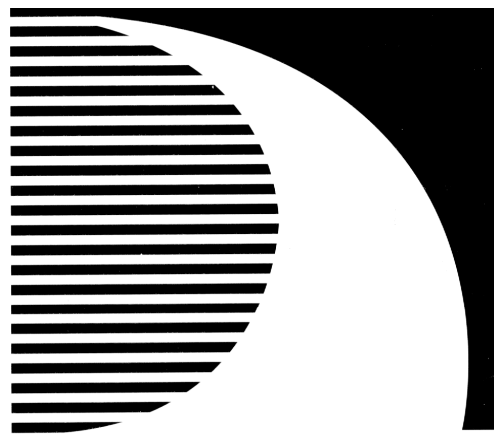


# Student Code of Conduct

## Responsibilities and Rights



DEARBORN  
SCHOOLS

Dearborn Public Schools  
Dearborn, Michigan



**Dearborn Board of Education**

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Aimee Blackburn, Vice President  
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Brian Whiston

**2008 CODE OF CONDUCT COMMITTEE MEMBERS**

Marc A. Zigterman..... Co-Chair-Coordinator, Student Services  
Dr. Kenneth K. Ayouby ..... Co-Chair-Administrative Hearing Officer, Student Services  
Heyam Alcodray ..... Assistant Principal, Dearborn High School  
William Ali..... Youth Intervention Facilitator, Edsel Ford High School  
Charles Baughman ..... Assistant Principal, Edsel Ford High School  
Oussama Baydoun..... Assistant Principal, Fordson High School  
Tahsine Bazzi ..... Student Services Liaison, Fordson High School  
Patti Buoy..... Principal, Haigh Elementary School  
Angela Burley ..... School Social Worker, O. L. Smith Middle School  
Scott Casebolt..... Assistant Principal, Fordson High School  
Danene Charles ..... Principal, Oakman Elementary School  
Khalil Dakhllallah ..... Student Services Liaison, Edsel Ford High School  
Dale Donelson..... Teacher, Haigh Elementary School  
Ibrahim Elsaghir..... Student Services Liaison, Dearborn High School  
Dr. Kathleen Gabe..... Assistant Director, Special Education  
Margaret Green ..... Parent, Dearborn Public Schools  
Ron Gutkowski..... Assistant Superintendent, Dearborn Public Schools  
Norma Harb..... School Social Worker, McDonald Elementary/Fordson High School  
Beth Kemian..... Teacher, River Oaks Elementary School  
Suzanne Ladach..... Teacher, Unis Middle School  
Lisa Lark ..... Teacher, Michael Berry Career Center  
Gail Milburn..... Behavior Specialist, Special Education  
Susan Noland..... Assistant Principal, Edsel Ford High  
Shannon Peterson ..... Assistant Principal, Bryant Middle School  
Mary Petlichkoff ..... Board Member, Dearborn Public Schools  
Jacqui Rivait-Palmer ..... Student Assistance Specialist, Student Services  
Dr. Wageh Saad..... Associate Superintendent, Elementary  
Natasya Shajira..... Assistant Principal, O. L. Smith Middle School  
Dr. Gail Shenkman ..... Associate Superintendent, Secondary  
Larry Simon..... Principal, Nowlin Elementary School  
Kristin Waddell ..... Assistant Principal, McCollough Elementary/Unis Middle School  
Dr. Darryl Warner ..... Behavior Specialist, Special Education  
Veronica Williams-Jakubus ..... Principal, Long Elementary School  
Rima Younes ..... Assistant Principal, Lowrey Middle School

In the spirit of collegiality and continuity, members of the 2009 Student Code of Conduct Review Committee wish to acknowledge the hard work of previous committee members and to express thanks for their good efforts in paving the way for the current Code:

**2003 CODE OF CONDUCT COMMITTEE MEMBERS**

- Dr. Wageh Saad..... Chairperson - Director of Special Programs/Student Services
- Kenneth K. Ayouby..... Student Services Liaison/Hearing Officer
- Tahsine Bazzi ..... Liaison Student Services, Fordson High School
- Terry Campbell..... Principal, School-to-Work Academy
- Patricia Claramunt ..... Director, Secondary Education
- Jeff Conway..... Teacher, Fordson High School
- Khalil Dakhllallah ..... Liaison Student Services, Edsel Ford High School
- Dr. Kathleen Gabe..... Principal, Howe Trainable
- Connie George..... Retired Principal, Haigh Elementary
- Diane George ..... Retired Teacher, River Oaks Elementary
- Lisa Horvatich ..... School Psychologist, Dearborn High School
- Lauran Hoven ..... Assistant Principal, Edsel Ford High School
- Hassane Jaafar ..... Principal, O. L. Smith Middle School
- Jan Jacobs..... Student Services Secretary, Administrative Service Center
- Dr. Cheryl Kreger..... Director, Special Services/Bilingual Education
- Debbie Malyn ..... Community Member and Parent
- Gail Milburn..... Social Worker, Special Education
- George Monroe..... Principal, Long Elementary
- Tim Phelps..... Graduated Student, 2002
- Clark Plasters..... Student Services Officer
- Kim Ray ..... High School Student
- Steve Rotta ..... Student Services Facilitator, Administrative Service Center
- Karen Sneiders ..... Counselor, Woodworth Middle School
- Ruth Woolley ..... Teacher, Clara B. Ford
- Marc Zigterman..... Principal, Bryant Middle School

CODE OF CONDUCT COMMITTEE of 1996

Karl E. Stuef.....	Chairperson, Special Programs and Student Services
Christine Aiello .....	Parent, Edsel Ford High School
Dr. Sami Alam.....	Retired Associate Superintendent
Gary Ashcroft.....	Principal, O. L. Smith Middle School
Carol Burns .....	Parent, Dearborn High School
Judith Coebly,.....	Assistant Principal, Edsel Ford High School
Sarah Dowgiallo.....	Student, Edsel Ford High School
Karen Drugacz.....	Parent, Fordson High School
Rafeef Elhajj.....	Student, Fordson High School
Jayne Harworth .....	Counselor, Dearborn High School
Linda Mokdad .....	Student Fordson High School
Charles Lomas.....	Retired Student Services Director
Ray Martin.....	Principal, Henry Ford Elementary School
Violet Saad .....	Social Worker, O. L. Smith Middle School
Todd Schebor .....	Student Dearborn High School

## **Dearborn Public Schools**

### **Elementary Schools**

Becker, 10821 Henson – 827-6950  
Cotter Early Childhood Center, 13020 Osborn – 827-6150  
DuVall, 22561 Beech – 827-2750  
Henry Ford, 16140 Driscoll – 827-4700  
William Ford, 14749 Alber – 827-6400  
Geer Park, 14767 Prospect - 827-2300  
Haigh, 601 Silvery Lane – 827-6200  
Howard, 1611 N. York – 827-6350  
Howe Montessori, 18000 Oakwood – 827-7000  
Howe Trainable Center, 18000 Oakwood – 827-7000  
Lindbergh, 500 N. Waverly – 827-6300  
Long, 3100 Westwood – 827-6100  
Maples, 6801 Mead – 827-6450  
McCollough, 7801 Maple – 827-1700  
McDonald, 10151 Diversey – 827-6700  
Miller, 4824 Lois – 827-6850  
Nowlin, 23600 Penn – 827-6900  
Oakman, 7545 Chase - 827-6500  
River Oaks, 20755 Ann Arbor Trail – 827-6750  
Salina, 2700 Ferney – 827-6550  
Snow, 2000 Culver – 827-6250  
Whitmore Bolles, 21501 Whitmore – 827-6800

### **Elementary /Middle Schools**

Lowrey, 6601 Jonathon – 827-1800  
Salina Intermediate, 2653 Salina – 827-6600

### **Middle Schools**

Bryant, 460 N. Vernon – 827-2900  
Smith, 23851 Yale – 827-2800  
Stout, 18500 Oakwood – 827-4600  
Unis, 7801 Maple – 827-1700  
Woodworth, 4951 Ternes – 827-7100

### **High Schools**

Dearborn High, 19501 Outer Drive – 827-1600  
Edsel Ford High, 20601 Rotunda – 827-1500  
Fordson High, 13800 Ford Road – 827-1400  
Michael Berry Career Center – 827-4800  
Henry Ford Early College – 317-1588

### **Main Offices**

Administrative Service Center (Ten Eyck), 18700 Audette – 827-3000  
Adult Education, 22586 Ann Arbor Trail – 827-1900  
Service Building, 10421 Haggerty – 827-3200  
Special Education Offices, 18700 Audette – 827-7050  
Transportation Center, 6431 Maple - 827-3300

July 1, 2009


Dear Students, Parents, and Guardians:

The Dearborn Public Schools consider maintaining a safe, secure, and orderly learning environment our number one priority. We believe, through securing a safe, secure, and orderly learning environment, we foster the development of responsible active citizens of our city, state, and country.

A necessary step to secure such an orderly learning environment is to outline the standards for behavior by our students and staff. The Code of Conduct for the Dearborn Public Schools ensures this first step. It is through the judicious application of our Code of Conduct that we nurture responsible and caring citizens and citizenship by our students.

Please take a moment to review the attached document. Students, staff, parents, and community members should be aware of the Code of Conduct. By adhering to our Code of Conduct, students and others help create a cooperative, productive, and quality learning community for all.

Sincerely,

A handwritten signature in black ink, appearing to read 'BJW', with a long horizontal flourish extending to the right.

Brian J. Whiston  
Superintendent

## **Grievance Procedures**

For

Dearborn Public Schools

Title VI of the Civil Rights Act of 1964

Title IX of the Education Amendment Act of 1972

Title II of the Americans with Disability Act of 1990

Section 504 of the Rehabilitation Act of 1973

Age Discrimination Act of 1975

The person who believes s/he has a valid basis for grievance shall discuss the grievance informally and on a verbal basis with the local Civil Rights Coordinator, who shall in turn investigate the complaint and reply with an answer to the complainant. S/He 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 complainant within five (5) business days.
- Step 2: If the complainant wishes to appeal the decision of the local Civil Rights Coordinator, s/he may submit a signed statement of appeal to the Superintendent of Schools or Designee within five (5) business days after receipt of the Coordinator's response. The Superintendent or Designee 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, s/he may appeal through a signed written statement to the Board of Education within five (5) business days of receipt of the Superintendent's or Designee's response in Step 2. In an attempt to resolve the grievance, the Board of Education shall meet with the concerned parties and their representatives 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 (10) business days of this meeting.
- Step 4: If at this point the grievance has not been satisfactorily settled, further appeal may be made to the U.S. **Department of Education, Office of Civil Rights, 600 Superior Avenue, Room 750, Cleveland, OH 44114.**

Inquiries concerning the nondiscriminatory policy may be directed to **Director, Office for Civil Rights, Department of Education, Washington, D.C. 20201.**

The district's Coordinator, on request, will provide a copy of the district's grievance procedure and investigate all complaints in accordance with this procedure.

A copy of each of the Acts and the regulations on which this notice is based, may be found in the district's Coordinator's office.

District Civil Rights Coordinator  
Dearborn Public Schools  
18700 Audette  
Dearborn, MI 48124

### **Statement of Policy**

In compliance with the 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, the Age Discrimination Act of 1975, and Title II of the Americans with Disability Act of 1990, it is the policy of the Dearborn School District that no person shall, on the basis of race, color, religion, national origin or ancestry, gender, age, disability, height, weight, or marital status, be excluded from participation in, be denied benefits of, or be subject to discrimination during any activity or in employment. For information, contact the District Civil Rights Coordinator at (313) 827-3026.



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## **Vision Statement**

- We see a school community that supports and builds on the strengths of each student, uses innovative instructional practices, and inspires students to think critically and creatively and practice collaborative behaviors in school and community
- We see an educational partnership in which the school staff, families, and members of the community share the responsibility of educating each student in an atmosphere of trust and mutual respect.
- We see a continually changing teaching and learning environment that uses technology and research-based best practices as a basis for developing and implementing sound educational programs and instructional practices.
- We see a school community that honors government mandates and insists its students achieve beyond those mandated expectations.
- We see a school community that respects, appreciates, and celebrates our diversity and similarities.
- We see a school community that integrates the Core Values, including Honesty, Responsibility, Respect for Self and Others, Integrity, Courtesy, and Citizenship into daily life.

## **Mission Statement**

The Mission of the Dearborn Public Schools, in partnership with families and the community, is to educate all students to high academic standards within a safe, stimulating environment and ensure they are prepared to become productive citizens.

### **I. PREAMBLE**

This Student Code of Conduct is built around the core values of “honesty, integrity, respect for self and others, responsibility, courtesy, and citizenship.” Students are expected to incorporate the core values into their daily lives, in and outside of school.

Appropriate student conduct is the cornerstone of a positive school climate and student academic success. Creating a positive climate that is welcoming, friendly, and safe requires a commitment of all stakeholders, including, students, staff, parents and community at large.

The Dearborn Public Schools expect that student behavior will enhance the educational setting rather than diminish it. These expectations extend beyond the classroom to all the academic, co-curricular and extra-curricular activities in which the student might be a participant and/or an attendee.

## **II. INTRODUCTION**

The Constitution of the United States through the Bill of Rights and subsequent amendments gives each citizen certain rights. The Supreme Court has declared that a student does not shed those constitutional rights by walking through the school door. As students have had their rights clarified through litigation, so too have they been reminded of, and instructed in, their responsibilities. Rights, as afforded us by the Constitution, are a legal requirement. Responsibilities, on the other hand, refer mainly to the individual's obligation to others within society. In order for individuals to preserve their own rights, they must take upon themselves a sense of responsibility toward the preservation of the rights of others. This is to say that students do have rights to pursue their own self-fulfillment. Those rights terminate at the point where they begin to infringe upon the rights of others.

In keeping with the vision and policy of the Board of Education of the State of Michigan, the Dearborn School District is dedicated to creating and maintaining a positive learning environment for all students. A positive learning environment is one that prepares students to be successful citizens. Teachers, administrators, parents, and students must assume a responsible role in providing a system that supports students' efforts to manage their own behavior. A Positive Behavior Support System is one that promotes behavior that enhances academic and social success. Courteous, respectful, and responsible behavior fosters a positive climate for the learning community. This Student Code of Conduct is one component of our Positive Behavior Support System.

The Student Code of Conduct sets forth student rights and responsibilities while at school and school-related activities, and the consequences for violating school rules. When determining the appropriate action to be taken as a consequence of student misconduct, school officials may use intervention strategies and/or disciplinary actions, depending upon 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.

The Student Code of Conduct will be administered uniformly and fairly, without partiality or discrimination.

### **III. GENERAL PROVISIONS**

Responsibilities and rights included in this document are those related to: Special Education, Search and Seizure, Dress and Grooming, Freedom of Speech, Student Publications, Married and/or Pregnant Students, and Access to Technology.

#### **A. WHEN AND WHERE THE STUDENT CODE OF CONDUCT APPLIES**

The Student Code of Conduct applies “at school”. The term “at school” is defined by local, state, and federal authorities.

- “At school” means 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;
- When a student’s conduct at any other time or place has a direct and immediate effect on maintaining order and discipline, or on protecting the safety and welfare of students or school district staff; and
- When a student is using school telecommunications networks, accounts, or other district services.

#### **B. SPECIAL EDUCATION DISABILITIES IN EDUCATION**

Legislation such as the *Individual with Disabilities Education Act* (including Section 504 students) and other pertinent and/or subsequent laws must guide discipline for special education students. The administrator will contact the Department of Special Services in the event of any of the following situations listed below:

1. A special education student is involved in a serious infraction (e.g. weapon, drugs, or assault).
2. A special education student is faced with a long term suspension or an expulsion.
3. A special education student’s disciplinary referrals are becoming a pattern.
4. A special education student’s short term suspensions are approaching a total of ten days.

#### **C. SEARCH AND SEIZURE**

The rights and the privacy of each student to maintain personal property issued to him/her by the school is to be respected. Any search of a student’s locker/desk or property made in cooperation with a law enforcement official in which evidence may be used in subsequent legal action requires that a warrant be served on the student.

No student is to be searched in a capricious manner by school authorities, but a search can be expected if school authorities have reason to suspect or believe that one of the following situations prevails:

1. The student is withholding evidence of an illegal act.
2. The student is in possession of something which is believed to present a danger to the health or safety of the student or others.

While school authorities are to respect the rights of each student in the use of his/her locker/desk, it should be clear that the desk or locker is the property of the school and is assigned to the student for the purpose of storing school related materials and items essential to the physical well-being of the student.

Locker/desk inspections will be held at various times throughout the year. Searches of student lockers will be limited to the instances in which school authorities have reason to suspect that one of the following prevails:

1. The student is using his/her locker/desk or property for illegal purposes or is using it to withhold evidence of a violation of the law.
2. The student is using his/her locker/desk or property in such a way as to interfere with school discipline.
3. The student is using his/her locker/desk or property in such a way as to interfere with the fundamental duty of school authorities to operate the school.
4. The student is using his/her locker/desk or property in such a way as to endanger the health and safety of himself/herself or others.

#### **D. STUDENT RIGHTS AND RESPONSIBILITIES**

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

Student conduct should be kept within the bounds of reasonable behavior expected of all members of the school community. Students should have freedom and encouragement to express their individuality in school, as long as their conduct does not intrude upon the freedom of others, or disrupts the safe and orderly school environment. There must be a balance between individual freedom and the orderly operation of classroom and school.

All students should recognize the consequences of their language, manners, and actions toward each other and school staff. 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 good learning environment.

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

**E. EACH STUDENT HAS THE RESPONSIBILITY TO:**

1. Respect the inherent human dignity and worth of every individual.
2. Be informed of and adhere to rules and regulations established by the Board of Education and implemented by school administrators and teachers for the welfare and safety of students.
3. Study diligently and maintain the best possible level of academic achievement.
4. Be punctual and present for the school program.
5. Observe fair rules in conversation and responsible journalism free of libelous or slanderous remarks and obscenities in verbal and written expression.
6. Dress and appear in a manner that meets reasonable standards of health, cleanliness, safety and decency.
7. Help maintain and improve the school environment, preserve school property and exercise the utmost care while using school facilities.
8. Behave in an appropriate manner while in attendance at school, on school buses, or at school related functions held on or off school grounds.
9. Possess and carry at all times a High School or Middle School Student I.D. Card and present it as required by school personnel.

**F. STUDENT DRESS AND GROOMING**

The Dearborn Public Schools highly regard the value of respect for oneself and others; therefore, appropriate student dress and grooming is expected from all students.

The Dearborn Board of Education and the administration are responsible for providing facilities and conditions that allow and encourage the educational program to be conducted in an atmosphere of dignity, respect, and good taste, as well as safety and cleanliness. Within broad limits, a student's dress and grooming may be considered a matter of his/her parent's choice. Any restrictions on dress and grooming are designed to assure students a wide range of dress without permitting apparel which is distracting to the learning process.

The following factors are to be considered in determining student dress and grooming regulations:

1. Cleanliness and other aspects of personal hygiene
2. Decency
3. Maintenance of an atmosphere conducive to learning
4. Safety in terms of the hazards that inappropriate dress and grooming present to the student or group in a school setting
5. Compliance with standards of dress and grooming that are generally considered acceptable in our community and in contemporary society

In judging the appropriateness of student dress, the following regulations apply:

1. Clothing should be modest and avoid distracting influences.
2. Footwear must be worn.
3. Sunglasses may be worn only with the permission of a principal upon the recommendation of a doctor or health official.
4. Clothing or shoes which damage school property are not permitted.
5. Clothing displaying offensive or inappropriate pictures or writing which includes but is not limited to topics of sex, tobacco, alcohol and other drugs is not permitted.
6. Outerwear, including hats and jackets, is not to be worn in school.
7. Clothing, jewelry, symbols, or other things that may be perceived as denoting membership in a gang are not permitted.
8. Jewelry, symbols, clothing or other things that can cause safety concerns are not permitted.

### **G. FREEDOM OF SPEECH**

The Dearborn Public Schools recognize that freedom of speech is a right of every American. A student may express his/her personal opinions whether in the context of a class or general discussion, a campaign speech for student government office, or an editorial in a student publication.

It is understood that the student's freedom of expression is not absolute and is limited in the following ways:

1. Respect for the rights of others:  
A student does not have the right to infringe upon the rights of others, encourage the breaking of existing laws or policies, or exceed the bounds of lawful assemble.
2. Violence is to be avoided:  
Physical aggression or threats against persons or their property will not be tolerated.
3. Decency is expected at all times:  
A student's printed material, oral language, or physical acts or displays are unacceptable if obscene.

### **H. STUDENT PUBLICATIONS**

All Dearborn schools have students involved in the process of writing, publishing, and distributing school-authorized student publications. A policy has been written to safeguard the advisors, principals, and students involved from editorial practices which could result in legal action.

It is the purpose of this journal policy statement to establish guidelines for any Dearborn Public School student submitting material for publication. Any guideline which is established must not infringe upon the student's constitutional right of free speech and freedom of the press.



This student publication policy will be enforced by the advisor, editor, and his/her staff. The Board of Education reserves the right to designate which publications and productions violate the rights of others and are not protected by the right of free expression, and therefore prohibit their publication and distribution. The actions of the editorial board are subject to approval from the advisor of the school publication. The policy is as follows:

1. Any material which will injure an individual's reputation, psyche or will expose an individual to unnecessary harassment or embarrassment will not be published.
2. Any material which is irrational and/or void of truth will not be published.
3. Any material which is in poor taste and has no social worth will not be published.
4. Any material which is prejudicial to another delineated group will not be published.
5. Any material which is libelous to any specific person or persons will not be published.
6. Language, pictures, music, or symbols that are obscene, libelous, or offensive to good taste shall be avoided.
7. A by-line shall accompany every printed article, story, or presentation.
8. School publications/productions shall not endorse any candidate for public office or take a political stand on any issue.
9. All material to be printed or produced is subject to review by the advisors and/or principal. Those who are denied approval for inclusion of materials in school publications/productions may appeal to a committee composed of the principal, the relevant advisors and the presidents of each class. The function of this committee is to review the appeal presented in an advisory capacity only. The decision remains with the principal. If the request is still denied, the petitioner may appeal using approved complaint procedures in accordance with Section V-C.
10. Any material relating to issues which are not within the province of a school publication will not be published.

The following regulations apply:

- a. High schools may solicit business sponsorships to defray the cost of yearbooks. The Superintendent will formulate guidelines for the sale of sponsorships and guidelines to ensure that such sponsorships are acknowledged in the yearbooks in a dignified manner. Display advertising will not be accepted.

Advertising in other school publications may be accepted providing it meets criteria in administrative guidelines.

- b. A student has the right to distribute literature, leaflets, and newspapers adjacent to school property and at certain times and places on school property. Approval of the school administration must be obtained.
- c. A student has the right to edit, publish, or distribute handwritten, printed, or duplicated material among his/her fellow students within the schools. Approval of the school administration must be obtained. The student must sign the publication and must assume responsibility for the publication.

## **I. MARRIED AND/OR PREGNANT STUDENTS**

1. Married and/or pregnant students may participate in the regular school program.
2. A pregnant student may participate in the regular school program upon presentation of written permission from a doctor; however, such students should be counseled about alternative educational programs available to them.
3. A pregnant student who is under the compulsory school age may withdraw from a regular public school program in accordance with rules promulgated by the state board.
4. The board of a school district may develop and provide an accredited alternative educational program for persons who are pregnant and voluntarily withdraw from the regular public school program, or the board may contract with the Intermediate School District offering an educational program. A local school district shall be reimbursed for these programs from state school aid.

## **J. BUS TRANSPORTATION**

The school bus is an extension of the classroom and any infraction of the Student Code of Conduct on the bus will be handled by the building administrator. The rules apply to district-owned vehicles as well as any such contracted transportation.

For health and safety reasons, video camera surveillance will be utilized on school buses.

Any student behavior that affects the health or safety of other students on and around the bus will be treated as a violation of the Student Code of Conduct and will be subject to disciplinary action.

While on board any school bus, all provisions of the Student Code of Conduct will apply to all passengers. The following is a supplementary list of violations of the bus rules:

1. Failing to stay off the road while waiting for the bus,
2. Attempting to enter or exit the bus before it reaches a complete stop,
3. Failing to remain seated while the bus is in motion,
4. Eating or littering on the bus,
5. Having head, arms, or any other items outside bus,
6. Tampering with bus equipment,
7. Disobeying driver instruction (insubordination),
8. Obstructing aisle with books, coats, and other objects, and
9. Throwing objects in and out of the bus.

## **K. DEARBORN PUBLIC SCHOOLS' ATTENDANCE POLICY**

The Dearborn School District emphasizes the value of regular attendance in enabling students to benefit from the school's educational programs. Michigan law places responsibility on students to attend school on a daily basis and on parents or guardians to send their children to school on a daily basis.

Regular and punctual attendance is very important to the students' scholastic achievement. Not only is each day's lesson important to the individual student, the student's participation in class contributes to the education of others. Frequent absences and tardiness, for any reason, are certain to adversely affect the student's schoolwork. Each student is expected to be in school every day except when ill, or in other circumstances considered excused under district policy. (Please consult with your school administrators and/or counselors).

## **IV. SHORT-TERM AND LONG-TERM SUSPENSION AND EXPULSION:**

### **A. SHORT-TERM SUSPENSION**

A short-term suspension occurs when a student is suspended for one (1) school day, up to and including ten (10) school days. During a short-term suspension, the student's rights and privileges of attending school, including extracurricular activities, are suspended. Only the principal or assistant principal has the authority to suspend in accordance with due process of law. However, the exception is a teacher "snap suspension", (Dearborn Public Schools Board Policy 5610.03).

### **B. LONG-TERM SUSPENSION**

A long-term suspension is when a student is suspended for more than ten (10) school days. During a long-term suspension, the student's rights and privileges of attending school, including extracurricular activities, are suspended. Only the Dearborn Board of Education or its designee (i.e., the Administrative Hearing Officer and/or the Coordinator of Student Services) has the authority to extend or alter a suspension in accordance with due process of law.

To initiate further disciplinary action, the administrator in charge will petition the Department of Student Services to convene a Disciplinary Hearing no later than the fifth (5<sup>th</sup>) day of a suspension. A Hearing will be scheduled and held no later than the tenth (10<sup>th</sup>) day of suspension. The Student Services Department will notify the respondent student and family of the date, time and place of the Hearing within the first five (5) days of the suspension. The student, parent(s)/guardian(s) will respond to the charges levied by the administrator in charge under the provisions of the Student Code of Conduct. A student and family maintain rights to representation by advocate or counsel.

Upon examination of the case, the Administrative Hearing Officer will issue a decision regarding the responsibility of the student in the alleged misconduct. In the event a question arises regarding the possibility of expulsion, the Administrative Hearing Officer

may refer the case for a second hearing with the Coordinator of Student Services or may hold another hearing to determine grounds for expulsion.

In the event that grounds for expulsion are determined, a recommendation to the Dearborn Public Schools' Superintendent will be prepared, asking for approval of the recommendation. Upon review and acceptance of this recommendation, the Superintendent initiates expulsion proceedings, placing the case on the agenda of the Dearborn Public Schools Board of Education.

The Board of Education has the sole authority to terminate a student's rights and privileges to attend school.

### **C. EXPULSION**

An expulsion occurs when the school district's Board of Education terminates the student's rights and privileges to attend school, including extracurricular activities, in accordance with due process of law. An expulsion is for an indefinite time, unless otherwise specified by the school board or state law. The parent/guardian of the student may petition the school board to reinstate the student within a period specified by state law.

## **V. VIOLATIONS OF THE STUDENT CODE OF CONDUCT**

Student misconduct is classified in three levels. Depending on the severity or repetition, violations may be classified at any of the three levels. The definitions of misconduct at each level are not all-inclusive, but only representative and illustrative. A student who commits an act of misconduct not listed herein is nonetheless subject to disciplinary action.

The school may use intervention strategies such as teacher/student conferences, auxiliary staff/student intervention, and teacher/parent/guardian contacts for Level I and Level II violations. Level III violations are very serious and/or unlawful acts. The school staff will refer Level III violations directly to school administrators. At the option of school administrators, a student accused of any violation of the Student Code of Conduct may be referred to a school social worker or counselor, in conjunction with or in lieu of other disciplinary procedures. Where the misconduct is subject to mandatory discipline under local, state, or federal law, the school board, following due process proceedings, will act to impose any mandatory sanctions.

The principal or assistant principal may issue short-term suspensions up to ten days. Under some specific provisions, a contractual teacher may issue suspensions for up to one day.

Any further action regarding discipline will be disciplinary due process hearing at the level of the Department of Student Services. The district's Board of Education or its designee may issue long-term suspensions or expulsions.

A student who is suspended from school for any reason will be given the opportunity to do **his/her** homework at home. Homework and assignments will be available by the third day of

exclusion provided contact is made with the counselor and a schedule for homework pickup is developed. While on suspension, the student is barred from coming to school or attending any school function or activity (including weekends and/or holidays). Failure to comply with this policy is considered trespassing and will be reported to the police.

In regards to the use of modern technology in the school setting, it should be noted that any instrument in and of itself does not constitute a problem. However, like any tool, modern technology is susceptible to misuse. The use of technological devices (e.g. mobile phones, iPods, PDAs, etc.) in inappropriate ways, constituting a disruption to the teaching and learning environment, is a violation of the Student Code of Conduct. The administrator in charge will determine the severity of the violation in accordance with the provisions of the Code, as well as Dearborn Public Schools' Board of Education policies and administrative guidelines.

## LEVELS I, II, AND III VIOLATIONS

Depending on severity or repetition, violations are classified at three levels:

### **D. LEVEL I VIOLATIONS:**

#### 01-100 Bus Rules

Disobeying, breaching, or disregarding transportation/bus safety rules (see Bus Transportation)

#### 01-101 Cheating/Academic Misconduct

A student will not plagiarize, cheat, gain unauthorized access to, or tamper with educational materials and/or records. Disciplinary measures may include academic sanctions and/or other forms of discipline.

#### 01-102 Defacement of Property

A student will not willfully cause defacement of, or damage to, property of the school, school buses or property of others. Actions such as, but not exclusive to, writing in school textbooks or library books, writing on desks or walls, carving into woodwork, desks, or tables, and spray-painting surfaces are acts of defacement.

#### 01-103 Disruptive Conduct

A student will not misbehave in a manner that causes disruption or obstruction to the educational process. Disruption caused by talking, making noises, throwing objects, or otherwise distracting others constitutes disruptive conduct. Behavior is considered disruptive if a teacher has to stop instruction to address it.

#### 01-104 Misrepresentation (Failure to Follow School Personal Identification Policy)

When required by administration, students are expected to have, and present upon request, a school issued identification card. Failure to possess a card and/or refusal to present it upon request constitutes an act of insubordination. A student shall not violate school rules and regulations related to the school's identification card policy.

- 01-105 Inappropriate Display of Affection  
Students will not engage in inappropriate displays of affection.
- 01-106 Inappropriate Dress and Grooming  
A student will not dress or groom in a manner that disrupts the educational process or is detrimental to the health, safety or welfare of others. A student will not dress in a manner that is distracting or indecent to the extent that it interferes with the learning and teaching process.
- 01-107 Insubordination/Unruly Conduct  
A student will not refuse or ignore to comply with directions or instructions given by school authorities. The following behaviors are examples of insubordination and unruly conduct: refuse to open a book, refuse to write an assignment, refuse to work with another student, refuse to work in a group, refuse to take a test, refuse to leave a hallway or any other location, and running away from school.
- 01-108 Truancy Level I (Attendance)  
The District recognizes that regular and prompt attendance is essential for students' success at school. Students will not fail to report to their assigned classes or activities without permission. A student will not leave the school building, classroom, cafeteria, assigned area or campus without permission from authorized school personnel. "Tardiness", "lateness", and "skipping" constitute truancy level I.
- 01-109 Trespassing  
A student will not enter upon the premises of the school district, other than the location to which the student is assigned, without authorization from proper school authorities. If removed, suspended, or expelled from school, a student will not return to the school premises without permission of the proper school authorities. Loitering is a form of trespassing. A student will not remain or linger on school property without a legitimate purpose and/or without proper authority.
- 01-110 Negligent or Improper Operation of a Motor Vehicle  
A student will not intentionally or recklessly operate a motor vehicle, so as to endanger the safety, health or welfare of others on school property or in adjacent public areas.
- 01-111 Possession of Inappropriate Personal Property  
Students will not have electronic devices that are considered disruptive to the learning environment or are prohibited under Michigan State law or Dearborn Board of Education policies. In the case of "cellular phones", the Dearborn Board of Education has adopted a specific policy on student use.

01-112 Profanity and/or Obscenity toward Others

A student will not use/direct profanity and/or insulting or obscene gestures toward anyone either orally, in writing, with photographs or drawings, electronically or in any other manner.

01-113 Harassment/ Bullying /Intimidation (Level I)

As per the Board of Education policy (5517), “harassment is defined as inappropriate conduct that is repeated enough, or serious enough, to negatively impact a student’s educational, physical or emotional well being. This would include harassment based on any of the legally protected characteristics, such as sex, race, color, national origin, religion, height, weight, marital status or disability. This policy, however, is not limited to these categories and includes any harassment that would negatively impact students. This would include such activities as stalking, bullying, name-calling, taunting, hazing, and other disruptive behaviors.”

Examples of harassment/ bullying/intimidation include but are not limited to the following:

- Threatened or actual physical harm;
- Un-welcomed physical contact;
- Threatening or taunting verbal, written or electronic communications;
- Taking or extorting money or property;
- Blocking or impeding a student’s movement;
- Ethnic, racial and group-based intimidation (e.g. ethnic slurs, derogatory names, negative comments, gestures and/or actions);
- Sexual harassment (A student will not use words, pictures, objects, gestures, or other actions relating to sexual activity or a person’s gender that cause embarrassment, discomfort, or a reluctance to participate in school activities.)
- Hazing (A student will not haze or conspire to engage in hazing of another. Hazing includes, but is not limited to, any method of initiation or pre-initiation into a student organization, pastime, or amusement which causes, or is likely to cause, bodily danger, physical harm, personal harm, or personal degradation or disgrace).

01-114 Controlled Substances:

Smoking: A student will not smoke, use tobacco or similar substances, or possess any substance containing tobacco or similar substances in any area under the control of a school district, including all activities or events supervised by the school district.

Alcohol and Drugs: A student will not possess, use, offer to buy or sell, or purport to buy or sell, a controlled substance, dangerous drug, prescription drug, counterfeit drug, intoxicating substance, or alcohol. A student legally in possession of prescribed medication will not be in violation of this section as long as his/her use and possession of the prescribed medication is physician-authorized and controlled at school.

- 01-115 Technology Abuse  
A student will not violate the district's "Technology Use Guidelines." (See appendix)
- 01-116 Fighting  
A student will not physically fight with another person.
- 01-117 Stealing  
A student will not steal anything from another person.
- 01-118 Threat/Coercion  
A student will not threaten another with bodily harm. A student will not coerce another to act or refrain from acting.
- 01-119 Gambling  
A student will not engage in any game of chance or contest wherein money or other items of value are awarded to the winner, except for those games and contests authorized as official school functions.
- 01-120 Gang Activity  
A student will not be a member of a group that acts as a gang or, by use of violence, force, coercion, threat of violence, or gang activity, cause disruption or obstruction to the educational process.

❖ **SCHOOL RESPONSES TO LEVEL I VIOLATIONS:**

School administrators and staff may use appropriate intervention strategies, as determined by the policies of the Dearborn Public Schools including, but not limited to, staff and student/parent conferences, auxiliary staff intervention and counseling programs, student programs for conflict resolution and peer mediation, and programs for anger management and violence prevention. Any of the following intervention strategies and disciplinary actions may be used:

- Administrator and teacher-parent/guardian conferences;
- Administrator/student conference or reprimand;
- Before and/or after-school detention;
- Behavioral contracts;
- Change in student's class schedule;
- Confiscation of inappropriate item;
- Daily/weekly progress reports;
- Denial of participation in class and/or school activities;
- Law enforcement agency notification (example: School safety notification form, police report all levels);
- Referrals and conferences involving various support staff or agencies;
- Restitution/restoration;
- School detention (after school and/or Saturday school detention);
- School service assignment;



- Suspension by teacher (snap suspension);
- Suspension (in-school, out-of-school; short-term, long-term);
- Other intervention strategies (e.g. advisory hearings), as needed.

**E. LEVEL II VIOLATIONS:**

Depending upon severity or repetition, a Level II violation may be reclassified as a Level III violation

02-100 Bus Rules  
Disobeying, breaching, or disregarding transportation/bus safety rules (see Bus Transportation)

02-101 Cheating/Academic Misconduct  
A student will not plagiarize, cheat, gain unauthorized access to, or tamper with educational materials and/or records. Disciplinary measures may include academic sanctions and/or other forms of discipline.

02-102 Defacement or Destruction of Property  
A student will not intentionally cause destruction of property of the school or others. Actions that impair the use of something are destructive. Acts of property destruction include, but are not limited to, ruining bulletin boards, intentionally clogging the plumbing system, breaking light bulbs or fixtures, and damaging school equipment to the point where repair or replacement is necessary.

02-103 Disruptive Conduct  
A student will not misbehave in a manner that causes disruption or obstruction to the educational process. Disruption caused by talking, making noises, throwing objects, or otherwise distracting others constitutes disruptive conduct. Behavior is considered disruptive if a teacher has to stop instruction to address it.

02-104 Misrepresentation (Failure to Follow School Identification Card Policy/False Identification/Forgery/Fraud)

When required by administration, students are expected to have, and present upon request, a school issued identification card. Failure to possess a card and/or refusal to present it upon request constitutes an act of insubordination. A student shall not violate school rules and regulations related to the school's identification card policy.

False Identification: A student will not misrepresent himself/herself, using false identification.

Forgery: A student will not sign the name of another person and/or misrepresent documented facts for the purpose of defrauding school personnel or the Board of Education.

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

- 02-105 Inappropriate Display of Affection  
Students will not engage in inappropriate displays of affection.
- 02-106 Inappropriate Dress and Grooming  
A student will not dress or groom in a manner that disrupts the educational process or is detrimental to the health, safety or welfare of others. A student will not dress in a manner that is distracting or indecent to the extent that it interferes with the learning and teaching process.
- 02-107 Insubordination/Unruly Conduct  
A student will not refuse or ignore to comply with directions or instructions given by school authorities. The following behaviors are examples of insubordination and unruly conduct: refuse to open a book, refuse to write an assignment, refuse to work with another student, refuse to work in a group, refuse to take a test, refuse to leave a hallway or any other location, and running away from school. Failure to Serve Assigned Detention and/or In-School-Suspension: A student will not fail to serve an assigned detention or in-school suspension of which students and/or parents/guardians have been notified.
- 02-108 Truancy Level II (Attendance)  
This violation includes habitual tardiness, skipping, and/or failure to attend school in a manner consistent with school rules. The District recognizes that regular and prompt attendance is essential for student success at school. A student will not fail to attend school in a regular and prompt manner. Failure to attend school regularly and in a prompt manner shall place the student in jeopardy of level II disciplinary action. A student will not fail to report to the school's assigned class or activity in a regular and habitual fashion without the prior permission, knowledge or excuse of school administration, or other competent authorities.
- 02-109 Trespassing  
A student will not enter upon the premise of the school district, other than the location to which the student is assigned, without authorization from proper school authorities. If removed, suspended, or expelled from school, a student will not return to the school premise without permission of the proper school authorities. A student will not gain illegal entry onto school premises.
- 02-110 Negligent or Improper Operation of a Motor Vehicle  
A student will not intentionally or recklessly operate a motor vehicle, so as to endanger the safety, health or welfare of others on school property or in adjacent public areas.

02-111 Possession of Inappropriate Personal Property  
Students will not have electronic devices that are considered disruptive to the learning environment or are prohibited under Michigan State law or Dearborn Board of Education policies. In the case of “cellular phones”, the Dearborn Board of Education has adopted a specific policy on student use.

02-112 Profanity and/or Obscenity toward Others  
A student will not use/direct profanity and/or insulting or obscene gestures toward anyone either orally, in writing, with photographs or drawings, electronically or in any other manner.

02-113 Harassment/ Bullying /Intimidation (Level II)  
As per the Board of Education policy (5517), “harassment is defined as inappropriate conduct that is repeated enough, or serious enough, to negatively impact a student’s educational, physical or emotional well being. This would include harassment based on any of the legally protected characteristics, such as sex, race, color, national origin, religion, height, weight, marital status or disability. This policy, however, is not limited to these categories and includes any harassment that would negatively impact students. This would include such activities as stalking, bullying, name-calling, taunting, hazing, and other disruptive behaviors.”

Examples of harassment/ bullying/intimidation include but are not limited to the following:

- Threatened or actual physical harm;
- Un-welcomed physical contact;
- Threatening or taunting verbal, written or electronic communications;
- Taking or extorting money or property;
- Blocking or impeding a student’s movement;
- Ethnic, racial and group-based intimidation (e.g. ethnic slurs, derogatory names, negative comments, gestures and/or actions);
- Sexual Harassment (Level II): A student will 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(s).
- Hazing (A student will not haze or conspire to engage in hazing of another. Hazing includes, but is not limited to, any method of initiation or pre-initiation into a student organization, pastime, or amusement which causes, or is likely to cause, bodily danger, physical harm, personal harm, or personal degradation or disgrace).

02-114 Controlled Substances:  
Smoking: A student will not smoke, use tobacco or similar substances, or possess any substance containing tobacco or similar substances in any area under the control of a school district, including all activities or events supervised by the school district.

Alcohol and Drugs: A student will not possess, use, offer to buy or sell, or purport to buy or sell, a controlled substance, dangerous drug, prescription drug, counterfeit drug, intoxicating substance, or alcohol. A student legally in possession of prescribed medication will not be in violation of this section as long as his/her use and possession of the prescribed medication is physician-authorized and controlled at school.

02-115 Technology Abuse

A student will not contravene district technology use policy (see appendix).

02-116 Fighting

A student will not physically fight with another person.

02-117 Stealing: (Theft or Possession of Stolen Property)

A student will not, without permission of the owner or custodian of the property, take property, or have in his or her possession, property valued at \$100.00 or less which does not belong to the student.

02-118 Threat/Coercion

A student will not threaten another with bodily harm. A student will not coerce another to act or refrain from acting.

02-119 Gambling

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

02-120 Gang Activity

A student will not, by use of violence, force, coercion, threat of violence, or gang activity, cause disruption or obstruction to the educational process.

- A student shall not wear or possess any clothing, jewelry, symbols or other artifacts suggestive of gang membership. Also, a student shall not commit any act, verbal or non-verbal (e.g. gestures, hand signs, etc.) that may be construed as evidence of membership in/or affiliation with a gang. Additionally, a student shall not commit any act or behavior that promotes the cause of a gang, or engages in any gang activity.
- A gang is defined as two or more persons whose cause is to form a group for the purpose of:
  - a) committing crimes, acts of violence, and disturbances;
  - b) violation of school rules, the Student Code of Conduct, and Board of Education policies.
- Students involved in violation of this prohibition shall be subject to all forms of discipline at the discretion of the principal, ranging from detention through police interview referrals to recommendation for expulsion.

❖ **SCHOOL RESPONSES TO LEVEL II VIOLATIONS:**

Intervention strategies are not limited to those listed herein. Other methods of addressing misconduct may be more appropriate, depending upon the circumstances. Any or all of the following intervention strategies and disciplinary actions may be used:

- Any school response to a Level I violation;
- Denial of driving or parking privileges;
- Mandatory law enforcement agency notification in specific cases and/or events (e.g. arson, physical assault, sexual criminal conduct, etc.);
- Out-of-school suspension (short-term) from one school day up to ten school days;
- Recommendation to the school district Board of Education or its designees for long-term suspension (beyond ten school days) or expulsion.

**NOTE:** Fighting poses an immediate threat to student safety. In most cases, out-of-school suspension is imposed, even for a first offense for fighting. The length of suspension will depend on severity or repetition.

**F. LEVEL III VIOLATIONS:**

Depending on severity or repetition of misconduct, a Level I or Level II violation may be reclassified as a Level III violation.

03-100 Bus Rules

Disobeying, breaching, or disregarding transportation/bus safety rules (see Bus Transportation)

03-101 Cheating/Academic Misconduct

A student will not plagiarize, cheat, gain unauthorized access to, or tamper with educational materials and/or records. Disciplinary measures may include academic sanctions and/or other forms of discipline.

03-102 Defacement or Destruction of Property

A student will not intentionally cause destruction of property of the school or others. Actions that impair the use of something are destructive. Acts of property destruction include, but are not limited to, ruining bulletin boards, intentionally clogging the plumbing system, breaking light bulbs or fixtures, and damaging school equipment to the point where repair or replacement is necessary.

03-103 Disruptive Conduct

A student will not misbehave in a manner that causes disruption or obstruction to the educational process. Disruption caused by talking, making noises, throwing objects, or otherwise distracting others constitutes disruptive conduct. Behavior is considered disruptive if a teacher has to stop instruction to address it.

03-104 Misrepresentation (Failure to Follow School Identification Card Policy/False Identification/Forgery/Fraud):

When required by administration, students are expected to have, and present upon request, a school issued identification card. Failure to possess a card and/or refusal to present it upon request constitutes an act of insubordination. A student shall not violate school rules and regulations related to the school's identification card policy.

False Identification: A student will not misrepresent himself/herself, using false identification.

03-105 Inappropriate Display of Affection

Students will not engage in inappropriate displays of affection.

03-106 Inappropriate Dress and Grooming

A student will not dress or groom in a manner that disrupts the educational process or is detrimental to the health, safety or welfare of others. A student will not dress in a manner that is distracting or indecent to the extent that it interferes with the learning and teaching process.

03-107 Insubordination/Unruly Conduct

A student will not refuse or ignore to comply with directions or instructions given by school authorities. The following behaviors are examples of insubordination and unruly conduct: refuse to open a book, refuse to write an assignment, refuse to work with another student, refuse to work in a group, refuse to take a test, refuse to leave a hallway or any other location, and running away from school. Failure to Serve Assigned Detention and/or In-School-Suspension: A student will not fail to serve an assigned detention or in-school suspension of which students and/or parents/guardians have been notified.

03-108 Truancy Level III (Attendance)

Truancy Level III shall mean habitual failure on the part of a student and/or parent/guardian in complying with local and state laws regarding compulsory schooling and/or school attendance requirements. The District recognizes that regular and prompt attendance is essential for student success at school. Parents/guardians, students and District personnel are obligated to comply with all state laws, local ordinances, and Board of Education policies and guidelines pertaining to compulsory school attendance. Excessive "tardiness", "lateness", "skipping" and other attendance-related issues are major violations that impair the education process. Therefore, a student will not fail to attend school regularly and promptly. Similarly, parents/guardians of students are expected to adhere fully to the spirit and the letter of this provision. Therefore, a parent/guardian will make every effort to have a student report to the school's assigned class or activity in a regular and habitual fashion. Failure to abide by school rules and state laws may

lead to consequences involving the law enforcement agencies, district attorney's office, and the local court system.

03-109 Trespassing

A student will not enter upon the premise of the school district, other than the location to which the student is assigned, without authorization from proper school authorities. If removed, suspended, or expelled from school, a student will not return to the school premise without permission of the proper school authorities. A student will not gain illegal entry onto school premises.

03-110 Negligent or Improper Operation of a Motor Vehicle

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

03-111 Possession of Inappropriate Personal Property

Students will not have electronic devices that are considered prohibited under Michigan State law or Dearborn Board of Education policies. In the case of "cellular phones", the Dearborn Board of Education has adopted a specific policy on student use.

03-112 Profanity and/or Obscenity toward Staff

A student will not verbally, in writing, electronically, or with photographs or drawings, direct profane, insulting, or obscene gestures toward any school district staff member(s) or adult volunteer(s).

03-113 Harassment/ Bullying /Intimidation (Level III)

As per the Board of Education policy (5517), "harassment is defined as inappropriate conduct that is repeated enough, or serious enough, to negatively impact a student's educational, physical or emotional well being. This would include harassment based on any of the legally protected characteristics, such as sex, race, color, national origin, religion, height, weight, marital status or disability. This policy, however, is not limited to these categories and includes any harassment that would negatively impact students. This would include such activities as stalking, bullying, name-calling, taunting, hazing, and other disruptive behaviors."

Examples of harassment/ bullying/intimidation include but are not limited to the following:

- Threatened or actual physical harm;
- Un-welcomed physical contact;
- Threatening or taunting verbal, written or electronic communications;
- Taking or extorting money or property;
- Blocking or impeding a student's movement;
- Ethnic, racial and group-based intimidation (e.g. ethnic slurs, derogatory names, negative comments, gestures and/or actions);

- Sexual Harassment (Level III): Sexual Assault: A student will not sexually assault another person. If a student commits criminal sexual conduct in a school building, on school grounds or any other school property, the school board or its designee, in accordance with due process procedures, shall expel the student from the school district permanently, subject to possible reinstatement, pursuant to MCL 380.1311(5); (MCL 380.1311[2]). [“Criminal sexual conduct” means a violation as set forth in Chapter LXXVI of the Michigan Penal Code. (MCL 750.520b to MCL 750.520g)].
- Hazing (A student will not haze or conspire to engage in hazing of another. Hazing includes, but is not limited to, any method of initiation or pre-initiation into a student organization, pastime, or amusement which causes, or is likely to cause, bodily danger, physical harm, personal harm, or personal degradation or disgrace).

03-114 Controlled Substances:

Smoking: A student will not smoke, use tobacco or similar substances, or possess any substance containing tobacco or similar substances in any area under the control of a school district, including all activities or events supervised by the school district.

Alcohol and Drugs: A student will not possess, use, offer to buy or sell, or purport to buy or sell, a controlled substance, dangerous drug, prescription drug, counterfeit drug, intoxicating substance, or alcohol. A student legally in possession of prescribed medication will not be in violation of this section as long as his/her use and possession of the prescribed medication is physician-authorized and controlled at school.

03-115 Technology Abuse

A student will not contravene district technology use policy (see appendix).

03-116 Physical Assault (Fighting)

A student will not physically assault another person. If a student enrolled in grade 6 or above commits a physical assault at school against another student, then the school board or its designee shall suspend or expel the student from the school district for up to 180 school days. (MCL 380.1310[1]). If a student enrolled in grade 6 or above commits a physical assault at school against a person employed by, or engaged as a volunteer or contractor by the school board, then the school board or its designee shall expel the student from the school district permanently, subject to possible reinstatement under MCL 380.1311a(5). (MCL 380.1311a[1]). [“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])].



- 03-117 Stealing (Theft, Possession of Stolen Property or Robbery)  
A student will not, without permission of the owner or custodian of the property, take property or have in his or her possession property valued at more than \$300.00 that does not belong to the student. A student will not take or attempt to take from another person any property, by force or threat of force, expressed or implied.
- 03-118 Threat/Coercion/Extortion (Level III)  
A student will not threaten another with bodily harm. A student will not coerce another to act or refrain from acting. A student will not make another person do any act against his or her will, whether by force, or other means, expressed or implied.
- 03-119 Gambling  
A student will not engage in any game of chance or contest wherein money or other items of value are awarded to the winner, except for those games and contests authorized as official school functions.
- 03-120 Gang Activity  
A student will not, by use of violence, force, coercion, threat of violence, or gang activity, cause disruption or obstruction to the educational process.
- A student shall not wear or possess any clothing, jewelry, symbols or other artifacts suggestive of gang membership. Also, a student shall not commit any act, verbal or non-verbal (e.g. gestures, hand signs, etc.) that may be construed as evidence of membership in/or affiliation with a gang. Additionally, a student shall not commit any act or behavior that promotes the cause of a gang, or engages in any gang activity.
  - A gang is defined as two or more persons whose cause is to form a group for the purpose of:
    - c) committing crimes, acts of violence, and disturbances;
    - d) violation of school rules, the Student Code of Conduct, and Board of Education policies.
  - Students involved in violation of this prohibition shall be subject to all forms of discipline at the discretion of the principal, ranging from detention through police interview referrals to recommendation for expulsion.
- 03-121 Arson (Starting a Fire)  
A student will 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. If a student commits arson in a school building, on school grounds or other school property, the Dearborn Board of Education shall expel the student, in accordance with due process procedures from the school district permanently, subject to possible reinstatement, pursuant to MCL 380.1311(5). (MCL 380.1311[2]). [“Arson” means a felony violation as set forth in Chapter X of the Michigan Penal Code. (MCL 750.71 to MCL 750.80)].

- 03-122 False Fire Alarm or Bomb Report; Tampering with Fire Alarm System  
Unless an emergency exists, a student will not destroy, damage, or otherwise tamper with a fire alarm system in a school building. A student will not intentionally sound a fire alarm or cause a fire alarm to be sounded without due cause. A student will not falsely communicate, or cause to be communicated, a report of a bomb being 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. If a student enrolled in grade 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 its designee shall suspend or expel the student from the school district for a period of time as determined by the Dearborn Board of Education, or its designee. (MCL 380.1311a[2]).
- 03-123 Felony  
A student will not commit an act that results in being charged with a felony offense or in a conviction.
- 03-124 Fireworks  
A student will not possess, handle, transmit, conceal, or use any fireworks or firecrackers.
- 03-125 Interference with School Authorities  
In situations involving the safety of others, a student will not interfere with administrators, teachers or other school personnel.
- 03-126 Weapons: Dangerous Instruments  
A student without appropriate clearance, will not possess, handle, transmit, or use a dangerous instrument capable of harming another person. Dangerous instruments include, but are not limited to, bullets, chemical mace, pepper gas or like substances; stun guns; BB guns; pellet guns; razors; or box cutters.
- 03-127 Weapons: Dangerous Weapons  
A student will 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, pocketknife opened by a mechanical device, iron bar, or brass knuckles. (MCL 380.1313).

A “firearm,” as defined in section 921, title 18 of the United States Code (18 U.S.C. 921) means:

- Any weapon (including a starter gun) which will or is designed to, or may readily be converted to expel a projectile by action of an explosive;
- The frame or receiver of any such weapon;
- Any firearm muffler or firearm silencer; or
- Any destructive device;
- The term “firearm” does not include an antique firearm (18 U.S.C 921).

State law requires the school board or its designee to expel permanently from the school district a student who possesses a “dangerous weapon” in a “weapon-free school zone,” subject to possible reinstatement, pursuant to MCL 380.1311(5). (MCL 380.1311 2).

“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, except a building used primarily for adult education or college extension courses. (MCL 750.237a).

If a dangerous weapon is found in the possession of a student while the student is in attendance at school or a school activity, or while the student is en route to or from school on a school bus, the superintendent or designee, shall immediately report that finding to the student’s parent or legal guardian, the local law enforcement agency, and pursue school disciplinary action. (MCL 380.1313[1]).

03-128 Weapons: Use of Legitimate Tools as Weapons

A student will not use a legitimate tool, instrument, or equipment as a weapon including, but not limited to, pens, pencils, compasses, or combs, with the intent to harm another.

❖ **SCHOOL RESPONSES TO LEVEL III VIOLATIONS:**

Except where the response is prescribed by law, any or all of the following intervention strategies or disciplinary actions may be used:

- Any school response to Levels I or II violation;
- Assign drug prevention strategies and programs;
- Placement in an alternative education program or transfer to another building;
- Recommendation to the Board of Education or its designee for long-term suspension or expulsion;
- Require an emotional, behavioral, and/or chemical dependency evaluation and treatment and/or counseling recommendation. The intervention strategy or discipline may require the student to follow any or all treatment recommendations of the evaluation. The evaluation must be from a source approved by the administration.

**NOTES:**

\*Drug-related behaviors pose an immediate threat to student safety. In all Level III drug-related cases, out-of-school suspension is imposed even for the first offense

\*\* 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 the family independence agency or county 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]).

**VI THE APPEAL PROCESS**

**A. DISCIPLINE CASES OTHER THAN EXPULSION**

1. In all cases where disciplinary sanctions have been imposed, a student and/or his/her parent has the right to a hearing with the appropriate administrator. Hearings on appeal need not repeat matters or procedures accomplished at a prior hearing.
2. In cases involving suspension of five days or less, the principal's decision is final.
3. In cases involving suspension of more than five days, but not more than ten days, the parent may appeal such decision to the designee of the Superintendent of Schools within five school days following the principal's decision. The decision of the Superintendent's designee is final.
4. In cases involving a suspension of more than ten days, but not more than thirty days, the parent may appeal such decision to the Superintendent of Schools within five school days following the decision of the Superintendent's designee. The Superintendent shall affirm or modify the decision of the Superintendent's designee in writing within five school days from hearing the appeal. The Superintendent's decision is final.

**B. EXPULSION CASES**

The decision of the Board to expel is final. However, it shall be the prerogative of the Board, upon receiving written request, to grant a second hearing before the Board if in its judgment, such a hearing is justified.

Hearing before the Board shall be conducted under the following procedures:

1. The hearing may be private if requested by the parent.
2. The student may be represented by an attorney or other advisors of his/her choosing.
3. Witnesses shall be presented at the hearing regarding the contested facts. The parent, student, or the student's representative may question witnesses, may present witnesses on the student's behalf, and may discuss the appropriateness of any proposed sanction. The district shall make reasonable efforts to arrange for witnesses to be present at the hearing.
4. The hearing is not a court proceeding and court rules of evidence shall not be enforced at such hearing.

5. There may be present at the hearing the principal, the Board of Education's attorney, and such resource persons as the President of the Board of Education deems essential to the proper adjudication of the case.
6. The Board of Education shall render a written opinion of its determination within five school days from the date of the hearing. Such written opinion shall be forwarded to all parties concerned.
7. The Board of Education acknowledges that it may have a continuing responsibility for providing an alternative educational service to handicapped students who have been long term suspended or expelled.

### **C. CASES OF COMPLAINT OTHER THAN SUSPENSION OR EXPULSION**

It is recognized that in every school setting there are differences of opinion that will arise between students, parents or guardians, and staff members. It is hoped that students will make every effort to resolve complaints with the teachers or administrators involved through discussion and seeking mutual understanding.

Following this effort, if a student feels that he/she still has a legitimate complaint against the personnel or procedures of the Dearborn Public Schools, the student has the right to voice his/her complaint to a third party of higher authority than the person to whom the initial complaint was directed or appealed. The appeal process should follow the line of authority as listed:

- Teacher
- Assistant Principal
- Principal
- Administrative Hearing Officer
- Coordinator of Student Services
- Superintendent
- Board of Education

At the time of the initial complaint and following the decision at each level of the appeal process, the student and/or parents or guardians ought to act within a short period of time if the decision on a complaint is to be appealed to the next highest level of authority. The complaint should be heard within a reasonable period of time, and after hearing the complaint, the authority at each level should give his/her decision as soon as possible but in no later than ten school days. At the Board of Education level, the decision will be final.

## APPENDIX A

### **INFORMATION SYSTEMS (INTERNET SAFETY) ACCEPTABLE USE POLICY: (STUDENT)**

#### **Purpose; Scope**

Access to Information Systems is provided to authorized students under the direct supervision of identified district personnel to enrich and augment their education and training during the time that they are members of the student body of the Dearborn Public Schools (the "District"). The term "Information Systems" includes, but is not limited to, computer hardware, software communications equipment (such as telephones, pagers, computers, palmtops, scanners, digital cameras, and photocopy and facsimile machines), and all communications and information communicated thereby, including e-mail and voice-mail and all communications and information transmitted by, received from, entered into, or stored in these systems. Access to Information Systems will: (1) assist in the collaboration and exchange of information, (2) facilitate personal growth in the use of technology, and (3) enhance information gathering and communication skills. This Information Systems Acceptable Use Policy Guidelines ("Guidelines") document applies to all Dearborn Public Schools students ("Students") using any District Information System.

The primary use of the District's Information Systems is to support the academic programs of the District to allow bona fide research and to support school related activities. Other important uses are to facilitate communication and the dissemination of information by, between, and among Students to further the academic programs of the District. Through this and prior versions of its Information Systems Policy Guidelines, the District has restricted the use of all Information Systems to appropriate school-related, educational purposes. At all times and in all instances, Students must adhere to the District's Acceptable Use Policy.

#### **No Expectation of Privacy; Monitoring**

All usage of any Information System, and any electronic data created, sent, received, or stored in the system are, and remain the property of, the Dearborn Public Schools. The District treats ALL electronic data sent, received, or stored over its Information Systems as its business information. As a result, the District has the right to and will periodically assess whether specific Students are using the District's Information Systems for authorized purposes. Because the Information Systems and all electronic data generated by it and stored in it are the property of the District, Students should understand that they have NO expectation of privacy in their access and use of the District's Information Systems. Individual requests for unfiltered access to the internet will be requested through the building media specialist and decided upon by a committee consisting of the building media specialist, principal, district media coordinator, and district computer services supervisor.

To safeguard and protect the District's proprietary, confidential, and business-sensitive information, and to ensure that the use of the District's Information Systems is consistent with the District's educational purposes, the District reserves the right to monitor the use of its Information Systems. This may include the monitoring of a Student's computer or

Internet usage, printing and/or reading of e-mail, and viewing of any other electronic data on its Information Systems. Accordingly, the District reserves the right to monitor and log each Student's computer and Internet usage to maximize e-mail and files server space utilization.

### **Protection, Safety, Security of Minors; Review, Deletion & Disclosure of E-Mail; Remote Access**

Students should be aware that e-mail messages, chat room discussions, instant messaging, and any other form of direct electronic communication, including District correspondence, might be read by other students, District employees, or outsiders under certain circumstances. The District has the capability to access, review, copy, delete, or block any form of direct electronic communication sent, received or stored on the District's Information Systems. The District may be required to produce, and thus reserves the right to access, review, copy, or delete, or block all such messages for any purposes and to disclose them to any party (inside or outside the Dearborn Public Schools) that it deems appropriate or necessary to protect the safety and security of minors.

Should Student users make incidental use of the e-mail systems to transmit personal messages, such messages will be treated no differently than other messages; the district reserves the right to access, review, copy, delete or disclose such messages for any purpose.

Access to the District's Information Systems shall be from the student's class workspace and no remote tie-in to the district's Information Systems shall be allowed without the prior written approval of the District. Any problems or unauthorized charges, which arise from the use of a Student's remote access account, are the responsibility of the student's parent/guardian.

### **Passwords; User Responsibilities**

All pass codes, passwords, I.D.'s and encrypted information are the property of the Dearborn Public Schools. No Student may use a pass code, password, I.D. or method of encryption that has not been issued specifically to that Student by the Dearborn Public Schools. In other words, no Student may give, even on a temporary basis, his or her pass code, password, or I.D. to another Student or staff member without prior written approval by the District. No Student may use, even on a temporary basis, the pass code, password, or I.D. of any other Student or staff member without prior written approval by the District. Every Student is responsible for, and should take all reasonable precautions to protect, his or her pass code, password, and I.D.

Each Student is advised that transferring files, shareware, and other software can transmit computer viruses and should exercise extreme care and caution in doing so. The Student will be liable to pay the cost or fee of any file, shareware, or software transferred or affected, whether intentional or accidental.

### **Prohibited Uses; Filtering; Enforcement**

While cognizant of freedom of speech and equal access to information concerns, the use of the District's Information Systems to engage in any communications that are in violation of District policy or applicable laws, including but not limited to obtaining, transmitting or



posting defamatory, discriminatory, obscene, sexually explicit, pornographic, offensive or harassing information, material, or messages or disclosing personal information, in the form of visual depictions, text, or sound without authorization from a committee consisting of a building media specialist, principal district media coordinator and district computer services supervisor, is prohibited. Students may not at any time access areas of the Internet that the District considers unsuitable for viewing. To actively enforce this guideline, the District has reserved the right to load filtering software on its Information Systems to prohibit access to such sites.

The use of the District's Information Systems is a privilege, which may be revoked by the District at any time and for any reason. The District reserves all rights to any material stored in files which are generally accessible to others and may remove any information which the District, in its sole discretion, deems to be unauthorized. Any misuse of the Student's access to the District's Information Systems or violation of any other provisions of this guideline may result in the suspension or termination of the Student's access to the District's Information Systems and/or other disciplinary action as the District may determine. Disciplinary action may include:

- Banning the student's use of school information technology
- Having the student make full financial restitution for any unauthorized expenses incurred or any damages caused
- Facing other disciplinary action in keeping with the disciplinary policies and guidelines of the school district up to litigation and / or expulsion

Each Student is responsible for adhering to this guideline as well as any specific security guidelines and procedures issued periodically by duly authorized representatives of the District. Students learning of any misuse of the District's Information Systems or violations of this guideline shall immediately notify their instructor. Any building instructor who learns of misuse or who is notified of misuse shall immediately notify the building principal. The building principal will take appropriate disciplinary action as outlined in the District's Student Code of Conduct. Any of the following activities shall be deemed violations of this guideline.

Unauthorized attempts of hacking or any other unlawful online activities to access any Information Systems, whether belonging to the Dearborn Public Schools or any other institution, organization or individual.

Any alteration of the District's Information Systems without prior written authorization.

Introducing viruses, applications, scripts or applets which may harm or impede the operation and functioning of the District's Information Systems, whether such introduction is in public or private files and/or messages.

Authorship, dissemination or viewing of unauthorized information or material on the District's Information Systems, in the form of visual depictions, text or sound, including information that is strictly for personal purposes or which is not in furtherance of the

educational purposes of the District; unlawful, obscene, sexually explicit, pornographic, discriminatory or abusive material, or any material that disparages students or staff material which is for commercial or for-profit purposes including, without limitation, advertising; material consisting of political lobbying; and any other material which the District deems to be unauthorized.

Using District time and resources for personal, commercial or for-profit purposes or other non-District related gain.

Sending or posting the District's confidential materials outside the District or inside the District to non-authorized personnel. This includes the non-authorized disclosure of personal identification information of minors.

Unauthorized downloading and/or installing of any computer application on the District's Information Systems, whether purchased, shareware, or freeware.

Refusing to cooperate with a security investigation.

Using the District's Information Systems, whether directly or indirectly, for any malicious act.

Using the District's Information Systems to plagiarize, copy, download, forward and/or transmit any form of intellectual property protected by copyright laws.

**No Warranty; No Liability; Release**

The District will neither warrant that the Information Systems will meet any specific requirements the Student may have, nor that the Information Systems will be without error or provide uninterrupted service. The District shall not be liable for any direct or indirect, incidental, or consequential damages (including lost data, information, or time) sustained or incurred in connection with the use, operation, or inability to use the Information Systems. The District shall have no liability for any cause of action or other claim arising from the use of the Information Systems, including both authorized and unauthorized uses thereof. By using the District's Information Systems, each Student releases the District and its operations and administrations from any and all claims of any nature arising from any use or inability to use the District's Information Systems resources.

**Modification of Guideline**

From time-to-time, the District may modify or amend its Information Systems Acceptable Use Policy Guidelines including its acceptable use rules and guidelines. A copy of this guideline will be distributed to all Students and will be posted in selected public areas in all Dearborn Public Schools.

## **APPENDIX B**

### Special Education Procedures for the Discipline of Students with Disabilities

#### **Short Term Suspension:**

Short term suspension is a term of suspension that does not exceed ten (10) school days. In accordance with Dearborn Public Schools' imposed due process related policies and guidelines, Special Education students may be suspended, equal to other students without disabilities, for up to (but not more than) ten (10) consecutive or ten (10) cumulative school days in a given school year without providing any Special Education procedural protections.

No special procedures are required under the Federal Individuals with Disabilities Education Act, 20 U.S.C. Section 1400, et. seq., hereafter referred to as IDEA. Beyond an initial suspension of up to ten (10) consecutive or ten (10) cumulative school days in a school year, school administrators may impose additional short-term suspensions of ten (10) days or less in response to an event of misconduct during the same school year—(as long as they do not result in a change in placement). If a change in placement occurs, Special Education procedures that apply to long-term suspensions must be implemented. (Due to IDEA mandated time restrictions, Functional Behavior Assessment, Behavioral Intervention Plan and Manifestation Determination Review should put into practice no later than the fifth (5<sup>th</sup>) day of the suspension. Consult with the Special Education Office to obtain more details).

Special Education students may be suspended in excess of ten (10) school days when their behavior is determined to be in breach of the Student Code of Conduct.

#### **Long Term Suspension:**

Long term suspension is a term of suspension that is at least eleven (11) days but may not exceed 30 days, as per Dearborn Public Schools' Bylaws and Policies: Section 2461 (Suspension/Expulsion of Disabled Students); Section 5600 (Student Discipline); Section 5610 (Suspension and Expulsion of Non-Handicapped Students); and, Section 5611 (Due Process Rights). (However, under IDEA [34 CFR § 300.530(g)] schools are expressly permitted to remove unilaterally students to an interim alternative educational setting for as long as 45 school days offenses involving drugs and weapons, or when serious bodily injury has occurred—even if the behavior is a manifestation of disability. The school system determines whether to remove a student for said offenses through its disciplinary hearing process in accordance with its policies, administrative guidelines, and IDEA).

As with other students without disabilities, school administrators may suspend Special Education students up to ten (10) school days in accordance with Dearborn Public Schools' due process related policies and guidelines. However, if the school administration seeks additional disciplinary action beyond the initial term of ten (10) days, the school administration must petition the Department of Student Services' Administrative Hearing Officer to convene a Student Disciplinary Hearing to decide on the issue of misconduct, student responsibility; any warranted further disciplinary measures, and any other related matters.

In long term suspensions, administrators may ask for the imposition of an additional term of suspension up to and including expulsion.

However, after the first 10 days of suspension have been imposed, the IEPT must convene within 10 school days, corresponding with the term of suspension, and the IEPT must develop a functional behavioral assessment (FBA) plan and, as soon as practical, develop a behavioral intervention plan (BIP) with positive behavioral supports. If the student already has a behavioral intervention plan the IEP team shall convene to review the plan and its implementation and make modifications, if necessary, to address the behavior. The IEPT will conduct a Manifestation Determination Review (MDR) whose purpose is to determine whether the student's behavior is caused by the student's disability. The FBA and BIP plans and the outcome of the MDR will be presented at the Student Disciplinary Hearing.

#### Student Disciplinary Hearing Process:

1. To initiate further disciplinary action, the administrator in charge will petition the Department of Student Services to convene a Disciplinary Hearing no later than the fifth (5<sup>th</sup>) day of a suspension.
2. A Hearing will be scheduled and held no later than the tenth (10<sup>th</sup>) day of suspension.
3. The Student Services Department will notify the student and family of the date, time and place of the Hearing within the first five (5) days of the suspension.
4. The student, parent(s)/guardian(s) will respond to the charges levied by the administrator in charge under the provisions of the Student Code of Conduct.
5. The student and his/her parent(s) and/or guardian(s) maintain rights to representation by advocate or counsel.
6. The administrator in charge will present evidence and other supporting information confirming the student's responsibility for misconduct. As well, the administrator will present any other documentation pertaining to reaching an informed decision regarding the case, (e.g., FBA, BIP, Manifestation Determination Review)
7. Upon examination of the case, the Administrative Hearing Officer will issue a decision regarding the responsibility of the student in the alleged misconduct.
8. The Administrative Hearing Officer may suspend a Special Education student, provided the misconduct is not a manifestation of disability, for an additional term.
9. In the event a question arises regarding the possibility of expulsion, the Administrative Hearing Officer may refer the case for a second hearing with the Coordinator of Student Services or may hold another hearing to determine grounds for expulsion in order to provide maximum protection of due process.
10. In the event that grounds for expulsion are determined, a recommendation to the Dearborn Public Schools' Superintendent will be prepared, asking for approval of the recommendation.
11. Upon review and acceptance of this recommendation, the Superintendent initiates expulsion proceedings, placing the case on the agenda of the Dearborn Public Schools Board of Education.

The Board of Education has the sole authority to terminate a student's rights and privileges to attend school.