

*The Grosse Pointe Public School System
Grosse Pointe, Michigan*

STUDENT CODE OF CONDUCT



BOARD POLICY JCD (Revised April, 2004)

The Grosse Pointe Public School System
389 St. Clair Avenue
Grosse Pointe, Michigan 48230

Dear students and parents,

The attached Student Code of Conduct has been revised for the 2004-05 school year. While few changes in the Student Code have been made, the School System is still required by state law (since 2000) to report certain misconduct to local police agencies. Offenses that require reporting are clearly indicated on a chart and, individually, with the alphabetical list of offenses-consequences.

As in the past, the fundamental purpose of a statement defining standards of behavior is to support the educational goals of The Grosse Pointe School System and to preserve the community's expectation of a safe, orderly, and productive learning environment for each student.

Additional copies of JCD Student Code of Conduct (and JCDD High School Athletic Code of Conduct) are available in school offices.

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I. GENERAL INFORMATION ABOUT THE STUDENT CODE OF CONDUCT**A. PURPOSE OF THE CODE**

The Code identifies standards of conduct needed to support the educational objectives of the School System and to protect each student's right to a safe, orderly, and productive learning environment. Reasonable rules and regulations regarding behavior are necessary for a harmonious school environment. Necessary also is the administrative imposition of disciplinary consequences for student violations of school rules and regulations.

B. APPLICATION AND SCOPE OF THE CODE

The Code of Conduct covers all students enrolled in The Grosse Pointe Public School System. The Code applies to a student who is on school premises, in a school-related vehicle, or at a school-sponsored activity or trip. While the School System is not responsible for supervising or regulating off-campus activities, the School System may impose disciplinary or remedial measures in the event that off-campus activities of students, including travel to and from school, directly interfere with the operations, discipline, or general educational environment of The Grosse Pointe Public School System.

C. IMPLEMENTATION OF THE CODE

Implementing the Code is primarily the responsibility of the principal. When used in the Code, the term "principal" is the assigned principal, an acting principal, an assistant principal, or any other individual so designated by the principal or central administration. Principals shall keep records of disciplinary action and notify central administration of disciplinary action that involves exclusion of a student from school.

When the nature of an offense permits, disciplinary consequences will occur progressively, with the intent to provide guidance and counseling whenever possible. In cases of severe offense, however, it may be necessary to proceed directly to an advanced level of disciplinary action.

D. THE CODE AND STUDENT ASSISTANCE

When a principal deems it appropriate under certain circumstances, the Code supports the use of an assistance program for a student whose conduct suggests a need for assistance. Student assistance programs are designed to intervene as early as possible when a student's conduct indicates specific need. In providing assistance, program staff may work with counselors, social workers, and psychologists.

E. REMOVAL OF A STUDENT FROM SCHOOL PENDING INVESTIGATION

When a principal deems it necessary, the Code permits temporary removal from school of a student charged with, suspected of committing, or suspected of being involved in, an infraction or incident, for a reasonable period of time necessary:

- to complete the investigation of an alleged infraction or incident,
- to defuse a situation that could become worse without such removal, or
- for other reason(s) as renders such a removal in the best interests of a particular student, a school, its students, or its staff.

Such a removal shall not constitute disciplinary action, although the infraction or incident that prompts it may conclude in disciplinary action.

F. THE CODE AND CONFIDENTIALITY OF DISCIPLINARY RECORDS

A student's record of disciplinary action is confidential. Parents may request and receive a copy of a school record of disciplinary action about their own child. Except as required by law or state mandate, or in keeping with a parent's written request, or a student's written request if age 18 or older, a student's record of disciplinary action is not released.

G. THE CODE AND REPORTING CERTAIN OFFENSES TO LOCAL POLICE

In compliance with MCL 380.1308 and the Michigan School Safety Response Guide, the Grosse Pointe Public Schools report certain incidents of student misconduct to local police agencies within the limits of the Family Educational Rights and Privacy Act. Listed on the next page are examples of offenses that must be reported to police and other offenses that may be reported depending on individual circumstances.

G. REPORTING CERTAIN STUDENT OFFENSES TO POLICE (continued)

Column A – Reporting is **required**.

Column B – Reporting **may be required** depending on the specific circumstances of each incident and the corresponding requirements of MCL 380.1308.

Column C – Reporting these offenses will occur **only when** a school administrator believes a police report is **in the best interests of the student, school, or community**.

In judging whether to report an offense to local police, administrators consider multiple criteria including current law, severity of the incident, pattern of the student’s behavior over time, and specific context of each incident. Whenever police are contacted, central administration is notified, and a record of the contact is kept.

<p style="text-align: center;">A Under MCL 80.1308, the School System Must Report to the Local Police</p>	<p style="text-align: center;">B Under MCL 380.1308, the School System May Report to the Police <i>Administrative discretion is used on a case-by-case basis</i></p>	<p style="text-align: center;">C Under Policy JCD, examples of other offenses that School System May Report to Police <i>Administrative discretion is used on a case-by-case basis</i></p>
<input type="checkbox"/> Minor in Possession (MIP) Alcohol, tobacco products; Include under influence	<input type="checkbox"/> physical assault	<input type="checkbox"/> gang or other hate-related activity
<input type="checkbox"/> possession, use, dealing drugs or other controlled substances	<input type="checkbox"/> verbal assault	<input type="checkbox"/> hazing <input type="checkbox"/> demonstrations / strikes
<input type="checkbox"/> Reportable Weapons: “firearms, bombs, silencers, double-edged, non-folding stabbing instruments, a switchblade, a blackjack, a slingshot, a billy club, a bludgeon, metallic knuckles, a sand club, a sand bag, a taser or stun gun, a gas ejecting device that is not a self-defense spray device or any other article carried or possessed for use as a weapon e.g., a tire iron or baseball bat carried for purposes of assault or defense.”	<input type="checkbox"/> theft – under \$100	<input type="checkbox"/> smoking
	<input type="checkbox"/> vandalism – under \$100 (intentional destruction of property)	<input type="checkbox"/> other weapons (not shown in Column A) <u>not</u> required to be reported under MCL 380.1308 or MI School Safety Response Guide
		<input type="checkbox"/> fighting; inciting or prompting others to fight; gang fighting <input type="checkbox"/> illegal gambling
<input type="checkbox"/> arson	<input type="checkbox"/> bus with students involved in accident or incident	<input type="checkbox"/> making a false alarm (such as pulling a fire alarm)
<input type="checkbox"/> explosion		<input type="checkbox"/> a student on campus during an out-of-school suspension
<input type="checkbox"/> vandalism – over \$100 (intentional destruction of property)		<input type="checkbox"/> inappropriate use of vehicle on school premises
<input type="checkbox"/> theft – over \$100		<input type="checkbox"/> suspicious intruders
<input type="checkbox"/> robbery / extortion		<input type="checkbox"/> unauthorized removal of student
<input type="checkbox"/> bomb threat		suspected child abuse – must call Wayne County Family Independence Agency: 396-0300
<input type="checkbox"/> criminal sexual conduct		<input type="checkbox"/> harassment / bullying / threats
<input type="checkbox"/> suicide threat or attempt		<input type="checkbox"/> other activities or behaviors that school administrators deem advisable
<input type="checkbox"/> suspected/armed student/hostage		
<input type="checkbox"/> intruder if he/she refuses to leave		
<input type="checkbox"/> death or homicide		

II. OFFENSES AND CONSEQUENCES

The following pages contain a list that includes, but is not limited to, the types of student conduct that the Board of Education considers inappropriate and the corresponding disciplinary consequences for offenses. Restitution may also be required as appropriate.

Any attempt to commit an offense may be treated as a completed offense.

A. UNACCEPTABLE CONDUCT

B. CONSEQUENCES

ALCOHOL / DRUGS – CONSUMPTION

Use of alcoholic beverages or illegal drugs,* on school premises, in a school-related vehicle, or at a school-sponsored activity or trip.

Being under the influence of alcohol or illegal drugs* on school premises, in a school-related vehicle, or at a school-sponsored activity or trip.

Willful misuse of medication or abuse of other substances, including over-the-counter treatments or products (e.g., inhaling glue or aerosol can contents), that results in or could result in intoxicating effects on school premises, in a school-related vehicle, or at a school-sponsored activity or trip.

*Illegal drugs include, but are not limited to, cocaine, heroin, marijuana, steroids, and any other illegal substance.

Five day temporary separation up through expulsion. Participation in a student assistance program may be required. Under MCL 380.1308, local police must be notified.

***DETECTION** The Board understands that determining if a student has used alcohol can be difficult without objective criteria short of administering a urine and/or a blood test. In those cases, the Board authorizes the use of alcohol detection devices by school officials.*

ALCOHOL / DRUGS – POSSESSION

Possession of alcoholic beverages, illegal drugs,* or drug paraphernalia on school premises, in a school-related vehicle, or at a school-sponsored activity or trip.

Five day temporary separation up through expulsion. Participation in a student assistance program may be required. Under MCL 380.1308, local police must be notified.

ALCOHOL / DRUGS – SUPPLY

Selling, supplying, or arranging for the sale or supply of alcoholic beverages, illegal drugs,* drug paraphernalia, or “look-alike” substances that are misrepresented as drugs to another person on school premises, in a school-related vehicle, or a school-sponsored activity or trip.

Ten day suspension up through expulsion. Participation in a student assistance program may be required. Under MCL 380.1308, local police must be notified.

ARSON

Deliberately burning or attempting to burn any property, whether owned by the school or others, on school premises, in a school-related vehicle, or at a school-sponsored activity or trip.

Permanent expulsion from the school district. Under MCL 380.1308, local police must be notified.

A. UNACCEPTABLE CONDUCT

B. CONSEQUENCES

ASSAULT –PHYSICAL See Disruptive Behavior, Fighting, Harassment / Threats, Hazing

Physical assault means intentionally causing or attempting to cause physical harm to another through force or violence while on school premises, in a school-related vehicle, or at a school-sponsored activity or trip.

NOTE: Ordinarily, a fight will not rise to the level of a physical assault, although an act which causes or incites a fight may constitute a physical assault if it is sufficiently serious, i.e., unprovoked, unanticipated, or unusually violent. Physical altercations that are not serious enough to be classified as a “physical assault” will generally be classified as “fighting” or “disruptive behavior.”

ASSAULT-VERBAL See Disrespect, Profanity, Harassment

Verbal assault means a communication by a student directed at another person that, in the judgment of administration, is hostile and threatens to do harm to another person or to property on school premises, in a school-related vehicle, or at a school-sponsored activity or trip.

Also, communication by a student that causes a reasonable sense of fear.

BOMB THREAT

Threatening to set off an explosive device or other dangerous device on school premises, in a school-related-vehicle, or a school-sponsored activity or trip.

Making a threat of danger that causes an evacuation of a building or event.

CHEATING See Forgery and Plagiarism

Copying or supplying class work, homework, tests, etc. for personal benefit.

CLOSED CAMPUS VIOLATION

Leaving school property without proper dismissal through the Attendance Office or school clinic.

CLOTHING – INAPPROPRIATE ATTIRE

Lack of appropriate clothing, or wearing clothing that interferes with the health and safety of students or creates, or potentially creates, a disruptive influence on the educational environment (e.g., bare feet [except at acceptable times in acceptable areas, typically related to physical education or drama classes], tank tops, short shorts, and clothing with inappropriate messages) on school premises, in a school-related vehicle, or at a school-sponsored activity or trip.

For students in Grades K-5: Warning up through expulsion. Under MCL 380.1308, local police may be notified.

For students in Grades 6-12: an exclusion for up to 180 school days is required under state law (MCL 380.1310) for physical assault against another student.

For students in Grades 6-12: expulsion is required under state law (MCL 380.1311a[1]) for physical assault against a school employee, volunteer, or contractor of the School System.

For all students: Warning up through expulsion. Under MCL 380.1308, local police may be notified.

For students in Grades 6-12: Under MCL 380.1311a[2], a suspension or expulsion is mandatory for verbal assault against a school employee, volunteer, or contractor of the School System.

Temporary separation up through expulsion. Under MCL 380.1308, local police must be notified.

For students in Grades 6-12: under MCL 380.1311a, suspension or expulsion is mandatory.

Failing grade on the assignment or test up through suspension.

Counted as unexcused absence and detention assigned.

First offense: student is told to change into appropriate attire and is assigned detention for class time missed. Second (and any subsequent) offense: student is told to change into appropriate attire and is assigned detention(s) through temporary separation.

A. UNACCEPTABLE CONDUCT**B. CONSEQUENCES****CRIMINAL SEXUAL CONDUCT**

A sexual act in violation of Michigan Criminal Sexual Conduct law (MCL 750.520a-g) on school premises, in a school-related vehicle, or at a school-sponsored activity or trip.

Permanent expulsion from the school district. Under MCL 380.1308, local police must be notified.

DEMONSTRATIONS / STRIKES

Strikes by students are prohibited. A strike shall mean the concerted effort by two or more students in any of the following activities:

- Refusal to go to a class, refusal to leave a class, refusal to obey an order of a teacher, principal, or other person having authority to give the order.
- Refusal to leave school premises, a school-related vehicle, or a school-sponsored activity or trip when ordered to do so by a person have the authority to give the order.

Warning up through expulsion. Local police may be notified as appropriate.

DESTRUCTION OF PROPERTY

- Negligent, but not intentional, damage of property.
- Deliberate or intentional damage of property (e.g., vandalism).

- Restitution and warning up through temporary separation.
- Restitution and temporary separation up through expulsion. If damage exceeds \$100, under MCL.380.1308, local police must be notified. If damage is under \$100, police may be notified as appropriate.

DISRESPECT

Abusive language that is intimidating or hostile in reference to, among other factors, race, gender, religion, color, creed, disability, height, weight, physical appearance, sexual orientation, nationality, or ancestry, on school premises, in a school-related vehicle, or at a school-sponsored activity or trip.

Warning up through expulsion. Participation in a specified assistance program may be required.

DISRUPTIVE BEHAVIOR

Failing to follow approved classroom and school rules that are consistent with Board policies and administrative regulations while on school premises, in a school-related vehicle, or at a school-sponsored activity or trip.

Warning up through temporary separation.

FALSE ALARM

Communicating a false alarm, tampering with fire or other alarm or emergency equipment that results in, or potentially results in, disruption of the educational environment on school premises, in a school-related vehicle, or at a school-sponsored activity or trip.

Detention through suspension. Local police may be notified as appropriate.

A. UNACCEPTABLE CONDUCT**B. CONSEQUENCES****FIGHTING**

- The act of engaging in hostile physical contact with another individual while on school premises, in a school-related vehicle, or at a school-sponsored activity or trip.
- The act of inciting or prompting others to fight. Planning or pre-arranging, while on school premises, in a school-related vehicle, or at a school-sponsored activity or trip, for a fight to occur at any location.
- Gang fighting: 3/more individuals fighting.

Temporary separation up through 10 day suspension. Local police may be notified as appropriate for any involvement in an incident of fighting.

Temporary separation up through expulsion.

Temporary separation up through expulsion.

FORGERY/MISREPRESENTATION See Cheating, Plagiarism

Falsely producing or altering writing with the intent to have others believe something untrue.

Detention up through 10 day suspension.

GAMBLING

Engaging in an illegal game of chance or betting; or possessing gambling paraphernalia, on school premises, in a school-related vehicle, or at a school-sponsored activity or trip.

Warning up through suspension and confiscation of paraphernalia. Local police may be notified as appropriate.

HARASSMENT / BULLYING / THREATS See Disrespect, Assault-Verbal, Hazing, Pranks/Practical Jokes

Threatening violence, bullying, directing unwanted attention, by any means of communication, whether or not directed toward any specific individual or group, when that action has an adverse effect on another individual or creates an intimidating, hostile, or offensive learning environment, on school premises, in a school-related vehicle, or at a school-sponsored activity or trip.

Warning up through expulsion. Participation in a student assistance program may be required. Local police may be notified as appropriate.

HARASSMENT-SEXUAL Form for student or staff member to report sexual harassment or discrimination is GAAB-R

Overt activity of a sexual nature when that activity has an adverse effect on another individual or creates an intimidating, hostile, or offensive learning environment on school premises, in a school-related vehicle, or at a school-sponsored activity or trip.

Detention up through expulsion. Participation in an assistance program may be required. Local police may be notified as appropriate.

Prohibited activity includes, but is not limited to: making unwelcome sexual advances; making unwelcome comments of a sexual nature; telling jokes having a sexual theme; using words, sounds, looks, gestures, or pictures to communicate an unwanted sexual message; showing pictures or drawings of a sexual nature; making demands for sexual favors accompanied by threats or accompanied by promises of preferential treatment; patting, pinching, unnecessary physical contact, or inappropriately touching another person.

A. UNACCEPTABLE CONDUCT

HAZING See Disrespect, Harassment/Bullying/Threats, Assault
Any activity which endangers the physical safety of a student, produces mental or physical discomfort, causes embarrassment, fright, humiliation, harassment or ridicule, or degrades the student, regardless of whether the hazing is done with or without the consent of the person/s being hazed.

INAPPROPRIATE CONSUMPTION OF FOOD AND/OR BEVERAGES See Throwing Food, Littering
Eating and/or drinking in unauthorized areas on school premises, in a school-related vehicle, or at a school-sponsored activity or trip.

INSUBORDINATION See Demonstration / Strikes, Disrespect, Profanity/Vulgarity

- Failing to carry out a reasonable request by school personnel.
- Defiance toward school personnel.
- Failing to complete an assigned disciplinary action; failing to leave school premises, a school-related vehicle, or a school-sponsored activity, when told to by school personnel.

School personnel: adult w/ supervisor responsibility.

LITTERING See Inappropriate Consumption of Food and/or Beverages, Throwing Food, Disruptive Behavior

Improperly disposing of food or refuse.

PERSONAL COMMUNICATION DEVICES (e.g., cell phones, personal digital assistants, pagers)

Per Board Policy JCCD, electronic paging devices are not permitted on school premises. Middle school and high school (but not elementary) students may have cell phones and personal digital assistants (PDAs) in school. A cell phone may not be used in any manner during the school day. When use is not permitted, a cell phone's power, including ring and vibrate functions must be off, calls may not be made or answered, and electronic communications or exchanges of information may not occur. Cell phone use is allowed in high schools during lunch periods in areas designated by the principal. A teacher may prohibit cell phones and/or PDAs in a classroom in particular circumstances such as exams or presentations. Cell phone use during before-or-after-school activities is at the discretion of the coach, director, or other adult in charge.

PLAGIARISM See also Cheating; Forgery / Misrepresentation

To present deliberately as the product of one's own ideas the words or ideas of another without clearly attributing the source.

PRANK / PRACTICAL JOKE

Mischief or antic which results in harm, or the potential of harm, to person or property or which disrupts the educational environment on school premises, in a school-related vehicle, or at a school-sponsored activity or trip.

B. CONSEQUENCES

Temporary separation up through expulsion. Local police may be notified as appropriate.

Warning up through temporary separation.

Warning up through suspension.

Warning up through temporary separation.

First offense: Warning through confiscation of the device.

Second (and subsequent) offense/s: Warning up through temporary separation. The device will be confiscated, and parent must contact the school administration before the device is returned.

Failing grade on assignment and possible temporary separation up through failure for the quarter.

Warning up through expulsion.
Local police may be notified as appropriate.

A. UNACCEPTABLE CONDUCT

B. CONSEQUENCES

PROFANITY / VULGARITY

On school premises, in a school-related vehicle, or at a school sponsored activity or trip:

- Intentional use of abusive, profane, or vulgar words, gestures, pictures, or sounds when such profanity and/or vulgarity is specifically directed toward another person or group.
- Unintentional or incidental use of such language or gesture as described above and/or when the use of such language or gesture is not specifically directed toward another person or group.

- Warning through 10 day suspension. Local police may be notified as appropriate.
- Warning up through temporary separation.

SMOKING

Possession or use of tobacco products, including smokeless tobacco or paraphernalia, while on school premises, in a school-related vehicle, or at a school-sponsored activity or trip.

- First offense:** Exclusion until parent confers with an administrator.
 - Second offense:** 3 day temporary separation and exclusion until parent confers with administrator.
 - Third offense:** 5 day temporary separation.
 - Fourth and any subsequent offenses:** up to 10 day suspension.
- Under MCL 380.1308, a minor in possession of tobacco must be reported to local police.

TECHNOLOGY MISUSE See Policy JCDA and Regulation JCDAR-R2 Student Acceptable Use of Technology Agreement

Any violation, in whole or in part, of the Grosse Pointe Public School System Student Acceptable Use of Technology Agreement

- Periodic loss of privilege to access computer network and equipment up through expulsion.
- Restitution is required for some offenses.
- Local police may be notified as appropriate.

THEFT

Any unauthorized taking or possession of money or personal or public property of another on school premises, in a school-related vehicle, or at a school-sponsored activity or trip.

- Restitution and detention up through expulsion.
- Under MCL 380.1308, theft over \$100 must be reported to local police.
- Theft under \$100 may be reported to local police as appropriate.

THROWING FOOD See also Littering and/or Consumption of Food / Beverages – Unauthorized

Throwing food at an object or at an individual anywhere on school premises, in a school-related vehicle, or at a school-sponsored activity or trip.

- Warning up through suspension. Throwing food in a cafeteria will be treated particularly seriously.

TRESPASSING / LOITERING

Being in an unauthorized place or aimlessly lingering on school premises in a school-related vehicle, or at a school-sponsored activity or trip; being on school premises during an assigned exclusion from school.

- Warning up through temporary separation.
- Under MCL 380.1308, a trespasser or loiterer who refuses to leave must be reported to police.

A. UNACCEPTABLE CONDUCT

B. CONSEQUENCES

VANDALISM—see DESTRUCTION Of PROPERTY-

page 6

VEHICLE USE – INAPPROPRIATE

Unsafe driving, inappropriate parking, violation of other vehicle or traffic regulations on school premises or at a school-sponsored activity or trip.

Warning up through expulsion. Student may lose parking privilege.
Local police may be notified as appropriate.

WEAPONS - 3 CATEGORIES

1. **Dangerous Weapons / Materials**
2. **Toy Weapons / Look-Alike / Replica**
3. **Other Weapons / Other Materials**

1. DANGEROUS WEAPONS / MATERIALS

Possession, use, sale, or distribution of any dangerous weapon or dangerous material on school premises, in a school-related vehicle, or at school-sponsored activity or trip:

- Includes, but is not limited to, a firearm, a dagger, a dirk, a stiletto, a knife with a blade over three (3) inches in length, a pocket knife opened by a mechanical device, an iron bar, a razor blade, brass knuckles, any other similar object.
- Also includes a device (e.g. a starter gun) that will, or is designed to, or may readily be converted to, expel a projectile by action of an explosive; or a destructive device including an incendiary charge, poison gas, a bomb, a grenade, a rocket with a propellant charge of more than 4 ounces, a missile having an incendiary charge of more than one quarter ounce, or a mine.

Confiscation of dangerous weapon or material and expulsion from school district unless student can prove in a clear and convincing manner that at least one of the following statements is true:

1. The object or instrument possessed by student was not possessed by student for use as a weapon, or for direct or indirect sale, or delivery to another person/s for use as a weapon.
2. The weapon was not knowingly possessed by the student
3. The student did not know or have reason to know that the object or instrument in the student’s possession was a dangerous weapon.
4. The weapon was possessed by the student at the suggestion, request, direction, or permission of police or school authorities.

Under MCL 380.1308 police must be notified.

2. TOY WEAPON / LOOK-ALIKE / REPLICA

Possession, use, sale, or distribution of a toy weapon, a look-alike or a replica weapon except with the prior approval of a teacher or an administrator for appropriate educational use.

Confiscation and warning up through expulsion.
Local police may be notified as appropriate.

3. OTHER WEAPONS / MATERIALS

Possession, use, sale, or distribution of any other weapon or material used as a weapon, including but not limited to, a martial arts weapon; a knife with a blade three (3) inches long or less; any material which inherently, or by its use in a particular case, endangers personal health or safety.

Confiscation and warning up through expulsion.
Under MCL 380.1308, certain other weapons / materials must be reported to local police; other such weapons or materials may be reported to local police as appropriate.

A. UNACCEPTABLE CONDUCT

B. CONSEQUENCES

OTHER INAPPROPRIATE BEHAVIOR

The superintendent and principal of each school are each authorized to take appropriate action, including the imposition of discipline, in the case of other student conduct that endangers, or has the potential to endanger, the student's self, other students, staff members, other persons, or property, or that otherwise disrupts, or has the potential to disrupt, the educational environment on school premises, in a school-related vehicle, or at a school-sponsored activity or trip.

Warning up through expulsion.
Local police may be notified as appropriate.

OTHER SCHOOL RULES

The superintendent and the principal of each school are authorized to develop such other school rules and regulations as may be necessary or appropriate to govern the conduct of students of The Grosse Pointe Public School System. Included in this authority is the imposition of discipline for violations of such rules and regulations.

Warning up through expulsion.
Local police may be notified as appropriate.

III. ADMINISTRATION OF THE CODE OF CONDUCT

A. Progressive Levels of Disciplinary Action

The principal determines appropriate and necessary disciplinary action that usually involves 3 progressive levels of disciplinary action described below: In the case of graduating seniors who are suspended at an advanced disciplinary action level during the final days of the school year, the appeal process may be accelerated so that written notice of reasons for the suspension, a conference with the principal, and all stages of the appeal are implemented as rapidly as possible.

1. Discipline Not Involving Exclusion From Class/School

- a. **Level I** Warning, conference with the student and/or the student's parent(s) or guardian, detention, referral to a school counselor, social worker, psychologist, and/or the services of a student assistance program.
- b. **Level I** A student may be assigned to an in-school separation (assigned area of study in school).

2. Discipline Involving Exclusion From Class/School

- a. **Level II** Temporary Separation by principal (**up through 5 days**) or teacher (up to 1 class) means the in-school exclusion of a student from 1 or more classes, subjects, or activities or the exclusion out-of-school, for any period of time, up to and including 5 school days. Temporary Separation includes exclusion from extracurricular activities and school activities and trips except when the temporary separation is imposed by a teacher under MCL 380.1309.
- b. **Level III** Suspension by a principal (**more than 5 days**) means:
The exclusion of a student from school, activities, and trips for a period of more than five school days and terminating at a time specified.
Suspension includes exclusion from extracurricular activities and school activities and trips.

C. **Level IV** Expulsion by the superintendent means:

the exclusion of a student from the School System and the severance of all rights of and responsibilities to that student

B. Authority to Exclude a Student From Class/School**1. Level II Temporary Separation**

Any principal may temporarily separate a student. Under MCL 380.1309, a teacher has the authority to temporarily separate a student for up to 1 school day from a class, subject, or activity for which the teacher has responsibility if the student engages in disruptive behavior, as defined in Section III C.1.d., below. A teacher who exercises this authority must immediately report the student's exclusion to the principal, must send the student to the office, and must arrange a conference about the separation with the student's parent or guardian as soon as possible.

2. Level III Suspension

A principal may suspend a student from school; such action must be reported to the superintendent or designee without delay. The superintendent or designee may consult with the principal to review the disciplinary action taken, and the length of the suspension. For a suspension beyond 10 school days, such consultation is required. The superintendent shall report suspensions beyond 10 school days to the Board.

3. Level IV Expulsion

The superintendent is authorized to expel a student from the School System. A principal who believes that a student should be expelled should first suspend the student, and then make the recommendation to the superintendent that the student be expelled. The superintendent shall report expulsions to the Board.

C. Reasons for Exclusion of a Student From Class/School**1. Level II Temporary separations will normally be applicable to:**

- a. Students sent home to return on the same day for reasons such as a change of attire.
- b. Students whose immediate exclusion is necessary to protect the health and welfare of the student or the school population. A temporary separation may be imposed when a student's conduct has prompted legal action, when the student has admitted to a violation of the law, or when the student's conduct disrupts normal activities of the school.
- c. Students determined to be in violation of rules, and 1 to 5 days of separation is the appropriate disciplinary action.
- d. Conduct which is so unruly, disruptive, or abusive that it seriously interferes with the teacher's ability to teach the class, subject, or activity effectively, or interferes with the ability of other students to learn.

2. Level III Suspensions will normally be applicable to:

- a. Students whose conduct is in violation of rules of the school, whose conduct deprives other students of reasonable pursuit of their legally constituted rights, or whose conduct may have an adverse effect upon the health and welfare of the student or the school population.
- b. Students whose conduct has resulted in an accumulation of lesser offenses, resulting in cause for suspension. In such cases, the principal shall attempt to confer with the student's parents, prior to the suspension being assigned. When such a conference cannot be held, a letter setting forth the details of the case shall be mailed or delivered to the parents.
- c. Students whose temporary separation is extended due to the failure of the student to meet the conditions accompanying the temporary separation, or when it is determined that an extended period of time is necessary to correct the problem associated with the separation in question, or when the conduct of the student has otherwise shown cause for suspension. The principal shall make reasonable efforts to confer with the student's parents in cases involving such extensions.

3. Level IV Expulsion will normally be applicable to:

- a. Students whose conduct is in gross or persistent violation of rules and regulations, or whose conduct may have an extremely adverse effect upon health and welfare.
- b. Students who have not satisfactorily fulfilled the conditions of a suspension within an appropriate period of time.
- c. Students whose expulsion is mandated by law.

D. Exclusion of Students Who are Handicapped

A handicapped student may be temporarily separated, suspended, or expelled from school if the student has violated this Code of Conduct, subject to the following requirements, when, in the principal's or Board's judgment, the interests of the school require such discipline.

1. If the student is not in Special Education, but there is reasonable cause to believe that the student is handicapped, and that the nature of the handicap is a contributing factor to the behavior, the principal shall immediately:
 - a. Have the student evaluated for purposes of possible Special Education placement.
 - b. Initiate a multi-disciplinary team, if appropriate.
 - c. Defer exclusionary action until the multi-disciplinary team meets to make recommendations.
2. If the student is in (or under subparagraph 1, above, is to be placed in) a Special Education program, and violates this Code of Conduct:
 - a. The student may receive a temporary separation or suspension from school if the student is appropriately placed and the behavior is not a manifestation of the student's handicap.
 - b. The student may receive a suspension of more than 10 days or be expelled, but only after an Individualized Educational Planning Committee determines that:
 - (1) The determination of eligibility is appropriate.
 - (2) The Code of Conduct violation is not a manifestation of the student's handicapping condition.
 - (3) The student's Individualized Education Program (IEP) reflects the Special Education programs and services needed to meet the unique educational needs of the student.

E. Responsibility of the Excluded Student

1. **Level I** Students who are assigned to in-school separation, which includes students excluded by teacher-initiated separation for 1 class, subject, or activity under MCL 380.1309, are allowed make-up privileges with credit for homework, quizzes, and tests. This work will be completed on the due date if assignments have been promptly provided by the teacher; if not, the work will be completed upon the student's return to class.
2. **Levels II-III** Students who are assigned out-of-school exclusion for more serious or repetitive infractions are encouraged to keep up with the work of their classes, but they do not receive credit for daily quizzes, homework, or activities missed during exclusion. These students receive credit for long-term projects and assignments, if submitted on due dates, and for unit or major tests, if made up on the date of student's return to school or as soon thereafter, as scheduled by the teacher. Teachers are not required to assist these students in preparing for tests or completing projects.
3. **Levels III-IV Michigan Compulsory Education Law** Students under 16 years old who are excluded for lengthy periods (e.g. 180 days) or expelled from school are still subject to the state compulsory education law, MCL 380.11. It is the responsibility of the student and the student's parent(s) or legal guardian(s) to locate a suitable alternative educational program and to enroll the student in such a program unless/until the student is reinstated to school in The Grosse Pointe Public School System or elsewhere or the student reaches the age of 16. The Michigan Dept. of Education Office of Safe Schools is charged with compiling information and options for alternative schooling.
4. Students who are expelled or assigned lengthy exclusions (e.g. 180 days) are required to return to the principal, as soon as possible, all school-owned property such as I.D. passes, permits, books, learning materials, technology equipment, special education equipment, library materials, music equipment, athletic equipment and uniforms, and other school supplies/ materials/ equipment.

F. Summer School

All of the foregoing procedures of the School System's Student Code of Conduct shall be applicable to students attending any summer school program conducted by the School System with the following exceptions:

1. Temporary separation from summer school includes the exclusion of a student for any period up to and including 2 consecutive school days. In addition, the provisions of MCL 380.1309, applicable to teacher exclusions, as defined in Section III.B.1 of this Code, remain in full effect during summer school. A teacher who exercises this authority must immediately report the student's exclusion to the director, must send the student to the summer school office, and must arrange a conference with the student's parent or guardian as soon as possible.
2. Suspension is the exclusion from summer school for a period of more than 2 school days. Students who are assigned a suspension of such length that completion of their summer school studies is not likely or possible, are required to return all school-owned materials such as books, materials, equipment, etc. to the summer school director as soon as possible.
3. The summer school director is required to consult with the superintendent or designee for any suspension beyond 2 school days. The Board will be informed of any summer school suspension beyond 5 school days.
4. The determination of the summer school director affirming or modifying the suspension or other serious disciplinary action shall be made in writing and shall be presented to the student and parent within 1 school day following the conference, together with a written notice to the student and parent of the right of appeal to a Disciplinary Review Panel.
 - a. Disciplinary Review Panel will be composed of 1 administrator, 1 teacher, and 1 Special Education representative who are convened as rapidly as possible to hear the appeal. The Disciplinary Review Panel shall be conducted in accordance with the following rules and procedures:
 - (1). Written notice shall be given of the time, date, place where the hearing will be held.
 - (2) The student may be represented by an attorney or advisor of the student's choosing.
 - (3) Witnesses may be presented at the hearing and the student or the student's representative may question witnesses testifying against the student.
 - b. A stenographic or electronic record of the Discipline Review Panel hearing will be made.
 - c. Discipline Review Panel Hearings shall be closed to the public.
5. Discipline Review Panel may:
 - a. Reinstate the student with or without any limiting conditions.
 - b. Modify the terms and conditions of such suspension.
 - c. Affirm the suspension.
6. The decision of the Disciplinary Review Panel shall be subject to appeal to the superintendent or designee. An appeal brought by the student, parent, or director must be submitted to the superintendent or designee within 2 school days after receipt of the decision of the Disciplinary Review Panel.
7. The decision of the superintendent or designee shall be made within 5 school days after receipt by the superintendent or designee of a request by the student or parent, or by the director for such appeal. The decision of the superintendent or designee is final.

IV. Due Process/Appeal Rights

A. Notice of Exclusions

In the event of temporary separation, suspension, or expulsion of a student, of compulsory or non-compulsory school age, the following notices shall be given:

1. The student shall, ordinarily prior to exclusion, be presented with notice of the reasons for exclusion and afforded an opportunity to be heard in his/her own defense. In cases where notice prior to exclusion is not feasible (such as when the student is not in attendance or the student's continuing presence endangers persons or property or threatens disruption of the academic process), notice of the exclusion and opportunity to be heard shall follow as soon as practicable.
2. The student's parent shall, whenever feasible, be notified of the exclusion and the reasons by the principal prior to the student's removal from school. A written notice of temporary separation, suspension, or expulsion shall be provided to the parent promptly after exclusion.

B. Review of A Temporary Separation

1. A student or parent may request a conference with the principal for the purpose of reviewing the reasons for a temporary separation.
2. The student, parent, or principal may request the presence at such conference of such other persons as may have particular knowledge of the facts and circumstances of the separation.
3. A conference shall be scheduled as soon after the receipt by the principal of such request as may be reasonable under the circumstances.
4. The principal may, at his/her discretion, stay enforcement of a separation pending an appeal.
5. The principal's decision affirming or modifying the terms/conditions of a separation shall be final.

C. Review of A Suspension

1. A student or parent wishing review of a suspension shall request a conference with the principal to review the suspension within 5 school days of receipt of written notice of the suspension. If no such conference is requested, the suspension shall be deemed final.
2. The determination of the principal as to the affirmation or modification of the suspension shall be made in writing and shall be presented to the student and parent within 5 school days following the conference, with a written notice of the right of appeal to a Disciplinary Review Panel.
3. A suspension which has been the subject of a review conference with the principal may be appealed to a Disciplinary Review Panel by the student or parent by filing with the superintendent or designee a written request for appeal within 5 days following receipt of a written decision by the principal to affirm or modify the suspension. If no such appeal is filed, the suspension shall be deemed final.
4. After conducting a hearing, a Discipline Review Panel may:
 - a. Affirm the suspension.
 - b. Modify the terms and conditions of such suspension, with or without new conditions.
 - c. Set aside the suspension.
5. The superintendent or designee may stay enforcement of a suspension pending appeal.
6. Upon receipt of a request for appeal to a Disciplinary Review Panel, the superintendent or designee shall provide the student or parent written notice of the following:
 - a. The time, date, and location of the appeal hearing to be conducted by the Disciplinary Review Panel.
 - b. That the student may be represented by an attorney or advisor of the student's choosing.
 - c. That witnesses may be present, and that the student or representative may question witnesses.

C. Review of A Suspension (continued)

7. A Disciplinary Review Panel shall consist of the following persons:
 - a. The superintendent or a designee, who chairs the Disciplinary Review Panel.
 - b. Two other administrators selected from the School System by the superintendent or designee.
 - c. One representative selected by the superintendent or designee from Special Education.
 - d. Two classroom teachers selected from the School System by the superintendent or designee.
8. The principal, Board attorney, and any other persons as the Panel believes are necessary may attend the appeal hearing as advisors to the Panel, but shall have no vote in the decision.
9. A stenographic or electronic record of the Disciplinary Review Panel's hearing shall be made.
10. Disciplinary Review Panel Hearings shall be closed to the public.
11. The Disciplinary Review Panel shall issue its decision in writing within a reasonable time following the appeal hearing.
12. A decision of the Disciplinary Review Panel may be appealed to the Board of Education by the student, parents, or principal. Such appeal shall be submitted in writing to the Board's Secretary within 10 school days of receipt of the decision of the disciplinary Review Panel. If no such appeal is filed, the suspension shall be deemed final.
13. The superintendent or designee may stay enforcement of the suspension pending appeal to the Board.
14. The Board of Education shall call a special meeting to hear the appeal within a reasonable time after the Board Secretary's receipt of an appeal.
15. The appealing party shall present to the Board reasons why the decision of the Disciplinary Review Panel should be reversed or modified.
16. The Board may receive such additional testimony and evidence as it may deem necessary to review the decision of the Disciplinary Review Panel.
17. The Board shall decide the appeal within a reasonable time. The Board Secretary shall promptly notify the appealing party of the Board's decision in writing. The Board's decision shall be final.

D. Review of an Expulsion

1. A student or the student's parent may request a conference with the superintendent to review the student's expulsion within 5 days of receipt of the written notice of expulsion.
2. The superintendent shall present to the student and parent a written decision affirming, setting aside or modifying the expulsion within 5 school days following the review conference.
3. The superintendent may stay enforcement of the expulsion pending the appeal.
4. An expulsion may be appealed to the Board of Education by the student or parent by filing with the Board's Secretary a written request for appeal within 15 school days of receipt of the written notice of expulsion or, if applicable, the superintendent's decision. The Board shall hear the appeal within a reasonable time at a special meeting called for such purpose.
5. Upon receipt of an appeal to the Board, the Board's Secretary shall provide the student or parent with a written notice that appeals to the Board shall be conducted in accordance with the rules and procedures described in Section C, above. The principal, Board attorney, and any other resource persons that the Board President deems appropriate may be present at the Board hearing.
6. Only members of the Board of Education shall have a vote in determining the case.
7. The hearing before the Board may be closed to the public at the request of the student or parents.

D. Review of an Expulsion (continued)

8. The Board shall decide the appeal within a reasonable time. The Board Secretary shall promptly notify the appealing party of the Board's decision in writing.

The Board may:

- a. Set aside the expulsion and reinstate the student with or without any limiting conditions.
- b. Order a suspension with any conditions the Board deems advisable under the circumstances.
- c. Affirm the expulsion.

9. The decision of the Board of Education shall be final.

V. Reinstatement - Following Expulsion**A. Application for Reinstatement**

1. Expulsion from The Grosse Pointe Public School System is regarded as permanent. Under the procedures set forth in this section, however, a student or the student's parent(s) may petition the Board of Education in writing for reinstatement of the student.
2. Following its receipt of a written petition to reinstate a student after expulsion, the Board may grant or deny such petition, in its discretion.

B. Time Limit for Applications**1. Students in Grade 5 or Below**

Parents or legal guardians of a student in grade 5 or below who has been expelled may petition the Board for reinstatement no earlier than 60 days following the expulsion. Reinstatement may occur not earlier than 90 school days following expulsion.

2. Students in Grade 6 or Above

Parents, or legal guardians of a student in grade 6 or above who has been expelled may petition the Board for reinstatement from expulsion no earlier than 150 school days following the expulsion. Reinstatement following such an expulsion may take effect not earlier than 180 school days following the expulsion.

C. Determination of Petition

1. Within 10 days of receiving a petition for reinstatement, the Board shall appoint a Reinstatement Review Panel of 2 Board members, 1 administrator, 1 teacher, and 1 parent.
2. Upon the appointment of a Reinstatement Review Panel, the superintendent or designee shall prepare and submit to the Panel information regarding the circumstances of the student's expulsion and any mitigating factors.
3. Within 10 school days from appointment of a Reinstatement Review Panel, the Panel will review the petition and any supporting information; may, in its discretion, provide the student, parent(s) and/or guardian(s) an opportunity to appear and address the Panel; and shall submit a written recommendation to the Board:
 - a. Against Reinstatement.
 - b. For Unconditional Reinstatement
 - c. For Conditional Reinstatement, with a list of recommended conditions for reinstatement.

C. Determination of Petition (continued)

4. The Panel shall provide the Board with a written explanation for its recommendations. The Panel's recommendations shall be based on consideration of the following risk factors:
 - (1) potential risk of harm to students or staff
 - (2) potential liability risk to School System or individual
 - (3) individual's age and maturity
 - (4) individual's school record before the expulsion
 - (5) individual's attitude toward the expulsion incident
 - (6) individual's behavior since the expulsion and prospects for remediation
 - (7) degree of parental cooperation and support, including receptiveness to possible conditions
 - (8) whether the federal Gun-Free Schools Act of 1994, which requires at least 1 year expulsion for a student who brings a firearm to school, is applicable to the misconduct in question.
5. Upon its receipt of the Reinstatement Review Panel's recommendations, the Board will determine whether to approve, conditionally or unconditionally, or deny the reinstatement petition at its next regularly scheduled meeting or sooner.
6. The Board may require the written agreement of parents (or student at age 18) to specific reinstatement conditions prior to approving a conditional reinstatement. Costs incurred implementing conditions shall be borne by the student, parents, and/or guardian.
7. The Board Secretary shall promptly notify the petitioner of the Board's decision in writing.
8. The decision of the Board of Education with respect to the petition for reinstatement shall be final.
9. Following Board denial of a petition for reinstatement, a new petition for reinstatement on behalf of that student may be filed after the expiration of one year following the Board's denial.

TELEPHONE NUMBER FOR INCIDENTS REQUIRING REPORTS TO AUTHORITIES:

Wayne County Family Independence Agency – Protective Services (incidents of child abuse) (313) 396-0300