



Northville Public Schools

**ANNUAL NOTIFICATIONS
TO PARENTS
2018-2019**

Student Records: Family Educational Rights and Privacy Act (FERPA)

The federal law known as the Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older (“eligible students”) certain rights with respect to the student’s education records. These rights are:

1. The right to inspect and review the student’s education records within 45 days after the day Northville Public Schools receives a request for access.

Parents or eligible students who wish to inspect their education records should submit to the school principal a written request that identifies the records they wish to inspect. The principal or designee 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 education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA.

Parents or eligible students who wish to ask Northville Public Schools to amend their child’s or their education record should submit a written request to the school principal, clearly identifying the part of the record they want changed, and specifying why they believe it should be changed. If the District decides not to amend the record as requested, the school will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding hearing procedures will be provided to the parent or eligible student at the time they are notified of the right to a hearing.

3. The right to provide written consent before the school discloses personally identifiable information (PII) from 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 school officials with legitimate educational interests. A designated school official with a legitimate educational interest includes a person employed by the school district as an administrator or teacher, or another person designated by the Board of Education. A school official also includes a liaison officer who, while not employed by the District, may be granted access to student educational records (including video footage) at the direction and supervision of a school administrator. A school official also may include a contractor or consultant who, while not employed by the school district, performs an institutional service or function (such as design and maintenance of the District’s security camera system) for which the school would otherwise use its own employees and who is under the direct control of the school district with respect to the use and maintenance of personally identifiable information from student education records.

4. The right to refuse to allow the disclosure of “directory information”.

“Directory information” regarding a student may be released to any requesting person or party, in addition to the eligible student, his/her parent, or legal guardian, without written consent. The Board designates the following student record information as directory information (Board Policy #2006):

- A student’s name, address and telephone number;
- A student’s grade level;
- A student’s photograph;
- A student’s birth date;
- A student’s participation in School District related programs and extracurricular activities;
- A student’s height and weight, if a member of an athletic team for which such information would be published;
- Honors and awards received by a student; and
- A student’s dates of attendance and date of graduation.

Each year, the Superintendent, or appointed designee, provides this public notice to students, parents, and/or legal guardians of the District’s intent to make directory information available to students, parents, and/or legal guardians.

Eligible students, parents, and/or legal guardians may refuse to allow the District to disclose any or all of such directory information upon written notification to the District within thirty (30) days after receipt of this, the District’s public notice. Parents may submit an Opt Out Form to the building principal of their child’s school. [NPS Directory Information Opt Out Form.](#)

The District is required to provide United States Armed Forces recruiters with at least the same access to student directory information as is provided to other entities offering educational or employment opportunities to those students as is permitted and/or required by law. "Armed forces of the United States" means the armed forces of the United States and their reserve components and the United States Coast Guard. An eligible student or the parent or legal guardian may submit a signed, written direction to the District that the student’s directory information not be accessible to United States Armed Forces recruiters. In such case, the information will not be disclosed.

5. The right to file a complaint with the United States Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue SW
Washington DC 20202-5280

As permitted by FERPA, Northville Public Schools also forwards education records, without student or parental consent, to other agencies or institutions in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer.

The District will comply with a legitimate request for access to education records within a reasonable period of time, but not more than forty-five (45) days after receiving the request or within a shorter period as may be applicable by law to students with disabilities. The requesting party may be charged a processing fee for the information.

Student Privacy and Parental Access to Information

Under the federal Protection of Pupil Rights Amendment (PPRA), no student will be required as a part of the school program or the District's curriculum, without prior parental consent, to submit to or participate in any survey, analysis or evaluation that reveals information concerning:

- Political or religious affiliations or beliefs of the student or his/her parents;
- Mental or psychological problems of the student or his/her family;
- Sexual behavior or attitudes;
- Illegal, anti-social, self-incriminating or demeaning behavior;
- Critical appraisals of other individuals with whom students or the student's parents have close family relationships;
- Legally-recognized privileged and analogous relationships, such as those of lawyers, physicians and religious leaders;
- Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such a program).

This requirement also applies to the collection, disclosure or use of student information for marketing purposes ("marketing surveys"), and certain physical exams and screenings.

Parents have the right to inspect, upon request, a survey or evaluation created by a third party before the survey/evaluation is administered or distributed by the school to the student.

The parent will be given access to the survey/evaluation within a reasonable period of time after the request is received by the building principal.

Notice of Asbestos in School Buildings

Each school building within the District has been inspected for the presence of asbestos-containing materials as required by the Asbestos Hazard Emergency Response Act (AHERA). A copy of the Building Inspection and Management Plan for each building is available in the building's main office. The plans may be inspected by members of the public and by District employees during normal business hours. A copy of the plan will be made available upon request for a nominal fee.

Pesticides

The Board of Education has adopted a Policy to provide students and staff with an environment that is free of pests, pesticides and harmful chemicals to the extent required by law. The Integrated Pest Management Program (IPM) includes routine inspections or surveys of all school facilities and various strategies to prevent pests from becoming a problem. Pesticides are used only as a last resort and parents will be notified prior to a pesticide application in a school building or on school grounds.

Drug Free Environment/Protection

The Board of Education recognizes that the misuse of drugs is a serious problem with legal, physical, and social implications for the entire school community. In accordance with the Federal and State law, the Board establishes a "Drug-Free School Zone" that extends 1000 feet from the boundary of any school property. The Board prohibits the use, possession, concealment, delivery, or distribution of any drug or any drug-related paraphernalia at any time on District property, with the Drug-Free Zone or at any District-related event. Further, the Superintendent, or his/her designee, will take the necessary steps to ensure that an individual eighteen (18) years of age or older who knowingly delivers or distributes controlled substances so designated and prohibited by Michigan statute within the Drug-Free School Zone to another person is prosecuted to the fullest extent of the law.

Nondiscrimination

No person may be denied admission to any school in the District, be denied the benefits of or be discriminated against in any curricular, extracurricular, or other School District program or activity based on the person's sex, gender orientation, religion, race, color, national origin or ancestry, age, disability, marital status, genetic information or any other legally protected characteristic. The Board of Education has adopted a Discrimination and Harassment Policy which prohibits all forms of illegal harassment and discrimination within the District. Any person who believes that s/he has been the victim of discrimination may seek resolution of his/her complaint through the procedures that have been established by the District. A person wishing to pursue a complaint may also contact the Civil Rights Compliance Officer, (the Assistant Superintendent of Human Resources) at 248-344-3537, or visit the Office of Human

Resources offices at 501 West Main Street, Room 305, during regular business hours (8:00 – 4:30).

McKinney-Vento Homeless Assistance Act

The District, in accordance with the McKinney-Vento Homeless Assistance Act, will ensure that homeless children and youth in transition have access to a free and appropriate public education, including preschool, and be given a full opportunity to participate in state and district-wide assessments and accountability systems. A student may be considered eligible for services if he/she is presently living:

- in temporary shared housing, a shelter, or transitional living program
- in a hotel/motel, campground, or similar situation due to lack of alternatives
- at a bus station, park, car, or abandoned building
- in a temporary or transitional foster care placement

The Board of Education has designated the Director of Special Services as the School District's Coordinator under the Homeless Assistance Act. For questions or assistance, please contact the Director of Special Services at 248-344-3530 or visit the Office of Special Services at 501 West Main Street during regular business hours (8:00 to 4:30).

Parental Inspection of Instructional Materials

Parents have the right to inspect, upon request, any instructional material used as part of the District's educational curriculum. Parents will be provided access to instructional materials within a reasonable period of time after the request is received by the building principal. The term "instructional material" means instructional content that is provided to a student, regardless of its format, including printed and representational materials, audio-visual materials and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or assessments.

School Property

The Board acknowledges the need for a reasonable degree of in-school storage of student possessions and will provide storage places, including desks and lockers, for that purpose. Where lockers are provided, students may lock them against incursion by other students, but lockers remain School District property. Students do not have a reasonable expectation of privacy with respect to District personnel or their designees in lockers or other in-school storage places provided by the District.

The Board also authorizes the use of canines, trained in detecting the presence of drugs or devices. Canines are used to determine the presence of drugs in locker areas and other places where such substances may be concealed. Canine detection is usually conducted in collaboration with law enforcement authorities or other certified organizations and is not used to search individual students without legally sufficient suspicion, a warrant or parental permission has been obtained.

Search and Seizure

School authorities are authorized to take reasonable steps to safeguard the safety and well-being of the students by, among other things, implementing the District's Student Code of Conduct. Within the discharge of their responsibilities, District personnel may search students, student property and school property in the manner permitted by law.

Confiscation of Student Property

Northville Public Schools school officials or staff members may confiscate personal property in the possession of a Northville Public School student, as evidence of a crime or violation of the Student Code of Conduct. The parent(s)/legal guardian(s) of any such student will be notified by the principal or designee.

Special Education and Section 504 of the Rehabilitation Act of 1973

The District is required, by law, to locate, identify and evaluate all children with disabilities, including children with disabilities attending private schools located within the District, as well as homeless children. The process of locating, identifying and evaluating children with disabilities is known as child find.

Child find extends both to children who may be eligible for special education under the federal Individuals with Disabilities Education Act (IDEA) and those who may be eligible under Section 504 of the Rehabilitation Act of 1973 (Section 504).

If you believe your child may qualify under either the IDEA or Section 504, please contact the District's Director of Special Services, 248-344-3530.

Personal Curriculum

The Personal Curriculum (PC) is a Michigan Department of Education (MDE) endorsed process, permitting modification of specific credit requirements and/or content expectations based on the individual learning needs of a student. It is designed to serve students who want to accelerate or go beyond the Michigan Merit Curriculum (MMC) requirements and students who need to individualize learning requirements to meet the MMC requirements.

MDE Information about Personal Curriculums:

http://www.michigan.gov/mde/0,1607,7-140-6530_30334_49879---,00.html

Title I Funds: Parent Involvement

Silver Springs Elementary and Meads Mill Middle School receive Title I funding. Silver Springs Elementary receives Targeted Assistance Title I funding, while Meads Mill Middle School receives Schoolwide Title I funding. In accordance with law, the Board of Education has adopted a parent involvement policy. The District is committed to establishing and maintaining positive relationships with families and the community. To that end, the District

will provide a variety of opportunities for families and other members of the community to become involved in children's education.

Title IX

The U.S. Department of Education's [Office for Civil Rights](#) (OCR) enforces, among other statutes, Title IX of the Education Amendments of 1972. Title IX protects people from discrimination based on sex in education programs or activities that receive Federal financial assistance. Title IX states that:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance. . A person wishing to pursue a complaint may also contact either the Assistant Superintendent of Human Resources at 248-344-3537, or the Director of Special Services at 248-344-3530 or visit the Northville Board Office, 501 West Main Street, Room 305, during regular business hours (8:00 – 4:30).

Programs for English Language Learner Students

The parents/guardians of limited English proficient (LEP) students participating in a language instruction program will be notified, no later than 30 days after the beginning of the school year, of the following:

- Placement and reason why their child was identified as LEP;
- The student's academic achievement level and level of English proficiency (including method of measurement);
- The methods used for language instruction;
- How the language program will meet the student's instructional needs;
- How the program will help the child to learn English and meet the academic standards required for promotion or graduation;
- The exit requirements for the language program; and,
- An explanation of parental rights, including the parent's right to enroll or remove a child from the language instruction program

Child Nutrition Program

Northville Public Schools participates in the National School Lunch Program, School Breakfast Program and Special Milk Program. The participation policy for families unable to pay the full price of meals served under the School Lunch Program may be found in the office of each school building, as well as in the School District main office. The Policy may be reviewed by any interested party.

School Wellness Policy

The Northville Public Schools is committed to creating a school environment that enhances lifelong wellness practices. As required by law, the Board has adopted a Wellness Policy, which is periodically reviewed.

Concussion Awareness

A student cannot participate in a school sponsored or operated athletic activity (including recess, physical education classes, athletic teams, etc.) until the student and his or her parent have each received and read the [concussion fact sheet](#) for students/athletes and parents. Both the student and his or her parent must sign and return a form acknowledging receipt of the fact sheet or other concussion awareness educational material. The [form](#) is completed annually as part of the registration process.

Reporting to Local Police

In compliance with MCL380.1308 and the Michigan School Safety Response Guide, Northville Public Schools reports certain incidents of student misconduct to local police agencies with the limits of the Family Educational Rights and Privacy Act.

Information on the topics below can be found on the District website www.northvilleschools.org under the Our District / Procedural Notifications tab.

Discrimination and Harassment Procedures

Emergency Drill Reporting

Freedom of Information Act (FOIA)

PA 173 Educator Evaluation Assurances

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Northville Public Schools
Northville, Michigan

BOARD POLICY

STUDENT CODE OF CONDUCT

ARTICLE I - STUDENT DISCIPLINE

A. Preamble

In accordance with the provisions of law, the Board of Education has set forth in this Student Code of Conduct the rules governing the most serious and obvious types of student misconduct. The prohibited acts listed in this Student Code of Conduct are not to be construed as an all-inclusive list or as a limitation upon the authority of school officials to deal appropriately with violations of a school building's individual rules and regulations or other types of conduct which interfere with the good order of the school system, the proper functioning of the educational process, or the health and safety of students.

The Student Code of Conduct does not cover the District's attendance and tardiness procedures, the District's requirements for credit and graduation, or the District's authority to regulate the participation of students in extracurricular, co-curricular and athletic activities. (See the Extra-Curricular, Co-Curricular and Athletic Student Code of Conduct Policy #2134) A decision to expel or suspend a student from participating in extracurricular and athletic events is solely within the discretion of the Superintendent of Schools or his/her designee.

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

In accordance with the Board's authority under law, a student violating any of the prohibited acts listed below shall be deemed to be guilty of a gross misdemeanor and will be disciplined. Some Student Code of Conduct violations are also criminal violations. As a result, a student accused of a violation of the Student Code of Conduct may be referred to law enforcement in conjunction with other disciplinary procedures.

The prohibited acts and penalties listed in this Student Code of Conduct are applicable when a student:

1. engages in a prohibited act on any premises owned, leased or used by the District;
2. engages in a prohibited act in a motor vehicle owned or leased by the District or being used for a school business-related purpose;
3. engages in a prohibited act at a school-related activity, function or event;
4. engages in a prohibited act en route to or from school or a school-related activity, function or event;
5. engages in a prohibited act involving another student who is en route to or from school or a school-related activity, function or event;
6. engages in a prohibited act that has a sufficient nexus to or with the District, District personnel or students or District property, such as a prohibited act that: has its inception in school; is school connected or adversely affects, interferes with, or endangers the good order of the school system; or, impacts the proper functioning of the educational process or the health or safety of students.
7. has engaged in off-campus conduct that may legally require the District to consider such acts, such as criminal sexual conduct or cyberbullying.

Consistent with the Family Educational Rights and Privacy Act (FERPA) and the related information contained in the Districts' Annual Notifications, the District is limited by law in what information can be disclosed regarding the educational records of another student, including matters pertaining to student conduct and discipline.

B. Definitions of Discipline

1. Administrative Intervention

Disciplinary action that does not result in a student being suspended or expelled from school. For example, administrative intervention includes but is not limited to measures such as: restorative practices, the removal of a student from a class period; a reprimand; detention and/or work assignment before or after school; additional classroom assignments; revocation of the privilege of attending non-classroom school functions, activities, and/or events.

2. Suspension

Exclusion of a student from school for a specific period of time or exclusion of a student from school which exclusion terminates upon the fulfillment of a specific set of conditions. Suspension refers to both in-school and out of school suspension.

3. Expulsion

The permanent exclusion of the student from the school system.

Presumption Against Long-Term Suspension or Expulsion and Consideration of Individual Factors. Consistent with Michigan law, the School District adopts a rebuttable presumption students should not be disciplined by the imposition of long-term suspension (i.e., more than 10 school days) or expelled unless the School District has determined, in its sole discretion, the presumption has been rebutted by considering each of the following seven factors:

1. The student's age;
2. The student's disciplinary history;
3. Whether the student is disabled within the meaning of IDEA or ADA/Section 504;
4. The seriousness of the student's misconduct or behavior;
5. Whether the student's misconduct or behavior threatened the safety of any pupil or staff member;
6. Whether restorative practices will be used to address the student's misconduct or behavior; and,
7. Whether less severe discipline would properly address the student's misconduct or behavior.

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

Restorative Practices. Consistent with Michigan law and in every case, the School District will consider restorative practices as an addition or alternative to suspension or expulsion. Restorative practices are practices that emphasize repairing the harm of the victim and the School District community of a student's misconduct or other behavior. Restorative practices may be considered and implemented by a restorative practices team. The restorative practices team may be constituted and act in the manner described in Section 1310c(2) of the Revised School Code or in a similar manner, depending on the circumstances as a whole in the sole discretion of the School District administrator assigned to handle the misconduct or behavior or the Board of Education (if the Board of Education is handling the misconduct or behavior). Restorative practices should be the first consideration to remediate offenses such as interpersonal conflicts, bullying, verbal and physical conflicts, theft, damage to property, class disruption and harassment, bullying and cyberbullying.

C. Prohibited Acts

1. Failure to Cooperate

A student shall not refuse to cooperate with District personnel investigating a possible violation of this Code of Conduct and/or building rules, and no student shall make false statements or give false evidence to District personnel. A student shall not refuse to testify or otherwise cooperate with District personnel in any disciplinary proceeding.

Penalty - administrative intervention to permanent expulsion.

2. **False Allegations**

A student shall not libel, slander, or make false allegations against another student, District employee (including guest teachers and student teachers), Board of Education members or volunteers.

Penalty - administrative intervention to permanent expulsion.

3. **Failure to Report**

A student shall not fail to report to an administrator or teacher a fact or condition that may threaten the health, safety or welfare of District personnel, guests, students or property. Regardless of any reports made to an outside source or hotline, students are expected to report such information to an administrator.

Penalty – administrative intervention to permanent expulsion.

4. **Failure to Comply With Directions of School Personnel**

A student shall not be insubordinate or fail to comply with instructions and directions of District personnel (including guest teachers and student teachers), volunteers, or persons acting in a chaperone or supervisory capacity.

Penalty - administrative intervention to permanent expulsion.

5. **Dress**

A student shall not dress or groom in a manner which, in the judgment of a building administrator, is unsafe to the student or others or causes a disruption to the educational process.

Penalty - administrative intervention to permanent expulsion.

6. **Trespass, Loitering**

A student shall not be on school property or in a school building except at times and for purposes authorized by the administration to participate in the educational process of the District and/or attend school related functions, nor shall a student loiter in building hallways, classrooms, bathrooms, etc.

Penalty - administrative intervention to permanent expulsion.

7. **Electronic Devices**

A student may possess an electronic communication and/or media device at school subject to the following criteria, consistent with Bring Your Own Device provisions of the Acceptable Use policy:

* If used for personal, non-educational purposes, it may only be in use within designated areas and during designated times of the school day.

* If for an educational purpose, the device may be used within the classroom at the discretion of the teacher or administration.

* The device may not be used in a manner that enables cheating or academic dishonesty.

* Such devices shall not be used to capture images, video or audio at school without the consent of the individuals being recorded.

* The use of such devices at school may not negatively impact or compromise another student's educational opportunity.

The administration may confiscate such devices in cases that the student(s) are not complying with the criteria above.

Penalty –administrative intervention to permanent expulsion.

8. Falsification Of Records

A student shall not falsify information on District forms or records or cause them to be altered.

Penalty - administrative intervention to permanent expulsion.

9. Academic Dishonesty

Northville Public Schools is committed to advancing the pursuit of intellectual excellence and to maintaining the highest standards and expectations for academic integrity among all students. Academic integrity means honesty and responsibility in scholarship. Students and faculty alike must obey rules of honest scholarship, which means that all academic work should result from an individual's own efforts.

Therefore, a student shall not engage in academic cheating. Cheating includes, but is not limited to, the actual giving or receiving of any unauthorized aid or assistance or the actual giving or receiving of unfair advantage on any form of academic work. A student shall not engage in plagiarism, which includes the copying of language, structure, idea, and/or thought of another and represent it as one's own original work.

Violations of academic integrity go beyond plagiarism (using a person's work, concepts, designs, data, ideas, research, or documentation, without giving proper credit to the source) to also include lying, cheating, using or providing unauthorized materials in preparation for an assignment / project / exam / test / quiz, or using or providing unauthorized materials during an exam/test/quiz, and other acts, such as the theft or falsification of records and files.

Violations of Academic Integrity (examples include, but are not limited to, the following):

- Looking at someone else's work, or knowingly allowing someone else to look at one's work during an exam, test, or quiz
- Using any kind of "cheat notes" during an exam, test, or quiz
- Copying any work assigned to be done independently or letting others copy one's work (It is the responsibility of the individual teacher to clarify expectations about homework and projects with their classes, preferably in writing on their course syllabi.)

- Having unauthorized access to, or using, stolen exams, tests, or quizzes
- Providing or selling exam, test, quiz or assignment information to other students
- Using any electronic device to give, receive or copy information before, during, or after an assignment, exam, test, or quiz
- Collaborating on an exam, test, quiz or assignment with any other person without prior approval from the teacher
- Lying about attendance or ability to complete assignments and/or assessments
- Claiming credit for work in a group project when work was done by others
- Attempting to misrepresent the authorship of student work, i.e., having someone else complete the work or using someone else's prior work
- Copying or closely paraphrasing sentences, phrases, or passages from a source without proper citation while writing a paper or doing research
- Using the views, opinions, or insights of others without proper acknowledgement
- Fabricating or altering laboratory data
- Accessing and/or using copyrighted test bank questions or any materials designed for instructors' use only
- Alteration or falsification, or attempted alteration/falsification, of records (e.g., transcripts)
- Theft, or attempted theft, of records or testing materials (exams/tests/quizzes)

Consequences for Violations

The District considers violations of academic dishonesty to be serious offenses and has therefore instituted a range of consequences to be considered based on the facts of each situation. The consequences apply on a schoolwide and districtwide basis, i.e., a violation in one class may follow a student to a different class within the school, and a violation at one school may follow a student to another school within the District/Program. Additionally, violations of academic dishonesty are cumulative for all the years a student is enrolled in the Northville Public School District.

First Offense

- The student may have a reduction in grade/credit (up to, and including, an "E" grade/"0" credit) on the assignment, exam, test, or quiz to failure of the course based upon the severity of violation.
- The teacher will confer with the student and contact the parent/guardian by phone to review the academic integrity violation within one school day of becoming aware of the incident.
- The teacher will submit an Office Discipline Referral, with appropriate documentation, to an administrator who will meet with the student, and document the incident and any follow-up action in MiStar.
- The student may be barred from participation or having a leadership role in a club, scholarship group, student government, athletic team, or other extracurricular activity for up to a period of one year from date of the violation.
- Disciplinary actions may include but are not limited to, a warning and a signed student/parental Academic Integrity form that acknowledges the violation/penalty, and indicates an understanding of further consequences for any subsequent offenses.

Second Offense

Consequences applied from the First Offense and one or more of the following:

- A conference will be held with an administrator, parent/guardian, teacher, counselor, and student, with the incident and follow-up action documented in MiStar.
- The student may be given an “E” for the quarter grading period in which the incident occurred.
- The student may be suspended from school, regardless of any recommendation of expulsion.
- Student records/transcript may indicate a pattern of academic dishonesty violations.

Third/Continuing Offenses

Consequences applied in the First and Second Offenses and one or more of the following:

- A conference will be held with an administrator, parent/guardian, teacher, counselor, and student, with the incident and follow-up action documented in MiStar.
- The student may lose credit in the class with a grade of “E.”
- The student will be suspended from school, regardless of any recommendation of expulsion.
- Student records/transcript may indicate a pattern of academic dishonesty violations

Note: For any violation, including the first, the penalty ranges from administrative intervention to permanent expulsion.

10. Copyrighted Material

A student shall not unlawfully duplicate, reproduce, retain, or unlawfully use copyrighted material.

Penalty - administrative intervention to permanent expulsion.

11. Improper Use of Technology

A student shall not violate the District's Acceptable Use Policy or “acceptable practices” student contract for the use of computers, electronic information resources, or other technologies (e.g., use of the Internet, use of networks operated by the School District, etc.), nor shall the student violate the verbal or written directions of School District personnel regarding the acceptable use of computers and other technologies.

Penalty - administrative intervention to permanent expulsion.

12. Unauthorized Use of School Equipment

A student shall not use District property (e.g., fax machines, copiers, computer equipment, laboratory equipment, athletic supplies, etc.), in any unauthorized, dangerous, or illegal fashion.

Penalty - administrative intervention to permanent expulsion.

13. Misconduct Prior to Enrollment

To protect the health and safety of students and employees and to prevent threatened disruption to the educational process, an otherwise eligible resident student may be disciplined on the basis of:

- a prior act of misconduct committed outside of school hours and/or off school premises when the student was not enrolled in the Northville Public Schools;
- a prior act constituting a gross misdemeanor and other acts of misconduct while the student was enrolled in another school district;
- if the act of gross misdemeanor or other misconduct would constitute a sufficient basis for suspension or expulsion had it occurred while the student was attending the Northville Public Schools.

In accordance with Administrative Procedures the District has ensured, to the extent practical, that students, upon enrollment, have not committed an act of gross misdemeanor, or other misconduct, prior to attending the Northville Public Schools. Gross misdemeanor or misconduct represents a threat to the health and safety of students and/or employees and/or threatens disruption to the educational process.

At the time of enrollment, a student, parent(s) or guardian shall not give false or incomplete information, or fail to disclose information, relative to a student's prior act of gross misdemeanor, or other misconduct. A violation will result in disciplinary proceedings being initiated against the student.

Penalty – administrative intervention to permanent expulsion.

14. Suspended or Expelled Student On School Property Or Attending School Activities

A suspended or expelled student who enters onto school property without the permission of a building administrator shall be deemed to be trespassing. Suspended or expelled students may not attend school activities at any site without permission of a building administrator.

Penalty - administrative intervention to permanent expulsion.

15. Smoking/Tobacco/Vaporizers

A student shall not smoke, chew or otherwise use tobacco. A student shall not, have in his/her possession or under his/her control, or attempt to possess, tobacco in any form, nor any device or paraphernalia of any kind that may be used for smoking. The use / possession of e-cigarettes and/or vaporizers are likewise prohibited on school grounds and at school sponsored events.

Penalty - administrative intervention to permanent expulsion.

16. Alcohol

A student shall not sell, use, possess, attempt to possess, deliver, or be under any degree of influence (legal intoxication not required) of any alcoholic beverages.

Penalty – administrative intervention to permanent expulsion.

17. Inhalents/Chemical Substances

A student shall not manufacture, sell, handle, possess, attempt to possess, use, deliver, transmit or be under any degree of influence (legal intoxication not required) of any inhalent or intoxicant of any kind. A student shall not inhale glue, aerosol paint, lighter fluid, reproduction fluid or other chemical substance for the purpose of becoming intoxicated (legal intoxication not required).

Penalty – administrative intervention to permanent expulsion.

18. Drugs, Narcotic Drugs And Counterfeit Substances

A student shall not manufacture, sell, possess, attempt to possess, use, deliver or transfer, or be under the influence (legal intoxication not required) of any drugs, narcotic drugs, marijuana, hallucinogen, stimulants, steroids, depressants or other controlled substances, or counterfeit substance, or a controlled substance analogue intended for human consumption, as defined in Article VII of the Public Health Code, being MCL 333.7101.et seq, or as defined in other Michigan or federal statute. If Article VII of the Public Health Code, being MCL 333.7101, et seq, is amended or repealed, then the definition of a drug, narcotic drug, controlled substance or counterfeit substance or a controlled substance analogue shall be as defined under then existing state or federal law.

A student shall not sell, deliver or transfer, or attempt to sell, deliver or transfer, any prescription or non-prescription drug, medicine, vitamin or chemical substance nor shall a student use, possess, or attempt to possess, these substances, or related paraphernalia, except according to the law or District policy/procedure.

A student shall not sell or represent a legal substance as an illegal or controlled substance or sell, manufacture, possess, use, deliver or transfer "designer" drugs.

Penalty – administrative intervention to permanent expulsion.

19. Gambling

A student will not engage or attempt to engage in gambling activities. Any attempt to initiate or join in a gambling activity will result in administrative action.

Penalty – administrative intervention to permanent expulsion.

20. Improper Communication

A student shall not make or possess threatening, annoying, nuisance, vulgar and/or obscene communications; verbally, in writing, electronically (including social media,) or by gestures, to District personnel, guest teachers and student teachers, Board of Education members, chaperones, volunteers, other students or visitors to the school building. Note: Any threats that include references to bodily harm should be reviewed under Verbal Assault (21.)

Sexting

Sexting is illegal and may result in felony charges under Michigan law.

Sexting is prohibited when conducted using school property or when it occurs on school grounds or at school-sponsored events or activities. In addition, sexting that occurs off school grounds or outside of school-sponsored activities, but nonetheless results in a disruption to the school environment, is prohibited.

Sexting occurs when individuals forward, send, use, share, view, or possess a sexually explicit image of themselves or their peers via text messaging, email, social networking websites, and other electronic means.

Penalty - administrative intervention to permanent expulsion.

21. Verbal Assault

A student shall not verbally assault District personnel (including guest teachers and student teachers), students, volunteers, chaperones or other persons. As referenced in policy 2133, a verbal assault is words, writing or behavior that, in the judgement of the building administrator, would put school personnel or students in fear of imminent injury to persons or property.

Penalty – administrative intervention to permanent expulsion.

22. Indecency

A student shall not engage 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 which are offensive to the general standards of propriety.

Penalty - administrative intervention to permanent expulsion.

23. Disruption Of School

A student shall not, by any type of conduct (violence, force, noise, coercion, threat, intimidation, fear, passive resistance, etc.), cause the disruption, disturbance, or obstruction of any District function, activity or event, nor shall he or she engage in any such conduct if such disruption or obstruction is reasonably likely to result. Neither shall a student urge other students to engage in such conduct for the purpose of causing such disruption or obstruction.

While the following acts are not intended to be exclusive, they illustrate the kinds of offenses encompassed within this rule, but it must be remembered that any conduct that causes disruption or is likely to result in disruption, or interferes with the education process, is forbidden.

- Occupying any school building, school grounds, or a part thereof, without the permission of an administrator or teacher;

- Blocking normal pedestrian or vehicle traffic, the entrances or exits of any school building or corridor or room, without the permission of a school building staff member;
- Preventing, attempting to prevent, or interfering with the convening or continued functioning of any class, activity, meeting or assembly;
- Instigating or participating in a disturbance, or causing a disturbance that interrupts the educational opportunities of others or threatens the general health, safety and welfare of others on school property or at a school-sponsored activity.

Penalty - administrative intervention to permanent expulsion.

24. Gang Insignia/Activity

A student shall not wear or possess any clothing, jewelry, symbol or other object that may reasonably be perceived by District personnel or other students as evidence of membership in or affiliation with any gang. A student shall not commit any act, verbal or non-verbal (gestures, handshakes, etc.), that may reasonably be perceived by District personnel or other students as evidence of membership in or affiliation with any gang. A student shall not commit any act, verbal or non-verbal, in furtherance of the interests of any gang or gang activity, including, but not limited to: (a) soliciting others for membership in any gang or gang related activity; (b) requesting any person to pay protection or otherwise intimidating or threatening any person; (c) committing any other illegal act or violation of District rules or policies; or, (d) inciting other students to act with physical violence on any person.

The term "gang", means a group of two or more persons whose purposes or activities include the commission of illegal acts or violations of this Code of Conduct, District rules or policies, or whose purpose or activities cause disruption, or is likely to cause disruption, to the educational process.

Penalty - administrative intervention to permanent expulsion.

25. Hazing

A student shall not engage in the hazing of another student whether or not the student being hazed, or his/her parent(s) or guardian, have given consent.

"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 physical health or safety, or unreasonably endangers the emotional well-being 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, group, club or team. Hazing includes any of the following that is done for such a purpose:

- i) Physical brutality, such as whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on the body, or similar activity.

- ii) Physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, or calisthenics, that subjects the other person to an unreasonable risk of harm or that adversely affects the physical health or safety of the individual.
- iii) Activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance that subjects the individual to an unreasonable risk of harm or that adversely affects the physical health or safety of the individual.
- iv) Activity that induces, causes, or requires an individual to perform a duty or task that involves the commission of a crime or an act of hazing.

Hazing does not include normal and customarily accepted activities (such as proper exercises and training) which are part of an athletic, physical education, military training, or similar program sanctioned by the School District.

Penalty - administrative intervention to permanent expulsion.

26. Discriminatory Harassment

A student shall not engage in unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct relating to a person's sex, sexual orientation, gender identity, race, color, national origin, religion, height, weight, marital status, or disability (e.g. sexual or racial comments, threats or insults, unwanted sexual touching, etc.). (See also Prohibited Act number 34 for Criminal Sexual Conduct.)

Penalty - administrative intervention to permanent expulsion.

27. Threats and Intimidation of Witnesses

A student shall not coerce, intimidate, or threaten any person who is participating in an investigation or disciplinary proceedings conducted under the Student Code of Conduct, nor shall a student take any action that is designed to coerce, intimidate, or threaten the person.

Penalty - suspension to permanent expulsion.

28. Coercion, Extortion Or Blackmail

A student shall not commit or attempt to commit extortion, coercion, or blackmail. A student shall not secure, or attempt to secure, money or other items of value from an unwilling person, nor shall a student, by threats and/or violence, force another person to perform an unwilling act.

Penalty – administrative intervention to permanent expulsion.

29. Bullying

Bullying, including cyberbullying, toward a student, whether by other students, staff or third parties, including Board members, parents, guests, contractors, vendors, and volunteers, is strictly prohibited and will not be tolerated. All students are protected under this policy, and all bullying is equally prohibited, regardless of its subject matter or motivating animus. This prohibition extends to physical, verbal, and psychological abuse, including hazing, gestures, comments, threats, or actions to a student, which cause or threaten to cause bodily harm, reasonable fear for personal safety, or personal degradation.

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

- i) Substantially interfering with education opportunities, benefits, or programs of 1 or more students;
- ii) Adversely affecting the ability of a student to participate in or benefit from the District’s educational programs or activities by placing the student in reasonable fear of physical harm or by causing substantial emotional distress;
- iii) Having an actual and substantial detrimental effect on a student’s physical or mental health; or
- iv) Causing material or substantial disruption in, or substantial interference with, the learning environment for one or more students, and/or interference with the orderly operation of the school.

“Cyberbullying” means any electronic communication that is intended or that a reasonable person would know is likely to harm one or more pupils either directly or indirectly by doing any of the four items listed above.

The prohibition against bullying, including cyberbullying, applies to all activities in the District, including activities 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. This policy also applies to conduct using a telecommunications access device or telecommunications service provider that occurs off school premises if the telecommunications access device or the telecommunications service provider is owned by or under the control of the District. Misconduct occurring outside of school may also be disciplined if it interferes with the school environment.

All administrators, Board members, faculty, staff, and volunteers are expected to demonstrate appropriate behavior, treat others with civility and respect, and refuse to tolerate harassment or bullying in order to provide positive examples for student behavior.

Any student who believes he or she has been or is the victim of bullying should immediately report the situation to a teacher, counselor, social worker, the building principal or assistant principal, or the Superintendent. Any staff member who observes, has knowledge of, or learns that a student has been or is the victim of

bullying, including cyberbullying must immediately report the situation to the building principal or assistant principal, or the Superintendent. Complaints against the building principal should be filed with the Superintendent. Complaints against the Superintendent should be filed with the Board President. Complaints may be made anonymously and the identity of an individual reporting an act of bullying, including cyberbullying or aggressive behavior may remain confidential.

Upon receipt of a complaint of bullying the District shall conduct a prompt and documented investigation. The building principal or his or her designee will be responsible for conducting and documenting the investigation. If the investigation finds an instance of bullying, including cyberbullying, has occurred, it will result in prompt and appropriate remedial action. This may include administrative intervention up to and including expulsion for students, up to 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 officials. The administration will consider whether restorative practices may be appropriate and, if so, invite the complainant and the accused to participate in a restorative practices team meeting.

Upon the conclusion of the investigation, the parent or legal guardian of a victim of bullying, including cyberbullying, and the parent or legal guardian of the perpetrator of such action, shall be notified of the findings of the investigation, and as appropriate, that remedial action has been taken. These notifications will be the responsibility of the individual conducting the investigation.

Retaliation or making a false accusation against a target of bullying, a witness, or another person with reliable information about an act of bullying, including cyberbullying, or against any person who reports or complains, is thought to have reported or complained, or otherwise participates in an investigation or inquiry concerning allegations of bullying, including cyberbullying, is strictly prohibited and will not be tolerated. Such conduct shall be considered a serious violation of Board policy, independent of whether a complaint of bullying, including cyberbullying, is substantiated. Such suspected retaliation or false statements should be reported in the same manner as bullying or aggressive behavior. Making intentionally false reports about bullying, including cyberbullying, is similarly strictly prohibited and will not be tolerated. Retaliation and filing intentionally false reports may result in disciplinary action, including administrative intervention up to and including expulsion.

On an annual basis, the Superintendent and or designee shall report all verified incidents of bullying, including cyberbullying, and the resulting consequences, including discipline and referrals, to the Board of Education.

It shall be the responsibility of all school officials, including teachers, counselors, social workers, building principals and assistant principals, and the Superintendent, to ensure that this policy is implemented.

This policy shall be publicized annually in the Student Code of Conduct, and shall be distributed to students and their parents or legal guardians at the beginning of each academic year. This policy shall also be available for review on the District's website at www.northvilleschools.org

Penalty – administrative intervention to permanent expulsion.

30. Physical Aggression/Fighting

A student shall not display physical aggression towards another student, teacher, guest teacher, student teacher, volunteers or other persons through acts which include, but are not limited to pushing, kicking, hitting, pinching and punching.

Penalty – administrative intervention to permanent expulsion.

31. Assault And/Or Battery on Another Person

A student shall not physically assault, cause, or behave in such a way as to cause or threaten to cause physical injury to a District personnel (including guest teachers and student teachers), students, volunteers, chaperones or other persons (e.g., fighting).

Penalty - suspension to expulsion. For any physical assault of a school employee or a person engaged as a volunteer or contractor by the school board, by a student in grades 6-12, a mandatory expulsion may apply.

32. Vandalism

A student shall not intentionally cause or attempt to cause damage to school property or the property of another person.

Penalty – administrative intervention to permanent expulsion.

33. Theft / Possession of Property

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

Penalty – administrative intervention to permanent expulsion.

34. Criminal Sexual Conduct

A student shall not commit criminal sexual conduct. Criminal sexual conduct means a violation of §§ 520b, 520c, 520d, 520e, or 520g of Act No. 328 of the Public Acts of 1931, being §§ 750.520b, 750.520c, 750.520d, 750.520e, and 750.520g of the Michigan Compiled Laws.

Penalty – administrative intervention to permanent expulsion. If committed in a school building or on school grounds, the penalty shall be expulsion.

35. Criminal Acts

A student shall not commit or participate in any conduct or act defined as a crime by federal or state law or local ordinance.

Penalty – administrative intervention to permanent expulsion.

36. False Alarms

A student shall not knowingly cause a false fire alarm, or make a false fire, bomb, or catastrophe report.

Penalty – administrative intervention to permanent expulsion.

37. Fire/Explosion

A student shall not burn, or attempt to burn, any school building, structure or property; or intentionally set, or attempt to set, a fire on school property; or cause, or attempt to cause, an explosion. (See also Prohibited Act number 37 for Arson.)

Penalty – administrative intervention to permanent expulsion.

38. Fireworks, Explosives, Chemical Substances

A student shall not possess, attempt to possess, handle or transmit any substance or prepared chemical that can explode, is capable of inflicting bodily injury, or is reasonably likely to cause physical discomfort to another person. (See also Prohibited Act number 41 for Firearms & Other Destructive Devices)

Penalty – administrative intervention to permanent expulsion.

39. Arson

A student shall not commit arson. Arson means a felony violation of Chapter 10 of the Michigan Penal Code, Act No. 328 of the Public Acts of 1931, being §§ 750.71 to 750.80 of the Michigan Compiled Laws.

Penalty – administrative intervention to permanent expulsion. If committed in a school building or on school grounds, the penalty shall be expulsion.

40. Look-A-Like Weapons

A student shall not possess, attempt to possess, handle, or transmit any object or instrument that is a "look-a-like" weapon or instrument (e.g., starter pistol, rubber knife, toy gun, etc.).

Penalty - administrative intervention to suspension.

41. Personal Protection Devices

A student shall not possess, attempt to possess, handle, or transmit a personal protection device (e.g., pepper gas, mace, stun gun, electric shock device, etc.) capable of inflicting bodily injury or causing physical discomfort to another person.

Penalty – administrative intervention to permanent expulsion.

42. Dangerous Weapons

A student shall not possess, attempt to possess, handle, use or transmit a weapon or any object or instrument that can be considered or used as a weapon or is capable of inflicting bodily injury.

Penalty - administrative intervention to permanent expulsion.

A student shall not possess, attempt to possess, handle or transmit a dagger, dirk, stiletto, or knife with a blade 3" or over in length; pocketknife opened by a mechanical device; iron bar; and/or brass knuckles in a weapons free school zone.

A "weapons free school zone" is any building, playing field, or property used for school purposes to impart instruction to children or used for functions and events sponsored by a school, and any vehicle used by a school to transport students to or from school property.

Penalty – expulsion. The District may also consider the penalty of suspension in accordance with relevant law and the District's Administrative Procedures.

43. Firearms and Other Destructive Devices

A student shall not possess, attempt to possess, handle, use or transmit a firearm, including a BB gun or pellet gun, or other destructive device. The term "firearm" means any weapon or starter gun designed to, or which can be converted to, expel a projectile by the act of an explosive; the frame or receiver of such weapon; or any firearm silencer or other destructive device. A destructive device includes any explosive, incendiary, or poison gas (i) bomb, (ii) grenade, (iii) rocket having a propellant charge of more than 4 ounces, (iv) missile having explosive or incendiary charge of more than 1/4 ounce, (v) mine, or (vi) any similar device. Destructive device also includes any type of weapon by whatever name known which will, or can be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than 1/2" in diameter; and any combination of parts either designed or intended for use in converting any device into any destructive device described above.

Penalty – administrative intervention to permanent expulsion.

44. Violations Of Building's Rules And Regulations

A student shall not commit or participate in any conduct or act prohibited by a school building's rules and regulations.

Penalty - administrative intervention to permanent expulsion.

45. Closed Campus – Lunch Hour

Students in grades 6-12 are to remain in school throughout the school day, including the lunch period, unless otherwise authorized by the Administration.

Penalty – administrative intervention to suspension

46. General Misconduct

Incidences of general misconduct that do not otherwise fall under or meet the criteria of other prohibited acts in the Student Code of Conduct may result in disciplinary actions at the discretion of the building administrator.

Penalty – administrative intervention to suspension

ARTICLE II - DUE PROCESS PROCEDURE

A. Introduction To The Rules Of Due Process

The following due process procedures only govern the suspension or the expulsion of a student from the District's regular educational program. Discipline in the form of administrative intervention is solely within the discretion of the building principal or his/her designee, and is not subject to the procedures of due process as provided in this Student Code of Conduct.

If a student charged with violation of this Code of Conduct has been returned to the regular school program pending a decision by either the building administrator, hearing officer, Superintendent, or the Board of Education, then such action of reinstatement shall not limit or prejudice the District's right to suspend or expel the student following a decision by the building administrator, hearing officer, Superintendent or Board of Education.

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

B. Suspension Of Ten School Days Or Less

As a general rule prior to any suspension of the student, the building administrator shall investigate the alleged violation of the Student Code of Conduct and provide the student with the following due process:

- a. The administrator shall inform the student of the charges against him/her and provide an explanation of the evidence the administrator possesses.
- b. The student shall be provided an opportunity to explain to the administrator his/her version of the facts.

The administration will document consideration of each of seven individual factors listed in Article I, Section B if any short-term suspension is to involve out-of-school-suspension.

If a student's presence in school poses an immediate danger to persons or property or an ongoing threat or disruption to the educational process, the building administrator may immediately suspend the student; but the next school day, the student shall be provided with his/her due process rights as set forth in subparagraphs a. and b. above.

If after providing the student with his/her due process rights, the administrator determines that the student has engaged in a prohibited act under this Student Code of Conduct, then he/she may impose a disciplinary penalty of a suspension not to exceed ten (10) school days.

The building administrator, or his/her designee, shall directly inform (in person or by phone) the student's parent of the suspension, including an explanation of the reasons and conditions of the suspension. A district "Student Suspension Notice" is to be completed, with copies going to the parent and the student's file.

C. Suspension For Eleven Or More School Days And Expulsion

1. If, after his/her investigation, the building administrator decides that a suspension for eleven or more school days or expulsion is warranted, the student and the parent(s) or guardian shall be notified, in writing, of:
 - a. the charges against the student;
 - b. the recommended disciplinary action;
 - c. the fact that a hearing will be held before an impartial school employee (i.e., hearing officer);
 - d. the time, place, location and procedures to be followed at the hearing;
 - e. the right to appeal any adverse decision of the hearing officer if the hearing officer recommends expulsion.

The written notice will also document the building administrator's consideration of the individual factors listed in Article 1, Section B and consideration of restorative practices.

If the building administrator decides that the student's presence in school would present a danger to the student himself or to other students, school personnel or the educational process, then the student shall be suspended pending the decision of the hearing officer. If the student would not present a danger as described above, the student may be returned to school pending the decision of the hearing officer.

If the student is suspended pending a decision of the hearing officer, the Superintendent or designee shall appoint the hearing officer and schedule the hearing to commence within ten (10) school days following the initial suspension of the student. The time lines for commencement of the hearing may be extended upon the request of the administrator, student, parent(s) or guardian for cause approved by the hearing officer.

2. The hearing before a hearing officer will be held for the purpose of determining the truth or falsity of the charges against the student and, if the charges are true, a review of the building administrator's consideration of the individual factors listed in Article I, Section B and consideration of restorative practices, and the appropriate disciplinary measure unless:

The student and/or his/her parent(s) or guardian(s) notify the school district that they waive their right to a hearing before a hearing officer. In such cases, the principal's recommended disciplinary penalty shall be imposed. Provided, however, if the recommended penalty is

expulsion, the Board of Education will nevertheless make the final decision on expulsion, but the decision will be based upon information submitted to it by appropriate school officials;

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

3. The hearing officer's decision shall be given orally to the student and parent(s) or guardian not later than two (2) school days after the close of the hearing and a written decision shall be mailed not later than four (4) school days after the close of the hearing. These time lines, however, may be extended by the hearing officer due to extenuating circumstances.

If the hearing officer's decision imposes a suspension not longer in duration than the balance of the academic quarter / marking period, then the decision of the hearing officer shall be final and not subject to further appeal. If the hearing officer's decision recommends a suspension extending beyond the balance of the academic quarter / marking period, or recommends expulsion, the student and/or his/her parent(s) or guardian may appeal the hearing officer's decision to the Board of Education.

4. If an appeal of the hearing officer's expulsion decision is going to be made to the Board of Education, the student and/or his/her parent(s) or guardian must file the appeal in writing with the Superintendent within five (5) calendar days (excluding weekends) following receipt of the hearing officer's written decision.

If the hearing officer's decision recommends expulsion and a timely appeal is not made, the Board of Education will nevertheless make the final decision on expulsion, but the decision will be based upon information submitted to it by appropriate school officials.

Upon receipt of a timely appeal by the student and/or his/her parent(s) or guardian, the Superintendent or his/her designee shall notify the student and parent(s) or guardian of the time, place, location and procedures to be followed at the Board of Education meeting. The Superintendent or his/her designee shall determine, based upon the record and decision of the hearing officer, whether the student should be suspended pending the decision of the Board of Education.

Upon a timely appeal, the Board of Education shall consider the decision and record made before the hearing officer and shall provide for a meeting to take place for the purpose of allowing the administration and the student, parent(s) or guardian to present oral argument in support of, or in opposition to, the hearing officer's decision. The Board of Education may permit the administration or student, parent(s) or guardian to introduce in the appeal meeting newly discovered material evidence that could not, with reasonable diligence, have been discovered and presented at the hearing before the hearing officer.

The Board, no later than at its next regular public meeting following the meeting with the student, parent(s) or guardian, shall make a decision and shall, not later than seven (7) business days following the public meeting, mail to the student, parent(s) or guardian a written notice of the decision.

ARTICLE III - MISCELLANEOUS PROVISIONS

A. Voluntary Agreements Of Discipline

At any time during the disciplinary proceedings, the Superintendent or his/her designee may enter into a written contract with the student and/or his/her parent(s) or guardian setting forth the parties' agreement in settlement of the disciplinary charges. In such cases, the written agreement shall be final and binding and may not be later challenged by the Superintendent or his/her designee or the student and/or his/her parent(s) or guardian.

B. Disabled/Handicapped Students

Although disabled students are covered by the provisions of this Student Code of Conduct, the time limitations set forth in the due process procedures may be temporarily suspended or enlarged by the District to assure compliance with federal and state laws governing the discipline of disabled students.

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