



# STUDENT CODE OF CONDUCT

**2017-2019**

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*“Our character is what separates us from the rest! – We are the Knights!”*



August 17, 2017

Dear Parent/Guardian,

A primary objective of the Oak Park School District is to assist students to become responsible citizens. To assure that this objective is achieved, the district has adopted a new Student Code of Conduct that defines the rights and obligations of students in order to promote their educational welfare.

The Student Code of Conduct is based on the legal rights of the individual and the collective rights of the total student body. The Student Code of Conduct is designed to help our students to know their rights and responsibilities and to avoid engaging in unacceptable conduct.

The Oak Park School District values and recognizes the importance of parental involvement in ensuring that students behave in a manner that is acceptable and does not interrupt the learning process. We strongly urge parents to get involved in our schools and in the community as we find ways to help our students make better decisions.

Please take the necessary time to review the Student Code of Conduct with your child. You can support the district's policies by doing the following:

- Talk with your child about educational expectations and the importance of good character.
- Read and discuss the rules and regulations outlined in the Oak Park School District Student Code of Conduct.
- Encourage your child to give their best effort daily, while following school rules and procedures.
- Teach your child how to respect others and resolve conflicts using problem solving skills.
- Encourage your child to report any incidents of concern to the school administration.

Please do not hesitate to contact your child's school principal if you have any questions. Thank you for your support and cooperation.

Sincerely,

Stan Trompeter  
*Title I Programs, Professional Development  
& Compliance Director*  
Oak Park School District

Daveda J. Colbert, Ph.D.  
*Superintendent*  
Oak Park School District

August 17, 2017

Dear Parent/Guardian,

We are excited to begin a new school year with an emphasis on developing students' character and leadership potential. As part of this initiative, we will be working diligently to improve and sustain a positive social climate and culture by helping students learn about various traits, including respect, responsibility, citizenship, and self-efficacy, just to name a few. This character education component will help students practice effective habits of mind in and out of school.

Beginning this school year, every student will learn specific leadership concepts and skills and how to apply those skills in their daily lives. Oak Park Schools' Character Education Team developed a curriculum that is designed to help students partner in creating safe, orderly, caring communities where everyone has an opportunity to learn and develop strong character. Staff will also continue to engage in Capturing Kids' Hearts throughout the teaching and learning experience. At Oak Park, our priority is for students to develop character and build leadership potential.

We hope that you can extend students' learning by helping your child(ren) practice these skills and concepts at home. Throughout the school year, every student will bring home a Family Article that explores many of the concepts and skills taught in the classroom. These articles will have strategies that families can use together. At Oak Park, we are confident that with your help, we can continue to provide your child(ren) with learning experiences that will enhance their leadership potential.

We are certain that these additions to the curriculum will provide positive results as we continue to develop productive citizens at every grade level. We look forward to your continued support in this endeavor.

Yours in Education,

The Character Education Team  
Oak Park School District

OAK PARK BOARD OF EDUCATION

**Student Code of Conduct**

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## **INTRODUCTION**

### **Legal Basis for School Discipline**

The Oak Park School District's Student Code of Conduct is written in accordance with the Michigan Revised School Code and Federal regulations. The rules and regulations adopted inform students, their parents and the staff what behavior is permitted and what is not. The Legal Basis for School Discipline in Michigan is the Michigan School Code.

#### **Section 1 1a (3) of the Michigan School Code of 1995 establishes:**

Oak Park School District as "A general powers school district (which) has all of the rights, powers, and duties expressly stated in this act; (PA289 of 1995) may exercise a power implied or incident to any power expressly stated in this act; and, except as provided by law, may exercise a power incidental or appropriate to the performance of any related to operation of the school district in the interests of public elementary and secondary education in the school district."

#### **Section 1303 of the Michigan School Code of 1995 established:**

"The Board of a school district shall not permit any pupil to carry a pocket pager or electronic communication devise, OR OTHER PERSONAL COMMUNICATION DEVICE in school except for health or other unusual reasons approved by the board, and may develop penalties that it considers appropriate for a pupil who violates this prohibition."

#### **Revised School Code**

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

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

**SEC. 1310D.**

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

(A) the pupil's age.

(B) the pupil's disciplinary history.

(C) whether the pupil is a student with a disability.

(D) whether the violation or behavior committed by the pupil threatened the safety of any pupil or staff member.

(E) whether restorative practices will be used to address the violation or behavior committed by the pupil.

(F) whether a lesser intervention would properly address the violation or behavior committed by the pupil.

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

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

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

(5) SUBJECT TO 1310(d), for students in grades six (6) and above, in addition to the suspension and expulsion of students who commit violations identified in a district's Code of Student Conduct, Michigan law requires a school district to remove a student who possesses a dangerous weapon. Michigan law also requires removal of students who commit arson, criminal sexual conduct (as defined in the law), or a physical



assault against a school employee or volunteer. Michigan law also requires school districts to remove students who commit physical assault against another student or make a bomb threat, or similar threat. Those exclusions can last no more than 180 days.

The Oak Park School District guarantees every student the right to a public education. The Student Code of Conduct is designed to help students to know their rights and responsibilities and to help them make informed decisions about what are acceptable school-related behaviors.

The Student Code of Conduct policy will be enforced by the Oak Park School District administration. The Student Code of Conduct will apply to any offenses that take place when students are in route to or from school (school grounds, school-sponsored field trips, extra-curricular activities, and on school buses).

All staff must employ and adhere to the Oak Park School District's Student Code of Conduct.

## **STUDENT RESPONSIBILITIES**

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

Each student has the responsibility to:

- Respect the inherent human dignity and worth of every other individual.
- Be informed of and adhere to reasonable rules, policies and regulations established by the Oak Park Board of Education and implemented by school administrators and teachers for the welfare and safety of the students.
- Study diligently and maintain the best possible level of academic achievement.
- Take responsibility for your learning and recognize that it is a process.
- Work within the existing structure of the school to address concerns.
- Be punctual and present in the regular school program to the best of one's ability.
- Refrain from libel, slanderous remarks and obscenity in verbal and written expression and observe fair rules in conversation and responsible journalism.
- Dress and appear in a manner that meets reasonable standards of health, cleanliness and safety.
- Help maintain and improve the school environment, preserve school property and exercise the utmost care while using school facilities.
- Conduct oneself in an appropriate manner while in attendance at all school or school related functions held on or off school grounds.
- Participate in your learning communities, including helping to formulate rules and procedures in the school, engaging in school-related activities and fostering a culture of

respect for learning and for others.

## **STUDENT RIGHTS**

The immediate objective of the Student Code of Conduct is to assure a suitable environment in which learning can take place and to encourage student growth in abilities, attitudes and values essential to acceptable behavior.

If a student feels unsafe or is threatened, the student or the student's parent/guardian should contact the principal.

Individual rights relate to individual responsibilities and must be seen in relationship to the safety, health and welfare of all members of the school community.

Disciplinary actions are applied to students when there are violations of the rules. Disciplinary actions take into account the specific offense and an understanding of the student, guidance procedures and the educational purposes of the school.

## **PARENT/ GUARDIAN'S RESPONSIBILITIES**

In the Oak Park School District, we put children first. The Oak Park Schools' Parent/Guardian's Responsibilities details the expected behaviors of parents/guardians and visitors when on school property, field trips, athletic and extra-curricular events, or when engaging with school personnel. The Oak Park Schools' Parent/Guardian's Responsibilities are established to ensure a positive working relationship between the school, parents/guardians and the general community.

As a part of the enrollment application process, parents and/or guardians will be required to sign the Parent/Guardian's Responsibilities agreement to:

- Be courteous in speech and actions while on school property or in attendance at school-sponsored events.
- See that your child(ren) attends school regularly and on time.
- Support the school's effort to provide a safe and orderly learning environment.
- Meet with school staff when requested to discuss the education or behavior of my child(ren).
- Advocate for your child(ren) and take an active role in the school community.
- Know and support the district and school rules and policies and work within the existing structure of the school to address concerns.
- Sign in at the office upon entering the school and seek permission prior to going to other areas of the building.

## **EDUCATOR RESPONSIBILITIES**

Educators have the responsibilities to:

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

## **FAIR ADMINISTRATION OF THE CODE OF CONDUCT**

The Code of Student Conduct sets forth student rights and responsibilities while at school and school-related activities, and the consequences for violating school rules. It defines behaviors that undermine the safety and learning opportunities for all members of the school community and favors actions that encourage positive behavior and learning over actions designed to punish. When determining the consequences of student misconduct, school officials may use intervention strategies and/or disciplinary actions. Recognizing the importance of keeping students in school learning as much as possible, educators will consider the severity or repetition of misconduct, age and grade level of the student, circumstances surrounding the misconduct, impact of the student's misconduct on others in the school community, and any other relevant factors in determining how they will address misconduct.

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

## **OTHER STUDENT RIGHTS AND RESPONSIBILITIES**

### **MAKE-UP WORK**

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

### **RIGHTS TO FREEDOM OF EXPRESSION**

Students have the right to express their beliefs and opinions on issues in a reasonable manner, disagree and petition to seek redress of grievances or to express dissatisfaction with policies.

### **FREEDOM FROM UNREASONABLE SEARCHES AND SEIZURES**

Search of a student may be undertaken by any principal or his/her designee or authorized member of the staff when there is reasonable grounds to suspect that the search will uncover evidence that a student violated federal, state, local law or school rule.

### **SEARCH OF LOCKERS, DESKS, AND OTHER ASSIGNED SPACES**

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

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

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

### **RULES FOR SCHOOL BUS RIDERS**

Students are required to:

- Be on time at the bus stop.
- Remain behind the curb until the bus comes to a complete stop.
- Have Bus Permit and Student I.D. ready to show the driver.
- Stay seated when the bus is in motion.
- Remember that no part of the body is allowed to extend from a window.
- Do not eat or drink on the bus.
- Avoid loud talking, shouting, profanity, fighting, or disturbing and distracting

behavior.

- Leave their seats only after the bus has come to a complete stop.
- Help keep the bus clean.
- Pay for any damage to the bus which they cause.
- Be courteous and obedient to bus drivers. Student help will enable the driver to make school bus rides safe.

### **STUDENT DRESS CODE POLICY**

The Board of Education has adopted a Student Dress Code Policy for the Oak Park School District to which all students must adhere.

### **STUDENT RIGHTS WHEN QUESTIONED BY THE POLICE**

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

### **BULLYING and CYBERBULLYING**

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

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

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

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

prohibited.

Demonstration of appropriate behavior, treating others with civility and respect and refusing to tolerate harassment or bullying is expected of administrators, faculty, staff, and volunteers to provide positive examples for student behavior.

This policy applies to all “at school” activities in the district, including activities on school property, in a school vehicle, and those occurring “off school” property if the student or employee is at any school-sponsored, school-approved or school-related activity or function, such as field trips or athletic events where students are under the school’s control, or where an employee is engaged in school business. Misconduct occurring outside of school may also be subject to discipline if it interferes with the school environment.

### **Notification**

Notice of this policy will be annually circulated to and posted in conspicuous locations in all school buildings and departments within the district and discussed with students, as well as incorporated into the teacher, student, and parent/guardian handbooks. State and federal rights posters on discrimination and harassment shall also be posted at each building. All new hires will be required to review and sign off on this policy and the related complaint procedure.

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

To the extent appropriate and/or legally permitted, confidentiality will be maintained during the investigation process. However, a proper investigation will, in some circumstances, require the disclosure of names and allegations. Further, the appropriate authorities may be notified, depending on the nature of the complaint and/or the results of the investigation.

### **Implementation**

The Superintendent is responsible to implement this policy and may develop further guidelines not inconsistent with this policy.

This policy is not intended to and should not be interpreted to interfere with legitimate free speech rights of any individual. However, the district reserves the right and responsibility to maintain a safe environment for all students that is conducive to learning and other legitimate objectives of the school program.

### **Procedure for Addressing Bullying/Cyberbullying**

Any student who believes he or she has been or is the victim of bullying/cyberbullying should immediately report the situation to the Principal or Assistant Principal. The student may also report concerns to a teacher or counselor who will be responsible for notifying the

appropriate administrator or Board official. Complaints against the building principal should be filed with the Superintendent. Complaints against the Superintendent should be filed with the Board President.

Every student is encouraged, and every staff member is required, to report any situation that they believe to be bullying/cyberbullying directed toward a student. Reports shall be made to those identified above. Reports may be made anonymously, but formal disciplinary action may not be taken solely on the basis of an anonymous report.

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

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

The individual responsible for conducting the investigation shall document all reported incidents and report all verified incidents of bullying/cyberbullying behavior, as well as any remedial action taken, including disciplinary actions and referrals to the Superintendent. The Superintendent shall submit a compiled report to the Board on an annual basis.

### **Non-Retaliation/False Reports**

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

Making intentional false reports about bullying/cyberbullying behavior for the purpose of getting someone in trouble is similarly prohibited and will not be tolerated. Retaliation and intentionally false reports may result in disciplinary action as indicated above.

### **Prevention/Training**

The Superintendent shall establish a Bullying Prevention Task Force.

The District shall provide all administrators, school employees, contracted employees, and volunteers who have significant contact with students, annual training on preventing, and identifying, responding to, and reporting incidents of bullying/cyberbullying.

The District shall provide, and all students shall undertake, annual training on preventing, identifying, responding to, and reporting incidents of bullying and cyberbullying.

The District shall provide and all parents or legal guardians shall be offered the opportunity to undertake annual training on preventing, identifying, responding to, and reporting incidents of bullying/cyberbullying.

## **Definitions**

The following definitions are provided for guidance only. If a student or other individual believes there has been bullying/cyberbullying, regardless of whether it fits a particular definition, s/he should report it immediately and allow the administration to determine the appropriate course of action.

**“At School”** is defined as in a classroom, elsewhere on school premises, on a school bus or other school related vehicle, or at a school-sponsored activity or event whether or not it is held on school premises. It also includes conduct using a telecommunications access device or telecommunications service provider that occurs off school premises if either owned by or under the control of the District.

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

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



Bullying can be physical, verbal, psychological, or a combination of all three. Some examples of bullying are:

- A. **Physical** – hitting, kicking, spitting, pushing, pulling, taking and/or damaging personal belonging or extorting money, blocking or impeding student movement, unwelcome physical contact.
- B. **Verbal** – taunting, malicious teasing, insulting, name calling, making threats.
- C. **Psychological** – spreading rumors, manipulating social relationships, coercion, or engaging in social exclusion/shunning, extortion, or intimidation. This may occur in a number of different ways, including but not limited to, notes, emails, social media postings, and graffiti.

“**Staff**” includes all school employees and Board members.

“**Third parties**” include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors, vendors, or others engaged in district business, and others not directly subject to school control at inter-district or intra-district athletic competitions or other school events.

For further definition and instances that could possibly be construed as:

Harassment, see Policy 5517

Hazing, see Policy 5516

MCL 380.1310b (The Matt Epling Safe School Law, PA 241 of 2011) Policies on Bullying, Michigan State Board of Education)

Model Anti-Bullying Policy, Michigan State Board of Education

## **UNACCEPTABLE CONDUCT**

Oak Park Public Schools’ students are responsible for acting in a manner that is acceptable as outlined by the Student Code of Conduct. Any student who violates the Oak Park School District’s Student Code of Conduct is subject to disciplinary action. Discipline, including but not limited to, detention, in-school suspension (short term or long term) or expulsion may be imposed for any violation or any provision of this Student Code of Conduct. There is no “progressive discipline” and each incident or series of incidents will be treated according to the particular facts and seriousness of the infraction(s).

## **OAK PARK SCHOOL DISTRICT CODE OF CONDUCT VIOLATIONS**

### **1. INSUBORDINATION/UNRULY CONDUCT**

A student shall not willfully ignore or refuse to comply with directions or instructions given by school authorities. Refusing to open a book, write an assignment, work with another student, work in a group, take a test, or do any other class or school-related activity not listed herein, refusing to leave a hallway or any other location when

instructed by a school staff member, or running away from school staff when told to stop constitutes unruly conduct.

**2. REFUSAL TO IDENTIFY SELF TO AUTHORIZED SCHOOL PERSONNEL**

A student shall not refuse to show or wear an identification card and/or give his/her correct name when requested to do so by authorized school personnel.

**3. FALSE IDENTIFICATION**

A student shall not use another person's identification or give false identification to any school personnel to falsely obtain money or property.

**4. STUDENT DEMONSTRATIONS**

A student shall not participate in any type of protest or demonstration that disrupts the educational process.

**5. TRUANCY (ATTENDANCE and SKIPPING)**

All students are expected to be on time for school and for each class, unless illness or a delayed school bus prevents timely arrival and attendance at school. A student shall not willfully and repeatedly fail to report to the school's assigned class or activity without prior permission, knowledge or excuse by the school and parent/guardian. A student shall not fail to report to school, classes, lunch period, study hall, homeroom, or record room. All schools in the District are closed campuses for lunch and students must attend the assigned lunch period. Daily attendance is necessary for school success. Truancy may cause the loss of academic course credits and referral to the Juvenile Division of the Probate Court.

**6. PROHIBITED ARTICLES OR POSSESSION OF CELLULAR PHONES OR OTHER ELECTRONIC DEVICES WHILE IN SCHOOL**

A student shall not bring to school any prohibited object that is deemed by the administration to disrupt and/or interfere with the educational process, or potentially endangers the health, welfare, or safety of students or staff. This includes, but is not limited to, CD/MP3 players, headphones, personal communication devices, iPods, personal pagers, cell phones, and other electronic communication devices. Any devices seen by a staff member can be confiscated during the academic day and must be returned to the student at dismissal.

**7. UNAUTHORIZED USE AND/OR MISUSE OF SCHOOL MATERIALS AND EQUIPMENT**

A student shall not use any school materials or equipment without the official approval of an administrator or authorized school personnel.

**8. VIOLATION OF THE STUDENT CODE OF CONDUCT ON SCHOOL BUSES OR SCHOOL-SPONSORED EVENTS**

A student shall not violate these prescribed rules and regulations for student conduct on school buses or while attending any school-sponsored events.

## **9. CHEATING OR ACADEMIC DISHONESTY**

A student shall not engage in any act of cheating, plagiarism, academic dishonesty, including but not limited to, the removal and/or altering of any school records or educational materials through unauthorized access.

## **10. UNAUTHORIZED SCHOOL VISITOR**

A student shall not make or participate in making any arrangements to bring an unauthorized visitor to the school or school-sponsored event to verbally or physically harm or endanger another student, staff member or authorized guest in any school building, on school grounds or during a school-sponsored event.

## **11. COMPLICITY**

A student shall not actively or passively aid, abet and/or otherwise encourage or coerce another student(s) to violate and/or disobey the rules contained in this Code of Conduct.

## **12. DISRUPTION OF SCHOOL AND/OR DISORDERLY CONDUCT**

A student shall not cause any disruption of any classroom activity, the operation of the school, the education process, and/or engage in any act that is potentially harmful to the health, welfare and safety of other students and/or staff. Behavior is considered disorderly if a teacher is prevented from starting an activity or lesson or has to stop instruction to address the disruption.

## **13. INAPPROPRIATE DRESS OR APPEARANCE**

*Refer to the Board Adopted Dress Code Policy*

## **14. LITTERING**

A student shall not litter within a school building or on school grounds.

## **15. PROFANITY/VULGAR LANGUAGE**

A student shall not use strong offensive, vulgar, lewd, or irreverent language or body language towards students or staff. Profane / vulgar language includes, but is not limited to, gestures, swearing, cursing, cussing, using expletives, or any written, electronic or pictorial representation of same.

## **16. DIRECT OR INDIRECT THREATS OF VIOLENCE, INJURY OR HARM**

A student shall not intimidate, physically or verbally threaten or encourage any other person to do injury or harm to another student or any staff member.

## **17. USE OR POSSESSION OF E-CIGARETTES, TOBACCO PRODUCTS AND/OR IMITATION CONTROLLED SUBSTANCE**

A student shall not engage in the selling, using, possession, or dispensing of an imitation controlled substance as defined in Section 28-401, of the Michigan statutes, or materials represented to be alcohol, narcotics, drugs, controlled substances, or inhalants. Students in violation of these rules are subject to immediate confiscation of the prohibited substance and disciplinary consequences. A student shall not possess or use any tobacco or nicotine product while on school grounds.

## **18. THEFT, ROBBERY AND LARCENY**

A student shall not intentionally cause or attempt to cause damage to school property or the property of another person, steal, attempt to steal, or knowingly be in the unauthorized possession of school property or the property of another person.

## **19. LOITERING OR TRESPASSING**

A student shall not be in an unauthorized area within school or on school grounds or property at any time. A student shall not remain or linger on school property without a legitimate purpose and/or without proper authority in any way that may cause disruption of any regular school activity or function. A student who has been suspended is not permitted on school grounds and is considered to be trespassing without the authorization of the school administrator. A student shall not enter a location that is not typically accessible to students before, during or after the school day.

## **20. EXTORTION / COERCION**

A student shall not make another person do any act against his or her will, by force or threat, expressed or implied. A student shall not coerce another to act or refrain from acting.

## **21. VANDALISM OR OTHER INTENTIONAL AND MALICIOUS DESTRUCTION OF PROPERTY**

A student shall not attempt to act or act in a way that results in the destruction, impairment or defacement of school or private property. A student shall not cause or attempt to cause damage or impairment to either school property or private property, through improper or unlawful use or otherwise, on school premises or during school activities conducted on or off school grounds.

## **22. INTERFERENCE WITH OR INTIMIDATION OF SCHOOL PERSONNEL**

A student shall not intimidate, insult or engage in verbal abuse by written or electronic means toward any staff member or school personnel.

## **23. INTERFERENCE WITH THE MOVEMENT OF PUPILS IN AND OUT OF SCHOOLS, BETWEEN SCHOOLS OR BETWEEN HOME AND AN ASSIGNED SCHOOL**

A student shall not interfere or attempt to interfere with the safe movement of students in and out of schools, between schools or between home and an assigned school.

## **24. INAPPROPRIATE AND/OR EXCESSIVE DISPLAY OF AFFECTION**

A student shall not engage in inappropriate and/or excessive display of affection while on school property or while attending school-sponsored events.

## **25. HARASSMENT/INTIMIDATION**

A student shall not engage in or participate in any behavior that is included in the definition of harassment or intimidation. "Harassment or intimidation" means any gesture or written, verbal or physical act that a reasonable person, under the circumstances, should know will have the effect of harming a student or damaging the

student's property, placing a student in reasonable fear of harm to the student's person or damage to the student's property, or that has the effect of insulting or demeaning any student or group of students in such a way as to disrupt or interfere with the school's educational mission or the education of any student. Harassment or intimidation includes but is not limited to, a gesture or written, verbal or physical act.

**26. SEXUAL HARASSMENT (Level 1)**

A student shall not use words, pictures, objects, gestures, or other actions related to sexual activity or a person's gender that cause embarrassment, discomfort or a reluctance to participate in school activities.

**27. SEXUAL HARASSMENT (Level 2)**

A student shall not make unwelcome sexual advances, request sexual favors or engage in verbal communication or physical conduct of a sexual nature with or toward any other student, school district personnel or adult volunteer.

**28. GAMBLING**

A student shall not engage in any game of chance or contest wherein money or other items of monetary value are awarded to the winner, except for those games and contests that are authorized as official school functions.

**29. FALSE FIRE ALARM OR BOMB REPORT: TAMPERING WITH FIRE ALARM SYSTEM**

Unless an emergency exists, a student shall not intentionally sound a fire alarm or cause a fire alarm to be sounded, nor will a student falsely communicate or cause to be communicated that a bomb is located in a building or on school property, or at a school related event. These acts are prohibited, irrespective of the whereabouts of the student. A student shall not destroy, damage or otherwise tamper with a fire alarm system in a school building.

**30. VERBAL CONFRONTATION OR VERBAL ASSAULT**

A student shall not use words to cause harm or threaten to cause harm to the person being spoken to. The conflict is of words, alone, without action. Verbal abuse may consist of, but is not limited to, name calling, insulting, intimidating, shaming, threatening, demeaning, racial or ethnic slurs or derogatory language, among other forms of communication.

**31. GIVING FALSIFIED INFORMATION**

A student shall not intentionally misrepresent information to any school district personnel.

**32. INTERNET ETIQUETTE/IMPROPER USE OF TECHNOLOGY OR SOCIAL MEDIA**

A student shall not take, disseminate, transfer, upload, or share obscene, lewd, harmful, violent or illegal images, (including fights, bullying activities and assault), photographs, or video footage of students or staff in any Oak Park School District building or on any

Oak Park School District campus. Video footage, photographs, or images that fuel school conflicts, disrupt learning or the operation of the school, spur bullying, and inflict harm as a result of the content is prohibited and subject to consequences, including applicable criminal charges. *Refer to the District Electronic Usage Policy for additional information.*

### **33. FIGHTING**

A student shall not engage in any fight, physical force, or other act of violence that causes physical/bodily harm or threatens to cause harm to another person. Fighting may lead to the involvement of the local law enforcement agency.

### **34. MISUSE OF VEHICLES ON SCHOOL PROPERTY**

A student shall not intentionally or recklessly operate a motor vehicle so as to endanger the safety, health or welfare of others on school property.

### **35. FAILURE TO SERVE IN-SCHOOL DISCIPLINE**

A student shall not refuse to serve an in-school suspension, misbehave while serving school discipline, or fail to report for an assigned detention. A student shall not walk out of the principal's or assistant principal's office while discussing or receiving discipline. Alternative consequences may be approved by school/district administration for students who lack transportation to serve in a school discipline.

### **36. HAZING**

A student shall not participate in hazing or other degrading or disgraceful acts that endanger the physical safety and/or cause mental distress to another/other students. The act of hazing is a crime in Michigan and will not be tolerated in the district. A student shall not engage in or participate in any behavior that is included in the definition of hazing. The term "hazing" means "an intentional, knowing or reckless act by a person acting alone or acting with others that is directed against an individual and that the person knew or should have known endangers the health or safety of the individual and that is done for the purpose of pledging, being initiated into, affiliating with, participating in, holding office in, or maintaining membership in any organization." The term "organization" means "a fraternity, sorority, association, corporation, order, society, corps, cooperative, club, service group, social group, athletic team, or similar group whose members are primarily students at an educational institution." [MCL 750.411t].

### **37. WEAPONS: DANGEROUS INSTRUMENTS**

A student shall not possess, handle, transmit, or use a dangerous instrument while at school or any school-sponsored event, on or off school property, capable of harming another person. A "dangerous instrument" means any device intended to cause injury or bodily harm, any device used in a threatening manner that could cause injury or bodily harm, or any device that is primarily used for self-protection. Dangerous instruments include, but are not limited to, firecrackers, clubs, chemical mace, pepper gas or like substances, explosives, pyrotechnic devices of any kind, stun guns, BB guns, pellet guns, razors, or box cutters and weapon-like objects or ordinances; including objects made, constructed, or altered so that to a reasonable person the object appears to be a firearm or other dangerous object.

**38. WEAPONS: DANGEROUS WEAPONS**

A student shall not possess, handle, transmit, or use as a dangerous weapon an instrument capable of harming another person. A “dangerous weapon” means a firearm, dagger, dirk, stiletto, knife with a blade over three inches in length, pocket knife opened by a mechanical device, iron bar, or brass knuckles [MCL 380.1313].

**39. WEAPONS: USE OF LEGITIMATE TOOLS AS WEAPONS**

A student shall not use a legitimate tool, instrument, or equipment as a weapon with the intent to harm another. These items include, but are not limited to, pens, pencils, compasses, or combs.

**40. PHYSICAL ASSAULT OF A STUDENT, EMPLOYEE, VOLUNTEER, OR CONTRACTOR**

A student shall not physically assault another person. “Physical assault” means intentionally causing or attempting to cause physical harm to another through force or violence. [MCL 380.1310(3)(b), MCL 380.1311a(12)(b)].

**41. ARSON**

A student shall not intentionally, by means of starting a fire, cause harm to any property or person, or participate in the burning of any property or person. A student shall not attempt to act or act in the burning or attempted burning of any item on school property. [“Arson” means a felony violation as set forth in Chapter X of the Michigan Penal Code MCL 750.71 to MCL 750.80].

**42. POSSESSION, SALE OR DISTRIBUTION OF CONTROLLED SUBSTANCES OR ILLEGAL MATERIALS**

A student shall not sell or distribute any illegal substances on school property or at any school-sponsored events. Possession, actual sale and distribution of any type of illegal substances are prohibited, and any student found in possession of controlled substances or illegal materials will be turned over to the local law enforcement agency. Illegal substances for the purpose of this section include tobacco, alcohol, narcotics, drugs prohibited by law, including misuses of prescription medications.

**43. SEXUAL ASSAULT**

A student shall not sexually assault another person. “Criminal Sexual Conduct” means a violation of as set forth in Chapter LXXVI of the Michigan Penal Code. [MCL 750.520b to MCL 750.520g].

**44. INDECENT EXPOSURE**

A student shall not knowingly make any open or indecent exposure of his or her person or of the person of another. [MCL 750.335a]

**45. FORGERY**

A student shall not defraud school personnel by signing and/or falsifying the name of another person. A student shall not falsify the name of another person or the school

entity itself.

**46. MISCONDUCT IN ANOTHER SCHOOL DISTRICT**

A student shall not falsify information upon being admitted to Oak Park School District. A student who has been engaged in misconduct resulting in Expulsion or long-term suspension from another school district or has withdrawn prior to a due process hearing at another school district will be enrolled but shall be held on long-term suspension pending a public hearing before the Superintendent and the School Board.

**47. OFF-CAMPUS MISCONDUCT**

A student shall not engage in off-campus misconduct that disrupts learning or the operation of the school. The local Law Enforcement Agency will be contacted if any criminal acts are violated.

**48. CRIMINAL ACTS OR OTHER ILLEGAL CONDUCT**

A student shall not engage in any illegal criminal acts as defined by Michigan law. The District will report such incidents to the appropriate local Law Enforcement Agency.

**49. GROUP OR GANG-RELATED ACTIVITIES**

A student shall not engage in any organized act or threatened act of violence which results in physical harm to another student or adult. Gangs are defined as organized groups of students and/or adults who compromise the general community order, and/or interfere with the school district's mission.

**50. HABITUAL OR PERSISTENT MISCONDUCT**

A student shall not repeatedly fail and/or blatantly refuse to comply with school rules and regulations or directions of authorized school personnel.

**51. FRAUD**

A student shall not deceive another or cause another to be deceived by false or misleading information in order to obtain anything of value.

**52. TARDINESS**

A student shall not fail to be in his or her place of instruction at the assigned time without a valid excuse.

**53. POSSESSION OF INAPPROPRIATE PERSONAL PROPERTY**

A student shall not possess personal property that is prohibited by school rules or that is disruptive to teaching and learning.

**54. BULLYING/CYBERBULLYING**

A student shall not write, state, act or communicate electronically in a manner that is intended to or that a reasonable person would likely know could harm to one or more pupils either directly or indirectly. The following harms are included but not limited to, substantially interfering with the educational opportunities, benefits or programs of one (1) or more students, adversely affecting the ability of a student to participate in or benefit



from the school districts educational programs or activities by placing the student in reasonable fear of physical harm or by causing substantial emotional distress, having an actual and substantial detrimental effect on a student's physical or mental health, or causing a substantial distribution in, or substantial interference with, the orderly operation of the school.

### **TYPES OF DISCIPLINARY ACTION**

The school administration may impose In-School Discipline for any commission of unacceptable conduct as defined in the Student Code of Conduct. **IN-SCHOOL DISCIPLINE** as defined by the Oak Park school District is:

- **Detention** - Time assigned as hours either before or after school served by a student in either a working or restricted capacity. The period of time and schedule are to be established by the administration. Transportation is the responsibility of the student and his/her parent or guardian.
- **School to Work Program** - Time assigned on Saturday, or before or after school, for supervised school or community work and/or clean-up activities. Transportation is the responsibility of the student and his parent or guardian.
- **Saturday School** - The student is required to attend school on Saturday under the supervision of school officials. Transportation is the responsibility of the student and his/her parent guardian.
- **In-School Suspension** - Removal of a student from all regular school activities for a period not to exceed five days. The student is confined to a designated location in the school and placed under the supervision of the school officials or their designee.

#### **Short-Term Suspension Definition**

For purposes of this code, a short-term suspension occurs when a student is suspended for one (1) school day, up to and including five (5) school days. During a short-term suspension, the student's rights and privileges of attending school, including extracurricular activities, are suspended.

#### **Due Process for Short-Term Suspensions**

For a suspension of five (5) days or less, a student is entitled to minimal due process protections, including oral or written notice of the accusation(s), what disciplinary measures are being proposed, and an opportunity to respond.

#### **Long-Term Suspension and Expulsion Definition**

A long-term suspension is when a student is suspended for more than five (5) school days. During a long-term suspension, the student's rights and privileges of attending school, including extracurricular activities, are suspended.

An expulsion occurs when the school district's board of education terminates the student's rights and privileges to attend school, including extracurricular activities. An expulsion is for an indefinite time, unless otherwise specified by the school board or state law.

### **Due Process for Long-Term Suspension and Expulsion**

A more formal due process procedure is required when serious disciplinary measures are alleged against a student. When the student's misconduct requires legal action, school district staff will work to protect his/her constitutional rights by explaining what the student is accused of and giving him/her the opportunity to speak with an adult advocate such as a parent or other family member, guardian, mentor, friend, and/or attorney. The school district may also provide, upon a request, a list of resources for representation. The student shall be given reasonable time to prepare for a hearing. The person conducting the disciplinary hearing must be impartial.

If recommended by the principal or assistant principal, the school district's board of education or its designee shall conduct a hearing to determine whether to impose a long-term suspension or expulsion. Based upon the results of this hearing, the school district's board of education has the exclusive and final authority to expel a student from the school district.

The student and parent/guardian shall be notified of the allegation, the recommended disciplinary action, the time, date, and location of the hearing, and of their right to attend and participate in the hearing.

Prior to the hearing, families will be given an opportunity to review all documents, videos, other media, or any other types of evidence, and a list of all witnesses slated to testify.

Prior to the hearing, families should be notified of all of the district's processes for hearings and appeals.

The board of education or its designee shall conduct a hearing, which may be recorded. The student shall be advised of the alleged violation and be given an explanation of the facts. The explanation may include the written or oral testimony of others.

At the request of the student or the student's parent/guardian, the Board of Education shall meet in a closed session to "consider the dismissal, suspension or discipline of a student" [MCL 15.268(b)].

The student and parent/guardian may be represented at the hearing by an attorney or other adult. Written or oral evidence may be presented at the hearing on behalf of the student.

After the hearing, the board of education or its designee shall issue a decision, including a determination of disciplinary action.

The parent/guardian of the student may petition the school board to request the student's reinstatement to school, as permitted by state law.

## Appeal Process

A student who disagrees with the decision of the board of education may, within five (5) days of receipt of the decision, petition the board of education for the opportunity to request appeal or reconsideration by the board or its designee. The petition shall be in writing and contain the reason that the board or its designee's decision should be reviewed or reconsidered. The board of education may grant or deny the request for an appeal or request for reconsideration. If granted, the board shall notify the student in writing of the procedures to be used for the appeal or the request for reconsideration.

## DISCIPLINARY APPEAL PROCEDURES

At any step in the disciplinary process, a student and/or the student's parents have the right to appeal any disciplinary action taken by school officials. Appeals may involve findings relative to a student's violation of the Student Code of Conduct and imposed disciplinary action. The student and/or student's parents must appeal to school officials in the following order:

- **First:** Building Principal.
- **Second:** Superintendent of Schools, or her designee, 13900 Granzon, Oak Park, MI 48237 (The appeal request must be in writing and submitted within five (5) days of any action taken by the building principal). Call (248) 336-7705.
- **Third:** Board of Education, 13900 Granzon, Oak Park, MI 48237 (The appeal request must be in writing and must be submitted to the Board of Education within (5) days of action taken by the superintendent or her designee).

The school official to whom an appeal has been made has the authority to affirm, modify or set aside any disciplinary action.

## HEARING PROCEDURE

When expulsion or suspension longer than five days is requested by school administrators or when student or the student's parents request a hearing before the Board of Education appealing the administrator's decision, written notice of the opportunity for hearing shall be sent to the student and the student's parents or guardians at their last known address, not less than five days before the date set for hearing. The written notice shall include a statement of charges against the student, the disciplinary action recommended and a copy of the rules and procedures for the hearing. The hearing shall be held by the Board of Education in accordance with its rules and procedures.

A hearing may be public or private at the election of the student or student's parents or guardian. At the hearing, the student shall be entitled to representation by legal counsel and to present witnesses and documentary evidence for consideration by the Board of Education.

**DUE PROCESS PROCEDURES**  
**FOR TYPES OF SUSPENSION AND EXPULSION**

**Weapons, Arson, or Criminal Sexual Conduct (Expulsion)**

For students in grades six (6) and above, school districts are required to expel students who possess a dangerous weapon, commit arson, or engage in criminal sexual conduct in a school building or on school grounds. The law allows for possible reinstatement [MCL 380.1311]. The term “criminal sexual conduct” is defined in the Michigan Penal Code, 1931, PA 328 MCL 750.520. It refers to sections which describe various levels of sexual penetration, sexual conduct, and assault with intent to commit criminal sexual conduct [MCL 750.520b, 520c, 520d, 520e, 520g]. The term “dangerous weapon” means a firearm, dirk, dagger, stiletto, iron bar, knife with a blade over 3 inches in length, pocket knife opened by a mechanical device, and brass knuckles [MCL 380.1313(4)]. The definition of “firearm” in section 380.1311 refers to the definition of that term in the federal Gun-Free Schools Act of 1994, which in turn refers to another section of federal law which defines “firearm” as:

- Any weapon (including a starter gun) which will or is designed to, or may readily be converted to, expel a projectile by the action of an explosive.
- The frame or receiver of any such weapon.
- Any firearm muffler or firearm silencer.
- Any destructive device.

A student who possesses a weapon in a weapon-free school zone or commits arson or criminal sexual conduct at school or on school grounds is expelled from all Michigan public schools. At the school district’s discretion, the district may admit the student to an alternative educational program or a “strict discipline academy.”

1. **Weapon-Free School Zone and School Property Definition:** “Weapon-free school zone” means school property and a vehicle used by a school to transport students to or from school property [MCL 750.237a]. “School property” means a building, playing field, or property used for school purposes to impart instruction to children or used for functions and events sponsored by a school. [MCL 750.237a].
2. **Reporting Requirements:** If a dangerous weapon is found in the possession of a student while the student is attending school or a school activity, or while the student is en route to or from school on a school bus, the superintendent of the school district, or his or her designee, shall immediately report that finding to the student’s parent/guardian and the local law enforcement agency [MCL 380.1313(1)].

**Physical Assault - Student to Employee, Contractor or Volunteer**

A student in grade six (6) or above who commits a physical assault against an employee, contractor, or a volunteer of a district, at school or on school grounds, shall be expelled permanently subject to possible reinstatement. The term “physical assault” means “intentionally causing or attempting to cause physical harm to another through force or violence” [MCL 380.1311a].

A student expelled for committing physical assault against an employee, contractor or volunteer of a district at school or on school grounds is expelled from all Michigan public schools unless the school district operates or participates in an alternative education program appropriate for expelled students. At the school district's discretion, the district may admit the student to that program or a "strict discipline academy."

In the event a student is expelled for possession of a dangerous weapon in a weapon-free school zone, arson in a school building or on school grounds or criminal sexual conduct in a school building or on school grounds, the school board shall ensure that within three days after the expulsion an official of the school district refers the individual to the appropriate county Department of Human Services or county Department of Community Mental Health agency, and notifies the individual's parent or legal guardian or, if the individual is at least age 18 or is an emancipated minor, notifies the individual of the referral [MCL 380.1311(4)].

### **Physical Assault - Student to Student**

A student in grade six (6) or above who commits physical assault against another student shall be suspended or expelled for up to 180 school days by the school board or its designee if the physical assault is reported to the school board, superintendent or principal. The term "physical assault" means "intentionally causing or attempting to cause physical harm to another through force or violence" [MCL 380.1310].

### **Bomb Threats or Similar Threats**

If a student in grade six (6) or above makes a bomb threat, or similar threat, directed at a school building, other school property or a school-related event, then the school board or the designee on behalf of the school board, as described in MCL 380.1311(1), shall suspend or expel the pupil from the school district for a period of time as determined at the discretion of the school board or its designee.

### **Petition for Student to Return to School**

If a petition form is requested by a person wishing to be reinstated, the school board must make the petition form available.

For a student in grade five (5) or below who is expelled for possessing a firearm or threatening another person with a dangerous weapon, the parent/guardian of the student may initiate a petition for reinstatement any time after 60 school days following the date of the expulsion. A student may be reinstated 90 school days following the date of expulsion.

For a student in grade five (5) or below who is expelled for committing arson or criminal sexual conduct in a school building or on school grounds, the parent/ guardian of the student may initiate a petition for reinstatement at any time, and the student may be reinstated ten school days after the expulsion.

For a student in grade six (6) or above who is expelled for possessing a dangerous weapon in a weapon-free school zone, commits arson or criminal sexual conduct, the parent/guardian or the student (if he or she is at least 18 years of age or an emancipated minor) may initiate

a petition any time after 150 school days following the date of expulsion. A student may be reinstated 180 school days following the date of expulsion.

For a student in grade six (6) or above who is expelled for committing a physical assault against an employee, contractor or volunteer, the parent/guardian or the student (if he or she is at least 18 years of age or an emancipated minor) may initiate a petition any time after 150 school days following the date of expulsion. A student may be reinstated 180 school days following the date of expulsion.

### **COMMITTEE REVIEW AND RECOMMENDATION**

Within ten (10) school days after receiving a petition for reinstatement, the school board must appoint a committee comprised of two school board members, one school administrator, one teacher, and one parent of a student in the school district to review the petition and any supporting information submitted by the petitioner. During this time, the superintendent may prepare and submit information concerning the circumstances of the expulsion and any factors weighing in favor of or against reinstatement.

Not later than ten (10) school days after being appointed, the committee must review the petition and supporting information, together with information provided by the school district, and submit a recommendation to the school board. The committee may recommend unconditional reinstatement, conditional reinstatement, or against reinstatement. The recommendation must be accompanied by an explanation of the reasons for the recommendation. If the recommendation is for conditional reinstatement, it must include any recommended conditions.

According to the law, the committee's recommendation must be based on all of the following factors:

- The extent to which reinstatement of the student would create a risk of harm to pupils or school personnel.
- The extent to which reinstatement would create a risk of school district or individual liability for the school board or school district personnel.
- The age and maturity of the individual.
- The student's school record before the incident that caused the expulsion.
- The student's attitude concerning the incident that caused the expulsion.
- The student's behavior since the expulsion and the prospects for remediation.
- If the petition was filed by a parent or legal guardian, the degree of cooperation and support that has been provided by, and that can be expected from, that person if the student is reinstated, including, but not limited to, receptiveness toward possible conditions placed on the reinstatement [MCL 380.1311(5)(e)].

The committee may also choose to consider such factors as the presence of mental health considerations, family situations that might be impacting the child's behavior, observations from a school-based advocate for the student, and more.

### **School Board Decision**

After receiving the committee's recommendation, the school board must make a decision no later than the next regularly-scheduled board meeting. The school board must decide either to reinstate the student, to conditionally reinstate the student or to deny reinstatement.

Before conditionally reinstating the student, a school board may require a student and the parent or legal guardian to agree in writing to specific conditions. The conditions may include, but are not limited to, the following:

- Agreement to a behavior contract which may involve the student, parent or legal guardian and an outside agency.
- Participation in, or completion of, an anger management program or other appropriate counseling.
- Periodic progress reviews.
- Specified immediate consequences for failure to abide by a condition.

### **DISCIPLINE OF STUDENTS WITH DISABILITIES**

The Code of Student Conduct does not diminish any rights under federal law (20 U.S.C. 1400 et seq.) for a student determined to be eligible for special education programs and services. Students with an Individualized Education Program (IEP) are responsible for following The Code of Student Conduct. As a consequence of a violation of The Code of Student Conduct by a student with an IEP, specific procedures may apply.

When a student is identified as a special needs student or there is a reasonable cause to believe the student has a disability or qualifies for Section 504, the Board of Education shall not conduct the hearing prior to the completion of a review and evaluation by an Individualized Educational Planning Committee (IEPC)/504.

- If the evaluation determines that the student has a disability, then all disciplinary action must cease and the student must be referred for appropriate action.
- If there is not a disability, the student should be referred for appropriate disciplinary action.

The student shall not be excluded from school by the school administration for longer than ten school days or otherwise changed in his or her educational program placement during the time of the review or evaluation by the (IEPC)/504 and the exhaustion of the appeal procedures without written agreement of the parents to an interim change of placement. A court order may be obtained excluding the student from attending school in an appropriate case where the safety of students is involved.

The (IEPC)/504 shall be convened to determine the eligibility of the student for services and the appropriateness of the placement of the student. The (IEPC)/504 also will determine if the student's behavior is a manifestation of his/her disability. Where the student's behavior is a manifestation of his/her disability, the Board of Education will not conduct the hearing for suspension or expulsion, but will implement any revision in the student's IEPC/504.

Where the misconduct is found by the (IEPC)/504 not to be a manifestation of the disability

of the student, the Board of Education may proceed to hold the hearing and make a determination with regard to the appropriateness of expulsion or suspension. Should the Board of Education determine that suspension or expulsion is appropriate, an IEPC/504 will be convened to determine the services appropriate for the student under the circumstances.

Federal laws for IDEA students afford school districts the right to request an expedited due process hearing to have an interim alternative placement ordered for up to forty-five (45) calendar days when it is believed that maintaining the student's current placement is substantially likely to result in injury to himself or others.

- The mandate also affords school personnel the right to order, at their own discretion, an interim alternative placement for up to forty-five (45) calendar days when the situation involves a weapon or drugs.
- Both types of placement can be requested/ordered even if the problem behavior was determined to be a manifestation of the student's disability or in the case of evaluating a student where the school suspects or has knowledge of a disability.

### **ATTENDANCE REGULATIONS**

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

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

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

Parents will be notified of chronic absenteeism and tardiness by phone messages, parent teacher conferences, written correspondence, and/or report cards. Any student who arrives late should report to the main office and then to class immediately. Staff will call parents after two (2) days of absence, which will be followed by written correspondence.

### **SCHOOL RULES AND REGULATIONS**

The Oak Park School District believes that students should conduct themselves as responsible citizens. In addition to the rules and penalties described herein, each school may establish guidelines for student behavior that are not included in this Student Code of Conduct and may assign penalties for infractions. Teachers will establish classroom rules for student behavior which contribute to positive learning experiences.



The Oak Park Board of Education complies with all federal laws and regulations prohibiting discrimination and with all requirements and regulations of the U.S. Department of Education that no person on the basis of sex (Title XI); race, color, religion national origin or ancestry, age, marital status (Title VI), or handicap (Section 504) shall be discriminated against, excluded from participation denied the benefits or otherwise be subjected to discrimination in any program or activity for which it is responsible or for which it receives financial assistance from the U.S. Department of education. Complaints should be addressed to:

**Superintendent**  
**Administration Building**  
**13900 Granzon Oak Park, MI 48237**  
**(248) 336-7705**  
[dcolber@oakparkschools.org](mailto:dcolber@oakparkschools.org)

Each year, the Oak Park School District offers Vocational Education Programs at Oak Park High School. These programs are designed to prepare youth for a broad range of employment and training services and are offered under the guidance of certified teachers and academic advisors.

The following is a list of programs being offered this year. There are no prerequisite classes for enrollment in these programs:

- Health Occupation/HOSA
- Accounting
- Vocational/CTE Courses offered at OSTC

All vocational education programs follow the district's policies of nondiscrimination on the basis of race, color, national origin, sexual orientation, sex or handicap in all activities and in employment. In addition, arrangements can be made to ensure that the lack of English language skills is not a barrier to admission or participation. For general information about these programs, contact:

**Superintendent**  
**Administration Building**  
**13900 Granzon Oak Park, MI 48237**  
**(248) 336-7705**  
[dcolber@oakparkschools.org](mailto:dcolber@oakparkschools.org)

## **GRIEVANCE PROCEDURES**

### **Title VI of the Civil Rights Act of 1964 Title IX of the Education Amendment Act of 1972 Section 504 of the Rehabilitation Act of 1973**

Section I: If any person believes that the Oak Park School District or any part of the school organization has inadequately applied the principles and/or regulations of (1) Title VI of the Civil Rights act of 1964. (2) Title IX of the Education Amendment act of 1972 and (3) Section 504 of the Rehabilitation Act of 1973, he/she may bring forward a complaint, which shall be referred to as grievance, to the Local Civil Rights Coordinator at the following address:

**Superintendent  
Administration Building  
13900 Granzon Oak  
Park, MI 48237  
(248) 336-7705**

**Section II:** The person who believes he/she has a valid base for grievance shall discuss the grievance informally and on verbal basis with the Local Civil Rights Coordinator, who shall in turn investigate the complaint and reply with an answer to the complaint. He/she may initiate formal procedures according to the following steps:

**Step 1:** A written statement of the grievance signed by the complainant shall be submitted to the Local Civil Rights Coordinator within five (5) business days of receipt of answers to the informal complaint. The Coordinator shall further investigate the matters of grievance and reply in writing to the complaint within five (5) days.

**Step 2:** If the complainant wishes to appeal the decision of the Local Civil Rights Coordinator, he/she may submit a signed statement of appeal to the Superintendent of schools within five (5) business days after receipt of the Coordinator's response. The Superintendent shall meet with all parties involved, formulate a conclusion, and respond in writing to the complainant within ten (10) business days.

**Step 3:** If the complainant remains unsatisfied he/she may appeal through a signed, written statement to the Board of Education within five (5) business days of his receipt of the Superintendent's response in step two. In an attempt to resolve the grievance, the Board of Education shall meet with the concerned parties and their representative within forty (40) days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) days of this meeting.

**Step 4:** If at this point the grievance has not been satisfactorily settled, further appeal may be made to the Office for Civil Rights, Department of education, Washington, D.C. 20201. Inquiries concerning the non-discriminatory policy may be directed to: Director, Office for Civil Rights, department of Education, Washington, D.C. 20201. The Local Coordinator, on request, will provide a copy of the district's grievance procedure and investigative all complaints in accordance with procedure. A copy of each of the Acts and Regulations on which this notice is based may be found in the Civil Rights Coordinator's Office.

## **NOTIFICATION OF RIGHTS FOR ELEMENTARY AND SECONDARY SCHOOLS**

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age (“eligible students”) certain rights with respect to the student’s educational records. These rights are:

1. The right to inspect and review the student’s education records within 45 days of the day the school receives a request for access. Parents or eligible students should submit to the School principal a written request that identifies the records they wish to inspect. The School official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
2. The right to request the amendment of the student’s education records that the parent or eligible student believes is inaccurate or misleading. They should write the School principal or appropriate official, clearly identify the part of the records they want changed and specify why it is inaccurate or misleading. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the school has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the school discloses educational records without consent of officials to another school district in which a student seeks or intends to enroll.

[NOTE: FERPA requires a school district to make a reasonable attempt to notify the parents or eligible student of the records request unless it states in its annual notification that it intends to forward records on request.]

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:  
Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-4605

## NOTICE FOR DIRECTORY INFORMATION

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that Oak Park School District, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, Oak Park School District may disclose appropriately designed "directory information" without written consent, unless you have advised the District to the contrary in accordance with District procedures. The primary purpose of directory information is to allow the School District to include this type of information from your child's education records in certain school publications. Examples include:

- A playbill, showing your student's role in a drama production
- The annual yearbook
- Honor roll or other recognition lists
- Graduation program; and
- Sports activity sheets, such as for wrestling, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary or Secondary Education Act of 1965 (ESEA)<sup>1</sup> to provide military recruiters, upon request, with three directory information categories – names, addresses and telephone listings – unless parents have advised the LEA that they do not want their students information disclosed without their prior written consent.

If you do not want Oak Park School District to disclose directory information from your child's education records without your prior written consent, you must notify the District in writing by September 15<sup>th</sup> of the current school year, i.e., 2017 through 2019. Oak Park School District has designated the following information as directory information:

- Student's name
- Address
- Telephone listing
- Electronic mail address
- Date and place of birth
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Degrees, honors and awards received
- Dates of attendance
- Grade level
- The most recent educational agency or institution attended

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<sup>1</sup> These laws are: Section 9528 of the ESEA (20 U.S.C. 7908), as amended by the No Child Left Behind Act of 2001 (P.L. 107-110), the education bill, and 10 U.S.C. 503, as amended by section 544, the National Defense Authorization Act for Fiscal Year 2002 (P.L. 107 – 107), the legislation that provides funding for the Nation's armed forces.



## Oak Park School District

ADMINISTRATIVE OFFICES: 13900 GRANZON • OAK PARK, MICHIGAN 48237-2799  
TELEPHONE: (248) 336-7700 • TELEFAX (248) 336-7738

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The Oak Park Schools' Board of Education complies with all federal laws and regulations prohibiting discrimination and with all requirements and regulations of the U.S. Department of Education that no person on the basis of sex (Title IX); race, color, religion, national origin or ancestry, age, marital status (Title VI); or handicap (Section 504) shall be discriminated against, excluded from participation or denied the benefits or otherwise be subjected to discrimination in any program or activity for which it is responsible or for which it receives financial assistance from the U.S. Department of Education.