the educational process; or
- Engages in a prohibited act when the student was not enrolled in the School District or was enrolled in another School District if the act of misconduct would constitute A sufficient basis for suspension or expulsion had it occurred while the student was attending school in the School District.

## PROHIBITED ACTS

Unless otherwise specified, penalties for all prohibited acts range from administrative intervention to permanent expulsion, depending on a number of factors, including the severity of the conduct; the impact of the conduct on the school and the surrounding community; applicable Board of Education policies; and state and federal laws.

1. **Alcohol, Marijuana, and Chemical Substances** The student shall not manufacture, sell, handle, possess, use, deliver, transmit, or under any degree of influence. (legal intoxication not required) of any alcoholic beverages, Marijuana, or other intoxicant of any kind. The student shall not inhale glue, aerosol, paint, lighter fluid, reproduction fluid, or other chemical substances for the purpose of becoming intoxicated or under the influence. (legal intoxication not required).
2. **Arson** A student shall not burn or attempt to burn any tangible property or intentionally set a fire on school property or cause or attempt to cause an explosion on school property.
  - a. This section is supplemental to and does not limit or supersede, paragraphs 3,12, 22, and 36.
3. **Arson prohibited by law** A student shall not commit an act of arson, prohibited by MCL 750.71 through MCL 750.80. This section is supplemental to and does not limit or supersede paragraphs 2, 12, 22, and 36.
4. **Bullying and Hazing.** Students are prohibited from engaging in conduct, whether written, verbal, or physical, that unreasonably interferes with another's participation in, or the enjoyment at school, or school-related activities, such as bullying or hazing. The Board of Education has adopted policy 2006 on bullying and as a part of the policy [insert or policy number here]. A corresponding administrative regulation. AR-2006 has been developed to implement the policy.
  - a. "Hazing," For the purpose of this Student Code of Conduct, means initiating another student into any grade, school, or school-related activity by any means or methods that may cause physical or emotional pain, embarrassment, or discomfort.
5. **Coercion, Extortion, and Blackmail** a student shall not commit coercion, extortion, or blackmail. A student shall not engage in the act of securing or attempting to secure money or other items of value using threats and/ violence, or force another person to perform an unwilling act.
6. **Copyrighted Material** A student shall not unlawfully duplicate, reproduce, retain, or use copyrighted material.
7. **Criminal Acts** A student shall not commit or participate in any conduct or act defined as a crime by federal or state law or local ordinance.
8. **Criminal Sexual Conduct** A student shall not commit criminal sexual conduct, as defined by MCL 750.520b-e and g. This section is supplemental to, and does not limit, paragraphs 9, 10, 14, 24, 25, and 35.
9. **Discriminatory Harassment** A student shall not engage in unwelcome sexual advances or requests for sexual favors or unwelcomed sexual touching. A student shall not engage in other verbal or physical conduct relating to a person's sex, race, color, national origin, religion, height, weight, marital status, or handicap or disability (e.g., sexual or racial comments, threats, or insults, etc.).
10. **Disruption of School** A student shall not, by any type of conduct (violence, force, noise, coercion, threat, intimidation, fear, passive resistance, etc.), cause the disruption or obstruction of any function of the school, nor shall the student engage in any such conduct if such disruption or obstruction is reasonably likely to result. Neither shall a student urge other students to engage in such conduct for the purpose of causing such disruption or obstruction.

While the following acts are not intended to be exclusive, they illustrate the kinds of offenses encompassed within this rule. It should be understood that any conduct which causes disruption, is likely to result in disruption, or interferes with the educational process, is forbidden.

- Occupying any school building, school grounds, or a part thereof, without the permission of a school building staff member, which deprives others of its use;
  - Blocking normal pedestrian or vehicle traffic, the entrances or exits of any school building or corridor or room, without the permission of the building principal;
  - Preventing, attempting to prevent, or interfering with the convening or continued functioning of any class, activity, meeting, or assembly;
  - Instigating or participating in a disturbance, or causing a disturbance, which interrupts the educational opportunities of others or threatens the general health, safety, and welfare of others on school property or at a school-sponsored activity.
11. **Damage of Property or Theft/Possession** A student shall not intentionally cause or attempt to cause damage to school property or the property of another person, or steal, attempt to steal, or knowingly be in the unauthorized possession of school property or the property of another person.
12. **Dangerous Weapons** A student shall not possess a dangerous weapon in a weapon-free school zone, including brass knuckles or a dagger, dirk, firearm, iron bar, knife with a blade over 3 inches in length, pocket knife opened by a mechanical device, or stiletto. This section is supplemental to and does not limit or supersede, paragraph 36.
13. **Dress** A student shall not dress or groom in a manner, which in the judgment of a building administrator, is unsafe to the student or others, disruptive to the educational process, or contrary to the school's mission. (See Dress Code in Handbook)
14. **Drugs, Narcotic Drugs, and Counterfeit Substances** A student shall not manufacture, sell, possess, use, deliver, transfer, or be under the influence (legal intoxication not required) of any drug, narcotic drug, hallucinogen, stimulant, depressant, controlled substance, counterfeit substance, or a controlled substance analog intended for human consumption.
- A student shall not sell, deliver, or transfer, or attempt to sell, deliver, or transfer any prescription or non-prescription drug, medicine, vitamin, or chemical substance (e.g., pain relievers, stimulants, diet pills, pep pills, No-Doze pills, cough medicines, laxatives, stomach or digestive remedies, etc.), nor shall a student use or possess these substances for an improper purpose.
- A student shall not sell or represent a legal substance as an illegal or controlled substance or sell, manufacture, possess, use, deliver, or transfer "designer" drugs.
15. **Electronic Communication Devices and Laser Pointers** Districtwide, students are prohibited from using or possessing active (i.e., turned on) electronic communication devices in restrooms, locker rooms, offices, and other locations where students and staff have a reasonable expectation of privacy. Separately, all students are prohibited from possessing or using laser pointers on school premises and at school-related activities without the express permission of school administration.
- High School. Students are expected to use good judgment when using or possessing active electronic communication devices in hallways during passing time, in the parking lot, cafeteria during lunch, and extra-curricular activities. Students may not use or possess active electronic communication devices without explicit staff permission in class.
  - Middle and Elementary School. Students may not use or possess active electronic communication devices without staff permission. (See Handbook)
16. **Failure to Comply with Directions of School Personnel** A student shall not be insubordinate or fail to comply with instructions and directions of School District employees (including substitute and student teachers), volunteers, or persons acting as a chaperone or in a supervisory capacity.
17. **Failure to Cooperate** A student shall not refuse to cooperate with School District administrators and/or teaching staff investigating a possible violation of this Student Code of Conduct, other codes of conduct, and/or building rules. No student shall make false statements or give false evidence to School District administrators and/or teaching staff. A student shall not refuse to testify or otherwise cooperate with School District personnel in any disciplinary proceeding.
18. **False Alarms** A student shall not knowingly cause a false fire alarm, or make a false fire, bomb, or catastrophe report.
19. **False Allegations** A student shall not libel or slander, or make false allegations against another student, School District employee (including substitute and student teachers), Board of Education members, or volunteers.
20. **Falsification of Records** A student shall not use the name of another person or falsify times, dates, grades, addresses, or other data on School District forms or records. A student shall not provide false, misleading, or inaccurate statements or information on School District forms or records.
21. **Fighting, Assault, and Battery** A student shall not physically assault, or cause, behave in such a way to cause, or threaten to cause physical injury to another person.
22. **Fireworks, Explosives, and Chemical Substances** A student shall not possess, handle, or transmit any substance or prepared chemical that can explode, is capable of inflicting bodily injury, or is reasonably likely to cause physical discomfort to another person.
23. **Gang Insignia/Activity** A student shall not wear or possess any clothing, jewelry, symbol, or other object that may reasonably be

perceived by any student, teacher, or administrator as evidence of membership in or affiliation with any gang. A student shall not commit any act, verbal or non-verbal (gesture, handshakes, etc.), that may reasonably be perceived by a teacher or administrator as evidence of membership in or affiliation with any gang. A student shall not commit any act, verbal or non-verbal, in furtherance of the interests of any gang or gang activity, including, but not limited to: a) soliciting others for membership in any gang or gang related activity, b) requesting any person to pay protection or otherwise intimidating or threatening any person, c) committing any other illegal act or violation of School District rules or policies, or d) inciting other students to act with physical violence on any person. The term "gang" means a group of two or more persons whose purpose or activities include the commission of illegal acts or violations of this Code of Conduct, School District rules or policies, or whose purpose or activities cause disruption or is likely to cause disruption to the educational process.

24. **Improper Communications** A student shall not make threatening, annoying, nuisance, vulgar, and/or obscene communications, verbally, in writing, or by gestures, to School District employees (including substitutes and student teachers), Board of Education members, chaperones, volunteers, or visitors to the school building. The prohibition against such communications shall apply whether the communications are made in a school building or on school premises or outside of a school building or off school premises, and regardless of whether such communications are made during, before, or after school hours or during times when school is not in session.
25. **Indecency** A student shall not engage in conduct that is contrary to commonly recognized standards of decency and behavior, which includes obscenity, indecent exposure, or the use of language in verbal or written form, or in pictures, or in caricatures or gestures, which are offensive to the general standards of propriety.
26. **Lookalike Weapons** A student shall not possess, handle, or transmit any object or instrument that is a "look-a-like" weapon or instrument (e.g., starter pistol, rubber knife, toy gun, etc.).
27. **Misconduct Prior to Enrollment** An otherwise eligible resident may be suspended or expelled for an act of misconduct committed while the student was: (a) a resident of another district; (b) enrolled in another school; (c) outside of school hours; or (d) off school premises if the misconduct would have constituted a sufficient basis for suspension or expulsion had it occurred while the student was enrolled in the School District.
28. **Personal Protection Devices** A student shall not possess, handle, or transmit a personal protection device (e.g. pepper gas, mace, stun gun, electric shock device, etc.) capable of inflicting bodily injury or causing physical discomfort to another person.
29. **Recording** A Student may not use any device, electronic or otherwise, to capture, record, or transmit sounds or words (i.e. audio) or images (i.e., photographs or videos) of any person while at school or school-related events unless the student is given express consent by that person.
30. **Trespassing, Loitering** A student shall not be on school property or in a school building except to participate in the educational process of the School District, nor shall a student loiter in building hallways, classrooms, bathrooms, etc.
31. **Scholastic Dishonesty** A student shall not engage in academic cheating. Cheating includes, but is not limited to: the actual giving or receiving of any unauthorized aid or assistance or the actual giving or receiving of unfair advantage on any form of academic work. A student shall not engage in plagiarism, which includes the copying of language, structures, ideas, and/or thoughts of another and represent it as the student's own original work.
32. **Smoking/Tobacco** A student shall not smoke, chew, or otherwise use tobacco. A student shall not, while on school property, have in the student's possession or under the student's control, tobacco in any form. This includes electronic cigarettes, vaporizers, or any other device that simulates smoking any type of product, regardless whether they are manufactured, distributed, marketed, or sold under any product name or descriptor.
33. **Suspended Student on School Property or Attending School Activities** A student, while suspended, shall not enter onto School District property without the prior permission of a building administrator.  

A student, while suspended, shall not participate in, or attend any school-related activity, function, or event, held on or off school property, without the prior permission of a building administrator.
34. **Violation of Acceptable Use Policy** A student shall not violate or attempt to violate School District policies, administrative regulations, and directives concerning School District or personal computers, networks, and telephone systems. Violation of any of the rules and responsibilities may result in a loss of access privileges/technology privileges/computer usage and may result in other disciplinary or legal actions including restitution.
35. **Violations of Building's Rules and Regulations** A student shall not commit or participate in any conduct or act prohibited by a school building's rules and regulations.
36. **Weapons and Dangerous Instruments** A student shall not possess, handle or transmit a knife with a blade length of three (3) inches or less, airsoft gun, blackjack, baton, martial arts device, paintball or splat gun, or other object or instrument that can be considered a weapon or is capable of inflicting bodily injury.



## **DUE PROCESS – PROCEDURES FOR DISCIPLINE**

**Introduction** These procedures govern the suspension, expulsion, or permanent expulsion of a student from the School District's regular educational program.

If a student charged with violation of this Student Code of Conduct has been returned to the regular school program pending a decision by a School District administrator, the reinstatement does not limit or prejudice the School District's right to suspend or expel the student following a decision by a superior administrator or the Board of Education.

The initial judgment that a student has engaged in a prohibited act under this Student Code of Conduct shall be made by the building administrator.

**Short-Term Suspension (i.e., 10 School days or fewer)** As a general rule, prior to any out-of-school suspension, the building administrator will:

- Inform the student of the misconduct or behavior for which discipline is being considered and, if the student denies the misconduct or behavior, an explanation of the evidence the administrator possesses;
- Provide the student an opportunity to explain their version of the facts; and
- Consider each of seven individual factors listed on pages 5-6 of this Student Code of Conduct.

If a student's presence in school poses an immediate danger to persons or property or an ongoing threat of disruption to the educational process, the building administrator may immediately suspend the student, and as soon thereafter as reasonable, provide the student with their due process rights as set forth above.

If, after following this procedure, the administrator determines that the student has engaged in a prohibited act under the Student Code of Conduct, the administrator may impose a disciplinary penalty of a suspension not to exceed ten (10) school days.

The principal or designee shall inform (in person or by phone) the student's parent of the suspension and of the reasons and conditions of the suspension and, thereafter, in writing. A building administrator's decision to impose a penalty of up to ten (10) school days is final and not subject to further review or appeal.

### **Long-term suspension (i.e., 11 School Days or More), Expulsion (60 School Days or More) and Permanent Expulsion**

**Step 1.** If the building administrator decides that a suspension for eleven (11) or more school days or expulsion is warranted, the student and the parent shall be notified in writing of:

- The charges against the student;
- The recommended disciplinary action;
- The fact that a hearing will be held before the Superintendent; and
- The time, place, location, and procedures to be followed at the hearing.

The written notice will also document the building administrator's consideration of the individual factors listed on pages 5-6 of this Student Code of Conduct and consideration of restorative practices.

If the building administrator decides the student's presence in school would present a danger to the student, other students, school personnel, or the educational process, the student will be suspended pending the decision of the Superintendent. If the building administrator determines that the student would not present a danger as described above, the student may be returned to school pending the decision of the Superintendent. If the student is suspended pending a decision of the Superintendent or designee, the hearing will commence within ten (10) school days following the initial suspension of the student. If the student is not suspended pending the decision of the Superintendent, then the Superintendent or designee will schedule the hearing to be held within fifteen (15) school days following the completion of the building principal's investigation of the charges. The timelines for the commencement of the hearing may be enlarged upon the request of the administrator, student, or parent.

**Step 2.** A hearing before the Superintendent will be held for the purpose of determining the truth or falsity of the charges against the student and, if the charges are found to be true, the consideration of the individual factors listed on pages 5-6 of this Student Code of Conduct, the consideration of restorative practices, and the appropriate disciplinary measures to be imposed.

The student and/or the student's parent may notify the School District that they waive their right to a hearing. In such cases, the principal's recommended disciplinary penalty will ordinarily be imposed, provided, however, that if the recommended penalty is expulsion or permanent expulsion, the Superintendent will nevertheless make the final decision.

The Superintendent may amend the principal's charges upon motion of the building administrator, student, or parent, or amend the charges upon the Superintendent's own motion to conform to the evidence presented at the hearing. Additionally, the Superintendent may impose a greater or lesser penalty than that imposed or recommended by the building administrator.

**Step 3.** The Superintendent's decision shall be given orally to the student and parent not later than five (5) school days after the close of the hearing. A written decision will be mailed at that same time. These timelines, however, may be enlarged by the Superintendent due to extenuating circumstances.

**Step 4.** A decision by the Superintendent to permanently expel a student may be appealed to the Board of Education by filing a written notice

with the Superintendent within five (5) school days of the decision. The appeal will be heard in open or closed session, as elected by the parent.

An appeal to the Board of Education will not involve further testimony or new evidence. During the appeal hearing, the Superintendent will share the results of the hearing at the Superintendent's level and make a recommendation to the Board of Education. The student, parent or legal representative will have an opportunity to address the Board of Education. The Board of Education may ask questions of the Superintendent, the parent, or the student and will render a written decision on the appeal within fifteen

(15) school days.

#### **Inconsistency with Law, Board Policy, or Administrative Regulation**

This Student Code of Conduct is intended to be consistent with Michigan law, the Policies of the Board of Education, and Administrative Regulations promulgated by the Superintendent. If there are any inconsistencies, they should be resolved with the understanding that Michigan law supersedes both the Policies of the Board of Education and Administrative Regulations and Board Policy supersedes Administrative Regulations.

### **CATEGORIES OF MISCONDUCT**

The Board of Education has established standards of behavior in school or on school district property, on school buses, and at school activities. These standards of behavior also apply when a student's conduct at any other time or place has a direct and immediate effect on maintaining order and discipline, or on protecting the safety and welfare of students or school district staff. Misconduct is defined as any action which

- does not conform to reasonable standards of socially acceptable behavior,
- does not respect the person or property of others,
- does not preserve the order necessary to the educational program of the school,
- does not respect the rights of others, or
- involves disobedience to duly constituted authority or disrespect for those who hold that authority.

### **ACTS OF MISCONDUCT MAY FALL INTO THE FOLLOWING CATEGORIES**

#### **MINOR INFRACTIONS MAY INCLUDE BUT ARE NOT LIMITED TO:**

1. Lack of cooperation.
2. Violation of school/cafeteria rules.
3. Shoving, tripping, horseplay, or other actions that endanger the safety of others.
4. Indirect, improper language (profane, indecent, or immoral).
5. Failure to provide required information to school authorities (example: emergency card)
6. Unauthorized sale of products on school property.
7. Unauthorized distribution or posting of communicative materials.
8. Participation in unauthorized assemblies of students
9. Use of another student's planner.
10. Outside building during school hours.
11. Leaving campus during school hours.
12. Disrespectful behavior.
13. Violation of the Computer Use Policy
14. Standing on the cafeteria tables
15. Students found in unauthorized hallway where they have no immediate class

#### **POSSIBLE DISCIPLINARY ACTION FOR MINOR OFFENSES:**

Since parents and school personnel share the responsibility for supervising student behavior, every effort will be made to keep parents informed of the nature and frequency of minor offenses. Disciplinary action for minor offenses will be progressive, relate in kind and degree to the infraction, help the student learn to take responsibility for actions, and be directed, wherever possible, to minimize the harm that may have been done by the infraction.

*Restorative practices are practices that emphasize repairing the harm of the victim and the School District Community of a student's misconduct or other behavior. Restorative practices may be considered and implemented by a restorative practice team. The Restorative Practices team may be constituted and act in a manner described in section 1310c(2) of the Revised School Code or in a different manner, depending on the circumstances as a whole.*

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

Actions may include all or part of the following:

1. 1<sup>st</sup> offense 1 Detention
2. 2<sup>nd</sup> offense 2 Detentions
3. 3<sup>rd</sup> offense 1 day suspension
4. 4<sup>th</sup> offense 2 day suspension
5. 5<sup>th</sup> offense 3 day suspension
6. 6<sup>th</sup> offense 4 day suspension

7. 7<sup>th</sup> offense 5 day suspension

## **ILLEGAL ACTIONS AND MAJOR INFRACTIONS**

The following actions are considered major violations of the order of the school:

### **MAJOR INFRACTIONS:**

***Any items involved in an infraction will be confiscated and not returned.***

1. Use, sale, or possession of tobacco nicotine, or vape paraphernalia on school district property or during school-sponsored events.
2. Larceny/theft/possession of stolen property.
3. Hazing/Performing acts of initiation into a group, class, or organization that causes physical, mental, or emotional harm.
4. Extortion
5. Gambling
6. Malicious mischief
7. Trespassing/Being present in a locked or posted location without permission.
8. Unlawful interference with school authorities or programs.
9. Fighting (Five-day suspensions for both parties on the first offense unless one party attempted to walk away and was physically unable).
10. Possession or distribution of materials that are libelous, pornographic, or that advocate illegal acts.
11. Gaining access, altering or forging (on paper or electronically) school documents or school databases, or possession of a "virus" disk.
12. Gross negligence/Violation of rules for safe and orderly conduct
13. Disorderly conduct/Substantial interference with the operation of the district by unlawful student assemblage or group/individual acts of violence, disruption, vandalism, or building seizure.
14. Racial or sexual harassment/intimidation.
15. Bullying or harassment
16. Insubordination/BOLD resistance to authority.
17. Giving false identification, information, or false attendance calls.
18. Profanity and/or obscene gestures directed at staff.
19. Possessing or distributing non-commercial and/or pirated software (computer disks, CD's).
20. Indecent exposure
21. Computer crimes or compromising/tampering with the school's computers, devices, or network.
22. Possession of laser devices on school property or during school activities.
23. Use, sale, or possession of illegal drugs/drug paraphernalia/look-alike substances or alcohol on school property or during school-sponsored events will result in a 10 Day Suspension.
24. Arson
25. Battery/Harmful striking of another person.
26. Assault/An offer or threat to do physical harm, with force or violence, and the apparent present means to carry out that threat.
27. Burglary/Breaking and entering a building with intent to steal.
28. Possession or use of explosives, flammable or dangerous materials.
29. Possession of firearms or items that could be used as weapons including knives of any length on school district premises.
30. Setting false alarms.
31. Threats made to school, school personnel, or student body.
32. Throwing items over the balcony railing (\*10-day suspension due to risk of injury to those below.)
33. Improper touching of another student, lewd and promiscuous behavior.
34. Dress code
35. Cell phone/electronic communication devices (including smart watches)-improper use or refusal to surrender to a staff member as directed.
36. Inappropriate bathroom use-multiple students in a stall.

## **DISCIPLINARY ACTION FOR MAJOR INFRACTIONS**

While minor infractions may warrant progressive consequences, major violations of school conduct may be followed by imposition of more severe consequences on the first offense. Violation of the major infractions above may result in immediate suspension for up to ten days and may be followed by long-term suspension or expulsion from the school program by the Board of Education (as a result of a formal hearing). The District will also pursue criminal prosecution of violations of applicable state and federal laws on school property. Suspensions from school for major offenses require notification to parents by phone or in person, followed by notification by mail (with a copy to student record). Conditions for readmission of students may include restitution for property damage and/or acceptance of outside professional help for behavioral difficulties. Documentation of satisfactory completion of conditions for readmission will be provided. Work missed during suspension from school will count toward credit or graduation unless stated by the administrator. As a result of a major infraction, students may be restricted from enrollment in one or more educational alternatives in the Anchor Bay School system. Major offenses committed on school transportation will be considered major school offenses.

### **CONSEQUENCES FOR MAJOR INFRACTIONS**

1<sup>st</sup> Offense = Up to 3-day Suspension

2<sup>nd</sup> Offense = Up to 5-day Suspension

3<sup>rd</sup> Offense = Up to 10-day Suspension

Subsequent Offenses = Up to 10-day Suspension

***The severity of the infraction may allow for an accelerated/reduced consequence.***

*Restorative practices are practices that emphasize repairing the harm of the victim and the School District Community of a student's misconduct or other behavior. Restorative practices may be considered and implemented by a restorative practice team. The Restorative Practices team may be constituted and act in a manner described in section 1310c(2) of the Revised School Code or in a different manner, depending on the circumstances as a whole.*

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

**During the period of suspension, the student has forfeited any and all privileges to attend school functions or any school-sponsored activities and/or be on school grounds. Violation of this provision will be construed to be willful violation of reasonable school rules, and subject to further suspension.**