

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

# STUDENT CODE OF CONDUCT

*BOARD ADMINISTRATIVE GUIDELINES FOR POLICY 5500  
(Revised August, 2018)*

The attached is the Student Code of Conduct for the school district. The School System is required by state law to report certain misconduct to local police agencies. Offenses that require reporting are clearly indicated on the chart on page 3 and, individually with the list of offenses-consequences that are categorized by type.

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.

The Student Code of Conduct (and High School Athletic Code of Conduct) may be accessed online at <http://www.gpschools.org>.

# STUDENT CODE OF CONDUCT

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

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## **I. GENERAL INFORMATION ABOUT THE STUDENT CODE OF CONDUCT**

### **A. PURPOSE OF THE CODE**

The mission of the Grosse Pointe School System, in partnership with parents and community, includes ensuring that each student is challenged to fully develop individual abilities, skills and character to succeed in life. In addition, the vision of the district includes the creation of a school environment that cultivates the development of knowledgeable, responsible and caring citizens. To create and maintain such a school environment, respect for the rights of others, consideration of their privileges and cooperative citizenship shall be expected of all members of the school community. Students are expected to show respect for real and personal property, pride in their work, attain high achievement within the range of their ability, and demonstrate exemplary personal standards of courtesy, decency and honesty.

The Code of Conduct 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. While reasonable rules and regulations regarding behavior are necessary for a safe and orderly school environment, the district affirms its commitment to support the efforts of all students to manage their own behavior. Support for students may be demonstrated in a variety of ways, including the following examples:

- A. School practices and policies that promote appropriate school behavior and respectful learning environments
- B. Communication of student behavioral expectations to parents
- C. Communication of clearly stated expectations for student behavior to students
- D. Teachers using effective instructional and classroom management strategies
- E. Appropriate consequences for unacceptable behaviors
- F. Interventions and alternatives to exclusion from school whose purpose is to prevent the reoccurrence of inappropriate behavior. A sampling of alternatives to exclusion is listed elsewhere in this document.
- G. Specialized, intensive and individualized interventions for students whose pattern of unacceptable behavior warrants it.

When a student violates the expected standards of behavior, it is important that the district respond in a manner that restores the conditions that promote learning for all students while at the same time allowing the disciplined student to meet his/her learning obligations. The district should provide interventions and/or alternatives that are appropriate to the offense and proportional in degree, consistent with current law, normally progressive in nature, and constructive and limited to that which is reasonably necessary to promote the district's educational objectives.

The Board believes that the Code of Conduct must provide a clearly defined opportunity for a student who stands accused of unacceptable conduct to a fair appeal process and allow opportunity for the student's learning to continue.

### **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, or who is using school telecommunication, networks, accounts or other district services. 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 an administrator deems it necessary, the administrator may temporarily remove from school a student charged with, suspected of committing, or suspected of being involved in, an infraction or incident, for a reasonable period of time necessary:

- A. to complete the investigation of an alleged infraction or incident,
- B. to defuse a situation that could become worse without such removal, or
- C. 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. If the incident that has prompted removal results in discipline, the time during which the student has been removed from school shall be credited to any disciplinary time imposed.

#### **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 eighteen (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.

#### **H. NONDISCRIMINATION STATEMENT**

The Grosse Pointe Public Schools System does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups.

**The following person has been designated to handle inquiries regarding the non-discrimination policies:**

**Stefanie Hayes, Director of Student Services**

**20090 Morningside**

**Grosse Pointe Woods, MI 48236**

**Phone: (313) 432-3851**

**[Stefanie.Hayes@gpschools.org](mailto:Stefanie.Hayes@gpschools.org)**

**If the individual filing the grievance alleges that the Section 504/ADA coordinator has engaged in discrimination, then the individual filing the grievance must provide the documentation to the Deputy Superintendent for Educational Services at:**

**Deputy Superintendent for Educational Services**

**389 St. Clair**

**Grosse Pointe, MI 48230**

**Phone: (313) 432-3016**

**For further information on notice of nondiscrimination, visit <http://wdcrobcopl01.ed.gov/CFAPPS/OCR/contactus.cfm> for the address and phone number of the office that serves your area, or call 1-800-421-3481.**

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 school system**.

In judging whether to report an offense to local police, administrators consider multiple criteria including current law, severity of the incident, the 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.

| <b>A</b><br><b>Under MCL 380.1308, the School System <u>Must Report</u> to the Local Police</b>   | <b>B</b><br><b>Under MCL 380.1308, the School System <u>May Report</u> to the Police</b><br><br><b>Administrative discretion is used on a case-by-case basis</b> | <b>C</b><br><b>Examples of other offenses that the School System <u>May Report</u> to Police</b><br><br><b>Administrative discretion is used on a case-by-case basis</b> |
|---|--|--|
| <ul style="list-style-type: none"> <li>◦ Active or Threatened Violence Situation. Police must be contacted in any situation in which the safety of students and/or staff is jeopardized, including, but not limited to, possession of a weapon (including a firearm) by a student or anyone other than a law enforcement officer; bomb threat; drive-by shooting; any other active threat; an actual or suspected hostage situation; or gang violence.</li> </ul> | <ul style="list-style-type: none"> <li>◦ physical assault</li> </ul>   | <ul style="list-style-type: none"> <li>◦ gang or other hate-related activity</li> </ul>  |
| <ul style="list-style-type: none"> <li>◦ Minor in Possession (MIP) Alcohol, tobacco products; Include under influence</li> </ul>  | <ul style="list-style-type: none"> <li>◦ theft – under \$100</li> </ul>  | <ul style="list-style-type: none"> <li>◦ hazing</li> </ul>   |
| <ul style="list-style-type: none"> <li>◦ possession, use, dealing drugs or other controlled substances</li> </ul>   | <ul style="list-style-type: none"> <li>◦ vandalism – under \$100 (intentional destruction of property)</li> </ul>  | <ul style="list-style-type: none"> <li>◦ demonstrations / strikes</li> </ul>   |
| <ul style="list-style-type: none"> <li>◦ arson</li> </ul>   | <ul style="list-style-type: none"> <li>◦ bus with students involved in accident or incident</li> </ul>   | <ul style="list-style-type: none"> <li>◦ smoking</li> </ul>  |
| <ul style="list-style-type: none"> <li>◦ explosion</li> </ul>   |  | <ul style="list-style-type: none"> <li>◦ verbal assault</li> </ul>   |
| <ul style="list-style-type: none"> <li>◦ vandalism – over \$100 (intentional destruction of property)</li> </ul>  |  | <ul style="list-style-type: none"> <li>◦ fighting; inciting or prompting others to fight; gang fighting</li> </ul>   |
| <ul style="list-style-type: none"> <li>◦ theft – over \$100</li> </ul>  |  | <ul style="list-style-type: none"> <li>◦ illegal gambling</li> </ul>   |
| <ul style="list-style-type: none"> <li>◦ robbery / extortion</li> </ul>   |  | <ul style="list-style-type: none"> <li>◦ making a false alarm (such as pulling a fire alarm)</li> </ul>  |
| <ul style="list-style-type: none"> <li>◦ criminal sexual conduct or sexual assault</li> </ul>   |  | <ul style="list-style-type: none"> <li>◦ a student on campus during an out-of-school suspension</li> </ul>   |
| <ul style="list-style-type: none"> <li>◦ suicide threat or attempt</li> </ul>   |  | <ul style="list-style-type: none"> <li>◦ inappropriate use of vehicle on school premises</li> </ul>  |
| <ul style="list-style-type: none"> <li>◦ intruder or trespasser who refused to leave</li> </ul>   |  | <ul style="list-style-type: none"> <li>◦ suspicious intruders</li> </ul>   |
| <ul style="list-style-type: none"> <li>◦ death, homicide, suicide</li> </ul>  |  | <ul style="list-style-type: none"> <li>◦ suspected child abuse – must call Wayne County Family Independence Agency: 1-855-444-3911</li> </ul>                            |
| <ul style="list-style-type: none"> <li>◦ unauthorized removal of student</li> </ul>   |  | <ul style="list-style-type: none"> <li>◦ harassment / bullying / threats</li> <li>◦ other activities or behaviors that school administrators deem advisable</li> </ul>   |

## 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  |
|--|--|
| <p><b>ALCOHOL / DRUGS – CONSUMPTION</b></p> <p>Using alcoholic beverages or illegal drugs,* on school premises, in a school-related vehicle, or at a school-sponsored activity or trip.</p> <p>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.</p> <p>Willfully misusing medication or abusing 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.</p> | <p>Five (5) day temporary separation up through expulsion. Participation in a student assistance program may be required. Under MCL 380.1308, local police must be notified. Any suspension over five (5) days for a first offense must first be approved by the Superintendent.</p> <p>-----</p> <p>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 <u>by school officials</u>.</p> |
| <p><b>ALCOHOL / DRUGS – POSSESSION</b></p> <p>Possessing alcoholic beverages, illegal drugs,* or drug paraphernalia on school premises, in a school-related vehicle, or at a school-sponsored activity or trip.</p>  | <p>Five (5) day temporary separation up through expulsion. Participation in a student assistance program may be required. Under MCL 380.1308, local police must be notified. Any suspension over five (5) days for a first offense must first be approved by the Superintendent.</p>   |
| <p><b>ALCOHOL / DRUG - SUPPLY</b></p> <p>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.</p>  | <p>Ten (10) day suspension up through expulsion. Participation in a student assistance program may be required. Under MCL 380.1308, local police must be notified.</p>   |
| <p><i>*Illegal drugs include, but are not limited to, cocaine, heroin, marijuana, steroids, and any other illegal substance.</i></p>   |  |
| <p><b>ARSON</b></p> <p>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.</p>   | <p>Suspension up through permanent expulsion from the school district. Under MCL 380.1308, local police must be notified.</p>  |

| A. UNACCEPTABLE CONDUCT   | B. CONSEQUENCES  |
|---|--|
| <p><b>ASSAULT –PHYSICAL</b> See <b>Disruptive Behavior, Fighting, Harassment / Threats, Hazing</b></p> <p>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.</p> <p><b>NOTE:</b> 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.”</p> | <p><b>For students in Grades K-5:</b> Temporary separation up through expulsion. Under MCL 380 1308, local police may be notified.</p> <p><b>For students in Grades 6-12:</b> Suspension through expulsion.</p> <p><b>For students in Grades 6-12:</b> Suspension through permanent expulsion for physical assault against a school employee, volunteer, or contractor of the School System.</p> |
| <p><b>ASSAULT-VERBAL</b> See <b>Disrespect, Profanity, Harassment</b></p> <p>Communicating 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.</p> <p>Also, communicating that causes a reasonable sense of fear.</p>   | <p>Warning up through expulsion. Under MCL 380.1308, local police may be notified.</p>   |
| <p><b>BOMB THREAT OR OTHER THREATS OF MASS HARM</b></p> <p>Threatening to set off a bomb or other explosive or dangerous device, or otherwise threaten the school in general by threatening to bring a weapon(s) to school in order to harm multiple students or staff members, on school premises, in a school-related-vehicle, or a school-sponsored activity or trip.</p> <p>Making a threat of danger that causes an evacuation of a building or event.</p>   | <p>Suspension through permanent expulsion. Under MCL 380.1308, local police must be notified.</p>  |
| <p><b>CHEATING</b> See <b>Forgery and Plagiarism</b></p> <p>Copying or supplying class work, homework, tests, etc. for personal benefit.</p>  | <p>Failing grade on the assignment or test up through suspension.</p>  |
| <p><b>CLOSED CAMPUS VIOLATION</b></p> <p>Leaving school property without proper dismissal through the Attendance Office or school clinic.</p>   | <p>Counted as unexcused absence and detention assigned.</p>  |



**A. UNACCEPTABLE CONDUCT****B. CONSEQUENCES****CLOTHING – INAPPROPRIATE ATTIRE**

Lacking 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, tank tops [except primary grade students], short shorts, and clothing with inappropriate messages) on school premises, in a school-related vehicle, or at a school-sponsored activity or trip in accordance with district guide-lines established for *elementary, middle and high school* levels which may be updated from time to time.

**Secondary**

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.

**Elementary**

K-5 students will be directed to change into appropriate attire. Continuation of inappropriate attire may be considered insubordination and a consequence assigned.

**CRIMINAL SEXUAL CONDUCT**

- A. Committing Criminal Sexual Conduct in violation of MCL 750.520b-g on school premises, in a school-related vehicle, or at a school-sponsored activity or trip.
- B. Committing Criminal Sexual Conduct in violation of MCL 750.520b-g against another Grosse Pointe Public School System student, regardless of location.

- A. Suspension up through permanent expulsion. Under MCL 380.1308, local police must be notified.
- B. Suspension up through permanent expulsion. (Note: Under state law, the District may suspend or expel a student who commits Criminal Sexual Conduct with another District student. The District shall suspend or expel a student who is convicted, by plea or adjudication, of Criminal Sexual Conduct with another District student.)

**DEMONSTRATIONS / STRIKES**

Striking by students is prohibited. A strike shall mean the concerted effort by two (2) or more students in any of the following activities:

- A. Refusing to go to a class, refusing to leave a class, refusing to obey an order of a teacher, principal, or other person having authority to give the order.
- B. Refusing 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 and/or intervention alternatives to exclusion up through expulsion. Local police will be notified if administration deems in the best interest of the school system.

**DESTRUCTION OF PROPERTY**

- A. Damaging property negligently and/or without intention to do so.
- B. Deliberately or intentionally damaging property (e.g., vandalism).

- A. Restitution and warning up through temporary separation.
- B. 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.
- C. In addition to the discipline described above, a student and the student's parents, pursuant to MCL 600.2913, may be required to make full restitution for damages caused by the student's malicious or willful destruction of district property.

| A. UNACCEPTABLE CONDUCT   | B. CONSEQUENCES  |
|---|--|
| <p><b>DISRESPECT</b></p> <p>Using 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.</p>   | <p>Warning and/or intervention alternatives to exclusion through expulsion. Participation in a specified assistance program may be required.</p>   |
| <p><b>DISRUPTIVE BEHAVIOR</b></p> <p>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.</p>   | <p>Warning and/or intervention alternatives to exclusion up through suspension.</p>  |
| <p><b>FALSE ALARM</b></p> <p>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.</p>   | <p>Intervention alternatives to exclusion through suspension. Local police may be notified as appropriate.</p>   |
| <p><b>FALSE IDENTIFICATION</b></p> <p>Using another person's identification or providing false identification to any school official with intent to deceive school personnel or falsely obtain money or property.</p>   | <p>Intervention alternatives to exclusion through expulsion.</p>   |
| <p><b>FELONY</b></p> <p>Committing a criminal act on school premises, in a school-related vehicle, or at a school-sponsored activity or trip that results in being convicted of a felony offense.</p>   | <p>Temporary separation through expulsion.</p>   |
| <p><b>FIGHTING</b></p> <p>A. 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.</p> <p>B. 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.</p> | <p><b>Secondary:</b><br/>First offense: Intervention alternatives to exclusion up through ten (10) day suspension.<br/>Second or subsequent offenses: Temporary separation through expulsion. Local police will be notified if administration deems in the best interest of the school system for any involvement in an incident of fighting.</p> <p><b>Elementary:</b><br/>Intervention alternatives to exclusion through suspension. Progressive discipline shall apply.</p> <p>Temporary separation up through expulsion.</p> |
| <p><b>FIREWORKS</b></p> <p>Possessing, handling, transmitting, concealing, or using any fireworks or firecrackers on school premises, in a school-related vehicle, or at a school-sponsored activity or trip.</p>   | <p>Temporary separation through expulsion.</p>   |

| A. UNACCEPTABLE CONDUCT   | B. CONSEQUENCES   |
|---|---|
| <p><b>FORGERY / MISREPRESENTATION</b> See <b>Cheating, Plagiarism</b></p> <p>Falsely producing or altering writing with the intent to have others believe something untrue.</p>   | <p>Warning and/or intervention alternatives to exclusion up through ten (10) day suspension.</p>  |
| <p><b>FRAUD</b></p> <p>Causing another to be deceived by false or misleading information in order to obtain anything of value on school premises, in a school-related vehicle, or at a school-sponsored activity or trip.</p>   | <p>Intervention alternatives to exclusion through expulsion.</p>  |
| <p><b>GAMBLING</b></p> <p>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.</p>   | <p>Warning and/or intervention alternatives to exclusion through suspension and confiscation of paraphernalia. Local police will be notified if administration deems in the best interest of the school system.</p> |
| <p><b>GANG ACTIVITY</b></p> <p>Using violence, force, coercion, threat of violence, or gang activity, causing disruption or obstruction to the educational process on school premises, in a school-related vehicle, or at a school-sponsored activity or trip. Gangs are defined as organized groups of students and/or adults who engage in activities that threaten the safety of the general populace, compromise the general community order, and/or interfere with the school district's education mission. Gang activity includes any one of the following:</p> <ol style="list-style-type: none"> <li>A. Wearing or displaying any clothing, jewelry, colors, or insignia that intentionally identifies the student as a member of a gang, or otherwise symbolizes support of a gang.</li> <li>B. Using any word, phrase, written symbol, or gesture that intentionally identifies a student as a member of a gang, or otherwise symbolizes support of a gang.</li> <li>C. Gathering of two or more persons for purposes of engaging in activities or discussions promoting gangs.</li> <li>D. Recruiting student(s) for gangs.</li> </ol> | <p>Temporary separation through expulsion.</p>  |

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

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

**1. DISCRIMINATORY HARASSMENT**

Intentionally engaging in harassment relating to a person's sex, sexual orientation, gender identity, race, color, national origin, religion, height, weight, marital status, or disability. Under Board Policy 5517, "harassment" means any threatening, insulting or dehumanizing gesture, use of technology (including social media), or written, verbal or physical conduct directed against a student or a group of students or a school employee that:

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

Intervention alternatives to exclusion through expulsion. Participation in a student assistance program may be required. Local police will be notified if administration deems in the best interest of the school system

**2. SEXUAL HARASSMENT**

Intentionally engaging in sexual harassment of another person. Under Board Policy 5517, "sexual harassment" consists of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when

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

Intervention alternatives to exclusion through expulsion. Participation in a student assistance program may be required. Local police will be notified if administration deems in the best interest of the school system.

| A. UNACCEPTABLE CONDUCT  | B. CONSEQUENCES  |
|--|--|
| <p><b>3. BULLYING</b></p> <p>Engaging in conduct that violates the District’s anti-bullying policy. Under Board Policy 5517.01, “bullying” means any written, verbal or physical act, or any electronic communication, including, but not limited to, cyberbullying (via social media or otherwise), that is intended or that a reasonable person would know is likely to harm one (1) or more District students, either directly or indirectly, by doing any of the following:</p> <ol style="list-style-type: none"> <li>Substantially interfering with educational opportunities, benefits or programs;</li> <li>Adversely affecting a student’s ability to participate in or benefit from educational programs or activities by placing a student in reasonable fear of physical harm or by causing substantial physical distress;</li> <li>Having an actual and substantial detrimental effect on a student’s physical or mental health; or</li> <li>Causing substantial disruption in, or substantial interference with, the orderly operation of the school.</li> </ol> | <p>Intervention alternatives to exclusion through expulsion. Participation in a student assistance program may be required. Local police will be notified if administration deems in the best interest of the school system.</p> |
| <p><b>4. THREATS/INTIMIDATION</b></p> <p>Taking any action that is designed to coerce, threaten or intimidate a student or staff member, including, without limitation, a person who is participating in an investigation or proceedings conducted under the Student Code of Conduct.</p>  | <p>Suspension through permanent expulsion. Local police will be notified if administration deems in the best interest of the school system.</p>  |
| <p><b>HAZING See Disrespect, Harassment/Bullying/Threats, Assault</b></p>  |  |
| <p>Engaging in conduct 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.</p>  | <p>Temporary separation up through expulsion. Local police will be notified if administration deems in the best interest of the school system.</p>   |
| <p><b>INAPPROPRIATE CONSUMPTION OF FOOD AND/OR BEVERAGES See Throwing Food, Littering</b></p>  |  |
| <p>Eating and/or drinking in unauthorized areas on school premises, in a school-related vehicle, or at a school-sponsored activity or trip.</p>  | <p>Warning and/or intervention alternatives to exclusion through temporary separation.</p>   |
| <p><b>INAPPROPRIATE PHYSICAL BEHAVIOR</b></p>  |  |
| <p>Including roughhousing, shoving, hitting, slapping and other behaviors that are inappropriate.</p>  | <p>Warning and/or intervention alternatives to exclusion through suspension.</p>   |

| A. UNACCEPTABLE CONDUCT   | B. CONSEQUENCES   |
|---|---|
| <p><b>INAPPROPRIATE SEXUAL ACTIVITY</b></p> <p>Engaging in sexual activity, whether consensual or non-consensual, on school premises, in a school-related vehicle, or at a school-sponsored activity or trip, when that activity does not rise to the level of criminal sexual conduct under state law.</p>   | <p>Suspension through expulsion.</p>  |
| <p><b>INDECENCY</b></p> <p>Engaging in conduct that is contrary to commonly recognized standards of decency and behavior, such as obscenity, indecent exposure, or the use of language in verbal or written form, in pictures, or in caricatures or gestures that is offensive to the general standards of propriety, or such as publication of photographs of the student or another student in an unclothed or partially-clothed state.</p>   | <p>Administrative alternatives to exclusion through permanent expulsion.</p>  |
| <p><b>INSUBORDINATION See Demonstration/Strikes, Disrespect, Profanity/Vulgarity</b></p>  |   |
| <p>A. Failing to carry out a reasonable request by school personnel.</p> <p>B. Defying school personnel.</p> <p>C. 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.</p>   | <p>Warning and/or intervention alternatives to exclusion through suspension.</p>  |
| <p>School personnel: adult w/ supervisor responsibility.</p>  |   |
| <p><b>LITTERING See Inappropriate Consumption of Food and/or Beverages, Throwing Food, Disruptive Behavior</b></p>  |   |
| <p>Improperly disposing of food or refuse.</p>  | <p>Warning and/or intervention alternatives to exclusion through temporary separation.</p>  |
| <p><b>PERSONAL COMMUNICATION DEVICES (e.g., cell phones, netbooks, tablet computers, camera phones, etc.)</b></p>   |   |
| <p>A student may have a cellular telephone and / or most other electronic communication devices on school premises. During all times when its use is not permitted, an ECD's power, including its ring and vibrate functions, must be completely turned off, telephone calls may not be made or answered, and electronic communications or exchanges of information may not occur. Classroom teachers may, in their discretion, prohibit or allow the possession and use of electronic communication devices in their classrooms in particular circumstances.</p> | <p><b><u>First offense:</u></b><br/>Warning through confiscation of the device.</p> <p><b><u>Second (and subsequent) offense/s:</u></b><br/>Warning up through temporary separation. The device will be confiscated, and parent must contact the school administration before the device is returned. The school or district will not be responsible for damage or loss of any personal communication device.</p> |
| <p>Use of ECDs is allowed in high schools at such times and in areas designated by the building principal. In the middle school ECDs must be turned off and kept in a student's locker during the school day. Use of electronic communication devices during before-school or after-</p>  |   |

**A. UNACCEPTABLE CONDUCT****B. CONSEQUENCES****PERSONAL COMMUNICATION DEVICES (cont.)**

school activities is at the discretion of the coach, director, or other adult in charge. Elementary schools shall establish guidelines for storage and use of electronic communication devices.

Use of video, audio or photographic functions found on many ECDs to record is permitted only when the permission of those being recorded is obtained before the recording takes place and is consistent with provisions in the Student Code of Conduct. Use of video, audio or photographic functions to record in places where there is an expectation of personal privacy is prohibited. Additional information about restrictions on recording may be found in Policy 9160 - Public Attendance at School Events.

The district is not responsible for the loss, theft, damage or vandalism to student ECD's as well as other student property. Students and parents are strongly encouraged to ensure that if students have ECDs in their possession, they should not leave them unattended or unsecured.

Pursuant to state law, a student may not possess on school premises during the school day any electronic paging device without the express written permission of a school administrator following a parent's written request (or the student's request if over eighteen (18)) that is based on the student's health or other unusual reasons.

Using an electronic communication device in an unauthorized manner or in violation of the Student Code of Conduct may result in disciplinary action, depending upon the nature of the prohibited activity and / or whether it is a repeat offense for that student. The administration reserves the right to modify the consequences as appropriate.

**PLAGIARISM See also Cheating; Forgery / Misrepresentation**

Deliberately presenting as the product of one's own ideas the words or ideas of another without clearly attributing the source.

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

**PRANK / PRACTICAL JOKE**

Mischief or antic resulting 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.

Warning and/or intervention alternatives to exclusion through expulsion.  
Local police will be notified if administration deems in the best interest of the school system.

| A. UNACCEPTABLE CONDUCT   | B. CONSEQUENCES  |
|---|--|
| <p><b>PROFANITY / VULGARITY</b></p> <p>On school premises, in a school-related vehicle, or at a school sponsored activity or trip:</p> <p>A. Intentionally using abusive, profane, or vulgar words, gestures, pictures, or sounds when such profanity and/or vulgarity is specifically directed toward another person or group.</p> <p>B. Unintentionally or incidentally using 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.</p> | <p>Warning and/or intervention alternatives to exclusion through ten (10) day suspension.<br/>Local police will be notified if administration deems in the best interest of the school system.</p> <p>Warning and/or intervention alternatives to exclusion up through temporary separation.</p> |
| <p><b>PUBLIC DISPLAYS OF AFFECTION</b></p> <p>Engaging in inappropriate displays of affection on school premises, in a school-related vehicle, or at a school-sponsored activity or trip.</p>   | <p><b><u>First offense in a school year:</u></b><br/>Warning.</p> <p><b><u>Second or subsequent offenses in a school year:</u></b><br/>Warning through temporary separation.</p>   |
| <p><b>SMOKING OR VAPING</b></p> <p>Smoking, chewing or otherwise possessing or using:</p> <ol style="list-style-type: none"> <li>1. tobacco products, including smokeless tobacco;</li> <li>2. electronic (“e”) cigarettes or vaporizers (vaping); or</li> <li>3. a device or paraphernalia of any kind that may be used for smoking</li> </ol> <p>while on school premises, in a school-related vehicle, or at a school-sponsored activity or trip.</p>  | <p><b><u>First offense:</u></b><br/>Three (3) day temporary separation.</p> <p><b><u>Second offense:</u></b><br/>Five (5) day temporary separation.</p> <p><b><u>Third offense and any subsequent offenses:</u></b><br/>Up to ten (10) day suspension.</p>                                       |
| <p><b>TECHNOLOGY MISUSE</b></p> <p>Violating, in whole or in part, any of the Grosse Pointe Public School System Student Acceptable Use of Technology Agreement</p>   | <p>Warning and/or intervention alternatives to exclusion through expulsion.<br/>Restitution is required for some offenses.<br/>Local police will be notified if administration deems in the best interest of the school system.</p>  |
| <p><b>THEFT</b></p> <p>Any unauthorized taking or possessing 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.</p>   | <p>Warning and/or intervention alternatives to exclusion through expulsion.<br/>Under MCL 380.1308, theft over \$100 must be reported to local police.<br/>Theft under \$100 may be reported to local police as appropriate.</p>   |
| <p><b>THROWING FOOD</b> See also <b>Littering and/or Consumption of Food / Beverages – Unauthorized</b></p> <p>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.</p>  | <p>Warning and/or intervention alternatives to exclusion through suspension. Inappropriate lunchroom behavior may result in separation from the school lunch program.</p>  |



| A. UNACCEPTABLE CONDUCT  | B. CONSEQUENCES  |
|--|--|
| <p><b>TRESPASSING / LOITERING</b></p> <p>Entering upon the premises of the school district, other than the location to which the student is assigned, without authorization from proper school authorities or aimlessly lingering. If removed, suspended, or expelled from school, a student will not return to the school premises without permission of the proper school authorities.</p>   | <p>Temporary separation through warning and/or intervention alternatives to exclusion up through expulsion.</p> <p>Under MCL 380.1308, a trespasser or loiterer who refuses to leave must be reported to the police.</p> |
| <p><b>VANDALISM See Destruction of Property</b></p>  |  |
| <p><b>VEHICLE USE – INAPPROPRIATE</b></p> <p>Unsafe driving, inappropriate parking, violating of other vehicle or traffic regulations on school premises or at a school-sponsored activity or trip.</p>  | <p>Warning and/or intervention alternatives to exclusion up through expulsion.</p> <p>Local police will be notified if administration deems in the best interest of the school system.</p>                               |
| <p><b>WEAPONS - Four (4) CATEGORIES</b></p>  | <p><b>1. Firearms</b><br/> <b>2. Other Dangerous Weapons / Materials</b><br/> <b>3. Toy Weapons / Look-Alike / Replica</b><br/> <b>4. Other Weapons / Other Materials</b></p>  |
| <p><b>1. FIREARMS</b></p>  |  |
| <p>Possessing, using, selling, or distributing a firearm. A firearm is any weapon, including a starter gun, which will, or is designed to, or may readily be converted to, expel a projectile by action of an explosive; the frame or receiver of any such weapon; any firearm muffler or silencer; or any destructive device, but not including an antique firearm.</p>   | <p>Mandatory permanent expulsion, pursuant to state law, subject to exceptions provided in Board Policy 5610.01. Under MCL 380.1308, police must be notified.</p>  |
| <p><b>2. OTHER DANGEROUS WEAPONS / MATERIALS</b></p>   |  |
| <p>Possessing, using, selling, or distributing any dangerous weapon or dangerous material on school premises, in a school-related vehicle, or at school-sponsored activity or trip.</p> <p>A. Dangerous weapon includes, but is not limited to, 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.</p> <p>B. Dangerous weapon includes a destructive device including an incendiary charge, poison gas, a bomb, a grenade, a rocket with a propellant charge of more than four (4) ounces, a missile having an incendiary charge of more than one quarter (1/4) ounce, or a mine.</p> | <p>Suspension up through permanent expulsion from school district. Under MCL 380.1308 police must be notified.</p>   |

| A. UNACCEPTABLE CONDUCT   | B. CONSEQUENCES   |
|---|---|
| <p><b>3. TOY WEAPON / LOOK ALIKE / REPLICA</b></p> <p>Possessing, using, selling, or distributing 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.</p>   | <p>Intervention alternatives to exclusion through expulsion.<br/>Local police will be notified if administration deems in the best interest of the school system.</p>   |
| <p><b>4. OTHER WEAPONS / MATERIALS</b></p> <p>Possessing, using, selling, or distributing 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.</p>   | <p>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.</p> |
| <p><b>OTHER INAPPROPRIATE BEHAVIOR</b></p>  |   |
| <p>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.</p> | <p>Warning and/or intervention alternatives to exclusion through expulsion.<br/>Local police will be notified if administration deems in the best interest of the school system.</p>  |
| <p><b>OTHER SCHOOL RULES</b></p>  |   |
| <p>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.</p>   | <p>Warning and/or intervention alternatives to exclusion through expulsion.<br/>Local police will be notified if administration deems in the best interest of the school system.</p>  |

### III. ADMINISTRATION OF THE CODE OF CONDUCT

#### A. Progressive Levels of Disciplinary Action

The principal determines appropriate and necessary disciplinary action that usually involves three (3) progressive levels of disciplinary action described below. Each specific offense contains a range of permissible consequences. In determining the appropriate consequence for a particular offense, the principal may consider all relevant factors, including the nature of the offense, whether the violator has previously committed the same or a similar offense, the violator's overall disciplinary record, and other pertinent circumstances. 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).

**c. Level I**

Alternative interventions that more appropriately fit the nature of the offense may be imposed.

**2. Discipline Involving Exclusion from Class/School****a. Level II**

Temporary Separation by principal (up through five (5) days) or teacher (up to one (1) class) means the in-school exclusion of a student from one (1) or more classes, subjects, or activities or the exclusion out-of-school, for any period of time, up to and including five (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 means the exclusion of a student from school, activities, and trips for a period of more than five (5) school days but not more than sixty (60) days and terminating at a time specified. Suspension includes exclusion from extracurricular activities and school activities and trips.

**c. Level IV**

Expulsion by a principal means the exclusion of a student from school, activities, and trips for a period of more than sixty (60) days but not more than 180 days, and terminating at a time specified. Expulsion includes exclusion from extracurricular activities and school activities and trips.

**d. Level V**

Expulsion for more than 180 days and permanent 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. Intervention Alternatives to Exclusion from School**

When imposing consequences for unacceptable student conduct the administrator generally is given wide latitude of disciplinary alternatives. The administrator is guided by a sense of the intended effect of the consequence and imposed after consideration of all relevant factors, including the nature of the offense, whether the violator has previously committed the same or a similar offense, the violator's overall disciplinary record, and other pertinent circumstances. In some situations the administrator may determine that there are equally satisfactory consequences that do not entail a student's exclusion from school. Listed below are examples of some possible intervention alternatives to exclusion from school, with appropriateness dependent upon the type of infraction:

1. Classroom time out
2. Lunch time detention (s)
3. Before or after-school detention (s) with twenty-four (24) hour parent notification
4. Denial of participation in school or extracurricular events/activities
5. In-school restriction (where the student is not in the classroom but is supervised and allowed to do school work).
6. Saturday school
7. Parent-student-school contractual arrangements
8. Referral to a mental health specialist
9. Coordination of efforts with local social service agencies
10. A required written assignment specific to the unacceptable conduct
11. Confiscation of materials or items that are part of the unacceptable conduct
12. General cleanup or repair work assignment around the school
13. Required community service
14. Required, regular attendance at a smoking, alcohol and/or substance abuse workshop/clinic
15. Full financial restitution required when there is property damage involved
16. Denial of permission to operate or park on school property
17. Towing of student vehicle at student expense
18. Student may be suspended from school until receipt of a statement from a qualified mental health professional that the student is not likely to be disruptive or dangerous to himself/herself or others upon re-entry

19. A student may be placed on probation status by the school, with required monitoring through required attendance at scheduled conferences
20. Referral to the local law enforcement agencies

### **C. Considerations Before Imposition of Discipline; Restorative Practices**

In accordance with state law and Board Policy 5610.02, and except as specifically provided below, before a student may be suspended, expelled or permanently expelled, the District administrators making the disciplinary decision shall consider each of the following factors:

1. The student's age;
2. The student's disciplinary history;
3. Whether the student is a student with a disability;
4. The seriousness of the violation or behavior committed by the student;
5. Whether the violation or behavior committed by the student threatened the safety of any student or staff member;
6. Whether restorative practices will be used to address the violation or behavior committed by the student; and
7. Whether a lesser intervention would properly address the violation or behavior committed by the student.

The fact that consideration of these factors has occurred shall be documented in the record of the disciplinary decision. The Superintendent has developed an appropriate checklist to be used to document consideration of these factors.

Except as provided below, the District has discretion over whether to suspend, expel or permanently expel a pupil. In exercising this discretion, there is a rebuttable presumption that a suspension, expulsion or permanent expulsion is not justified unless administration can demonstrate that it considered each of the factors listed above.

The obligation to consider the factors listed above shall not apply to a student being permanently expelled for possessing a firearm in a weapon-free school zone.

The District shall consider using restorative practices as an alternative or in addition to suspension or expulsion of a student. If the District suspends or expels a student, the District shall consider using restorative practices in addition to suspension or expulsion. The obligation to consider restorative practices shall not apply to a mandatory expulsion for possession of a firearm in a weapons-free school zone.

“Restorative practices” means practices that emphasize repairing the harm to the victim and the school community caused by a student's misconduct. Restorative practices shall be considered as an alternative or in addition to suspension or expulsion of a student. The Superintendent has established procedures for the use of restorative practices within the District.

### **D. 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 one (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. 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 building administrator is required to consult with the Superintendent to review the disciplinary action taken, and the length of the suspension. The Superintendent shall report all exclusions of three (3) days or more to the Board of Education.

#### **3. Level IV – Expulsion of Up to 180 days**

A principal is authorized to expel a student from the School System for up to 180 days.

**4. Level V** – Expulsion of Greater than 180 days or permanent expulsion

The Superintendent or the Superintendent's designee is authorized to expel a student from the School System for greater than 180 days, or permanently. A principal who believes that a student should be expelled for greater than 180 days or permanently should first remove the student, and then make the recommendation to the Superintendent that the student be expelled for greater than 180 days or permanently. The Superintendent shall report expulsions of greater than 180 days or permanent expulsions to the Board.

**E. 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 student 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 one (1) to five (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.
- e. The building administrator shall report all temporary separations of three (3) or more days to the Superintendent, who in turn shall report this information to the Board.

**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 of Up to 180 days 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.

**4. Level V** – Expulsion of Greater than 180 days or permanent 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 whose expulsion is mandated by law.

**F. Exclusion of Students with Disabilities**

The rules governing student conduct apply to all students. The School System will, however, fully comply with the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973 and the Michigan Mandatory Special Education Act when disciplining students with disabilities.

## G. 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 one (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. **Suspension of Greater than Ten (10) Days:** Students who are suspended from school for greater than ten (10) days are encouraged to keep up with the work of their classes. 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. It is the responsibility of the student to contact the teacher and make arrangements to obtain and complete missing long-term projects, assignments and assessments. When calculating grades for students that fall under this category teachers shall not consider as part of the grade any work (homework, daily assignments, etc.) that the student did not have an opportunity to complete.
3. **Level V:** Michigan Compulsory Education Law: Students under eighteen (18) years old who are expelled for greater than 180 days or permanently expelled from school are still subject to the state compulsory education law, MCL 380.1561. 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 eighteen (18). 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 permanently expelled 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.
5. District Responsibility with Respect to Students Expelled under State Laws: With respect to students expelled or permanently expelled under the provisions of MCL 380.1311 (possession of a weapon, arson or criminal sexual conduct on school grounds) or 380.1311a (assault against a district employee, volunteer or contractor), the district shall: 1) enter on the student's permanent record that he or she has been expelled pursuant to state law; 2) provide the student with information from the Michigan Department of Education about alternative school opportunities; and 3) refer the student to the appropriate county department of social services or county community health agency within three (3) days after the expulsion, and notify the student or parent of such referral. With respect to students expelled under the provisions of MCL 380.1310 (assault against another student), the district shall provide the student with information from the Michigan Department of Education about alternative school opportunities.

## H. 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 two (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 two (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 two (2) school days. The Board will be informed of any summer school suspension beyond three (3) 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 one (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 one (1) administrator, one (1) teacher, and one (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 two (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 five (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 AND APPEAL RIGHTS**

##### **A. Notice of an Exclusion**

In the event of the disciplinary exclusion (i.e., temporary separation, suspension or expulsion) of a student, the following notices shall be given:

1. The student shall be provided a hearing, during which the student shall be presented with a) notice of the charges and the discipline being imposed; b) a summary of the evidence supporting and reasons for the exclusion; and c) an opportunity to be heard in his/her own defense. The hearing shall ordinarily be conducted prior to the exclusion. If the principal determines to exclude a student from school, written notice of the right to appeal along with the procedures to do so shall be given to the student at the time of exclusion. In cases where holding the hearing 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), the hearing shall be conducted as soon as practicable.
2. The student's parent(s) 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. The conference shall be scheduled as soon after the receipt by the principal of such request as may be reasonable under the circumstances.

2. The principal may, at his/her discretion, stay enforcement of a separation pending the conference.
3. The principal's decision affirming or modifying the terms or conditions of a separation shall be final.

### **C. Review of a Suspension or an Expulsion of 180 days or less**

1. A student or parent wishing review of a suspension or an expulsion of 180 days or less is encouraged to first request a conference with the principal before appealing to a Disciplinary Review Panel. If such a review takes place, the principal shall issue a written determination affirming or modifying the suspension within five (5) school days following the conference.
2. A suspension or expulsion of 180 days or less may be appealed to a Disciplinary Review Panel by the student or parent by filing with the Superintendent's office a written request for appeal within five (5) school days following mailing of the written notice of the suspension or expulsion, or within five (5) days after the principal's written determination affirming or modifying the suspension or expulsion, if a review by the principal takes place. If no such appeal is filed, the suspension or expulsion shall be deemed final.
3. The Superintendent or designee may stay enforcement of a suspension or an expulsion pending appeal.
4. 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 Panel.
  - b. That the student may be represented by an attorney or advisor of the student's choosing.
  - c. That witnesses may attend the hearing and present evidence to the Panel.
5. A Disciplinary Review Panel shall consist of the following persons:
  - a. The Superintendent or a designee, who chairs the Disciplinary Review Panel.
  - b. An administrator selected from the School System by the Superintendent.
  - c. A classroom teacher selected from the School System by the Superintendent.The administrator and teacher panelists shall be from the same school level, but not from the same school, as the student.
6. The principal and other administrators from the student's school, Board attorney, and any other persons the Panel believes are necessary may attend the appeal hearing as witnesses or advisors to the Panel, but shall have no vote in the decision.
7. Disciplinary Review Panel Hearings shall be closed to the public.
8. During the hearing, the principal or other administrator shall first present to the Panel the facts of the case and the basis for the suspension or expulsion. Thereafter, the student, (and/or the student's representative and parent(s)) may present their defense. Panel members and other participants in the hearing may ask questions of witnesses. While the hearing process is subject to due process and may have some similarities to a court proceeding, it is not conducted in a court of law and court rules are not applicable.
9. After conducting a hearing, a Disciplinary Review Panel may:
  - a. Affirm the suspension or expulsion; or
  - b. Modify the terms and conditions of such suspension or expulsion, with or without new conditions. In modifying the suspension or expulsion, the Panel may impose consequences that are greater, lesser or different than imposed by the principal, but the Panel may not impose an expulsion greater than 180 days or a permanent expulsion; or
  - c. Set aside the suspension or expulsion.
10. The Disciplinary Review Panel shall issue its decision in writing within a reasonable time following the appeal hearing. The Disciplinary Review Panel's decision shall be final.



**D. Imposition and Review of an Expulsion Greater Than 180 Days or Permanent Expulsion**

1. Upon receipt of a recommendation from a principal that a student be expelled for greater than 180 days or permanently, the Superintendent or the Superintendent's designee shall promptly schedule a hearing to review the recommendation, and shall provide the student or parent written notice of the following:
  - a. The time, date and location of the hearing.
  - b. That the student or parent may be represented by an attorney of advisor at the hearing.
  - c. That witnesses may attend the hearing and present evidence to the Superintendent.If the student or parent fails to attend a hearing after receiving notice, the Superintendent may proceed with the hearing and to a determination of whether to accept the recommendation.
2. The principal and/or other administrators from the student's school, the Board attorney, and any other persons the Superintendent or designee believes are necessary may attend the hearing as witnesses or advisors to the Superintendent or designee.
3. At the hearing, the student or parent shall be provided:
  - a. Notice of the charges against the student;
  - b. A summary of the evidence supporting the recommendation and the reasons for the recommendation; and
  - c. An opportunity to be heard in his/her own defense.
4. During the hearing, the principal or other administrator shall first present to the Superintendent or designee the facts of the case and the basis for the expulsion recommendation. Thereafter, the student, the student's parent and/or the student's representative may present their defense. The Superintendent or designee and other participants in the hearing may ask questions of witnesses. While the hearing process is subject to due process and may have some similarities to a court proceeding, it is not conducted in a court of law and court rules are not applicable.
5. After conducting the hearing, the Superintendent or designee shall mail to the student or parent a written decision with respect to the recommendation within five (5) school days following the hearing. The Superintendent or designee may:
  - a. Accept the recommendation and expel the student for greater than 180 days or permanently;
  - b. Impose consequences other than expulsion for greater than 180 days or permanent expulsion (including a suspension or expulsion of 180 days or less of such duration and with such terms as the Superintendent believes are justified);
  - c. Return the matter to the principal for imposition of consequences other than expulsion of greater than 180 days or permanent expulsion; or
  - d. Decline to impose discipline.
6. An expulsion greater than 180 days or a permanent expulsion may be appealed to the Board of Education by the student or parent within fifteen (15) days of the mailing of the letter of expulsion, pursuant to the provisions of Board Policy 5610.01.
7. The Superintendent may stay enforcement of the expulsion or discipline pending the appeal.

**E. Expungement of a Suspension or an Expulsion of Less than 180 Days**

The Superintendent shall have the authority to expunge from a student's record a suspension or an expulsion of less than 180 days, under the following conditions:

1. A period of not less than two (2) years has passed since the expiration of the suspension or expulsion period.
2. The student returned to school in the District after the expiration of the suspension or expulsion period, and did not thereafter receive a suspension or expulsion. The receipt of a temporary separation shall not disqualify a student from seeking expungement.

3. The student remains enrolled in the District. Expungement shall not be available to former students of the District, including graduates.
4. The student demonstrates that he or she has not previously had a suspension or expulsion expunged.
5. The student (or parent or guardian) requests the expungement in writing.

Expungement of a prior suspension or expulsion is not a matter of right, but is solely within the discretion of the Superintendent. It is expected that the remedy of expungement will be utilized only rarely, and only for a student whose good conduct since his or her suspension or expulsion demonstrates that he or she is deserving of this unusual consideration.

## **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 sixty (60) days following the expulsion. Reinstatement may occur not earlier than ninety (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 ten (10) days of receiving a petition for reinstatement, the Board shall appoint a Reinstatement Review Panel of two (2) Board members, one (1) administrator, one (1) teacher, and one (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 ten (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
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.
  - a. potential risk of harm to students or staff
  - b. potential liability risk to School System or individual
  - c. individual's age and maturity

- d. individual's school record before the expulsion
  - e. individual's attitude toward the expulsion incident
  - f. individual's behavior since the expulsion and prospects for remediation
  - g. degree of parental cooperation and support, including receptiveness to possible conditions
  - h. whether the federal Gun-Free Schools Act of 1994, which requires at least one (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 eighteen (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 (1) year following the Board's denial.

#### **IV. REINSTATEMENT OF FORMER STUDENTS**

Students for whom suspension or expulsion is recommended and who leave the school district prior to the completion of the disciplinary process shall not be reinstated until the disciplinary process is completed and any consequences, if imposed, are served.

#### **TELEPHONE NUMBER FOR INCIDENTS REQUIRING REPORTS TO AUTHORITIES:**

Wayne County Family Independence Agency – Protective Services (incidents of child abuse) 1-855-444-3911