ROCHESTER COMMUNITY SCHOOLS

Student Code of Conduct

A guide for students and parents in the Rochester Community School District

A complete list of school district policies and regulations are available at the following website: www.rochester.k12.mi.us

ROCHESTER COMMUNITY SCHOOLS

College Ready. Career Ready.
Life Ready.

RESPECT CODE

Rochester Community Schools will provide a district climate that prohibits acts of harassment or bullying, and eliminates prejudice and discrimination.

All Rochester Community School members have the right to be:

SAFE

All individuals are entitled to a physically, emotionally and intellectually safe learning and work environment. It is our responsibility to address discriminatory statements and actions.

VALUED

All individuals are entitled to be valued. Various customs, lifestyles, and backgrounds contribute to an enriched learning environment.

RESPECTED

All individuals are entitled to be treated equitably. Education increases awareness and understanding and promotes human dignity.

Notice of Nondiscrimination

Rochester Community Schools does not discriminate on the basis of race, color, religion, national origin, creed or ancestry, age, sex, marital status, height, weight, familial status, arrest record or physical and mental disabilities in accordance with the Elliot-Larson Civil Rights Act (ELCRA) MCL 37.2206. Persons with Disabilities Civil Rights Act (PWCRA), MCL 37.1206, Title II, Title VI, and Title VII of the Civil Rights Act of 1964, Title IX of the Educational Amendment Act of 1972, the Age Discrimination in Employment Act and the Immigration Reform and Control Act of 1986 (8U.S.C., Section 1324A Et.Seq.) and Section 504 of the Rehabilitation Act of 1973. In addition, individuals will not be excluded from, or be denied, the benefits of participation in any program or activity for which the Board is responsible.

Rochester Community Schools has designated the following individuals as Compliance Coordinators: Title IX, Title II and Section 504 – Students: Assistant Superintendent for Instruction, 501 W. University, Rochester, MI 48307 (248)726-3106; Equal Employment Opportunity/Section 504 for non-students: Executive Director of Human Resources, 501 W. University, Rochester, MI 48307 (248)726-3110

INTRODUCTION

Rochester Community Schools Board of Education is committed to providing a safe, positive and supportive learning environment for every student. The Student Code of Conduct is a cooperative effort of students, teachers, parents and administration that sets forth the rules and regulations that govern the students' involvement with the academic, social, and recreational programs of Rochester Community Schools. Our goal is to promote learning for life in a safe, drug, and violence free environment. To accomplish this, it is necessary to establish and require adherence to a well-defined standard of acceptable behavior. A school is a like a miniature community, and the rules and regulations are established for the protection of the rights of all members of that community. Violation of school rules and regulations that are harmful to the rights and privileges of others cannot be tolerated.

The purpose of the policies and procedures contained in this handbook is to present not only guidelines for responsible student citizenship, but to provide a systematic, consistent approach to handling violations of these policies which may arise in the school setting. The immediate objective of school discipline is to allow for student growth in abilities, attitudes, and habits which are essential to acceptable and self-controlled behavior.

We strongly believe that the partnership between home and school is vital in the development of each child. We strongly encourage parents to take the time to review this handbook with your child. Your knowledge and cooperation in following the guidelines set forth in this policy will greatly enhance our ability to create an exceptional school system for every child.

Rochester Community Schools
501 W. University Drive
Rochester, MI 48307
248.726.3000
www.rochester.k12.mi.us

Table of Contents
Student Code of Conduct

I. Disciplinary Step System……...1

Misconduct …….……..… 3

Acts of Student Misconduct, which will Result in Expulsion ……..... 13

II. Disciplinary Procedures …….....…… 14

III. Short Term Suspension ……..... 18

Appeal Procedures …….….….19

IV. Long Term Suspension or Expulsion.. ……...…….....20

Appeal Procedures …….….….20

Readmission after Long Term Suspension…….……..22

Readmission after Expulsion…….……...22

I. DISCIPLINARY STEP SYSTEM

A. The disciplinary steps listed below shall be followed in the administration of disciplinary action. The steps are designed to:

1. Provide the student with a program that includes ample opportunity for modification of the negative behavior.

2. Provide consistency in the administration of disciplinary action, a fair program in that all students charged with the same level of misconduct will receive the same action.

3. Provide for clearly stated, advance knowledge to all students, parents, and staff members of the course of action to be taken in handling disciplinary matters.

4. Provide a program that is progressive (moderate to most severe action).

B. The steps shall be administered under the following conditions:

1. That all appropriate corrective action shall be taken either prior to or concurrently with the administration of any disciplinary action. Placement on the step system will be proportionate to the severity of the misconduct.

2. That once a student is placed on the disciplinary steps, the student may, during the current school year, move to succeeding steps for each subsequent occurrence of misconduct at administrative discretion. Movement on the steps will be proportionate to the severity of the misconduct.

3. The student's placement on the step system shall be reduced one step for each consecutive forty-five (45) school days at the high school level and thirty (30) school days at the elementary and middle school levels without misconduct requiring disciplinary action as described in this policy.

4. With the start of a new school year, students who were placed on the step system in the prior year will return without any steps on their record. However, penalties to be served resulting from the prior school year step placement will be served within the first two (2) week period of the new school year.

C. Disciplinary Steps

STEP 1	Administrative conference with the student to include reviewing the disciplinary policy and procedure and notification that the next infraction of rules may result in action on at least the 2nd step. The student's parents shall be notified of the conference, and a copy of the step system and related penalties shall be sent to the parents.
STEP 2	Student/parent/administrative contact
STEP 3	One day (short term) suspension *
STEP 4	Three day (short term) suspension *
STEP 5	Five day (short term) suspension *
STEP 6	Short term suspension (ten days) and/or social probation *
STEP 7	Long term suspension and/or recommendation for expulsion for misconduct not including possession of dangerous weapon, arson, criminal sexual conduct or physical assault against district employees, visitors, students, volunteers, or contractors.
STEP 8	Expulsion for possession of dangerous weapon, arson or criminal sexual conduct or physical assault against district employees, visitors, students, volunteers, or contractors.

* Days are school days, not calendar days.

At the discretion of the administrator and/or separate Board Policies addressing specific disciplinary actions, a student may be placed on any of the steps indicated under each code of conduct violation depending on the severity of the incident.

D. With enactment of Public Act 102, as of January 2, 2000, the following acts of misconduct will be reported to law enforcement:

- Physical Assault
- Gang Related Activity
- Illegal Possession
- Trespassers or Intruders
- Vandalism – property damage over $1000
- Criminal Sexual Conduct
- Hostage
- Weapons on School Property
- Homicide
- Drive by Shooting
- Bomb Threat
- Explosion
- Arson
- Robbery or Extortion
- Unauthorized Removal of Student
- Threat/Attempt of Suicide
- Suicide
- Larceny (Theft)
- Illegal Drug Use or Overdose
- Minor in Possession of Alcohol
- Minor in Possession of Tobacco
- Bus Incident or Accident

Law Enforcement authorities will be notified in compliance with PA 102. For all other misconduct, law enforcement may be notified.

E. Acts of Student Misconduct for which Suspension and/or Expulsion may be Appropriate Disciplinary Action

The Board of Education hereby establishes the following categories of misconduct, which may result in suspension or expulsion from the Rochester Community Schools. These categories are generally descriptive of the most obvious types of misconduct and are not to be construed as an exclusive list or as a limitation upon the authority of school officials to deal appropriately with any other types of conduct which interfere with the good order of the school system, or the proper functioning of the educational process. Matters of student suspension and/or expulsion (Step 3-8) shall be maintained in a student's permanent record (CA60), and shall be transferred to any other private or public school in which the student may seek enrollment. Disciplinary records may be deleted upon graduation with the exception for expulsion for possession of dangerous weapons, arson, criminal sexual conduct, or the physical assault of a staff member, student, visitor, volunteer or contractor.

MISCONDUCT

1. **Failure to follow approved school and classroom rules** which are consistent with Board Policies and Administrative Procedures including Academic Integrity.

   Elementary - After a minimum of three (3) but not more than five (5) infractions for which remedial or corrective measure have been taken and recorded (one of which will be a parent contact), a student will be placed on Step 1.

   Middle School - Following proper corrective action including a parent contact Steps 1-3.

   High School - Following proper corrective action including a parent contact Steps 2-3.

2. **Insubordination**, **disrespect, or disregard** of verbal instruction or direction of school personnel.

Elementary	Middle School	High School
Step 1-2	Step 1-2	Step 2-3

---

3. **Defiance -** Open persistent defiance of the authority of a staff member.

Elementary	Middle School	High School
Step 2	Step 2-3	Step 2-4

---

4. **Closed Campus** - All students must have permission to leave the school building during regular school hours. High school seniors are allowed to leave campus for lunch with proper identification, but are subject to disciplinary action if accompanied by an underclassman.

Elementary	Middle School	High School
Step 1-3	Step 3	Step 3

---

5. **Unauthorized Entry, Trespassing/Loitering, Excessive Tardies -** Act of being in an unauthorized place/lingering aimlessly in or about school/refusing to leave when directed to do so by school personnel, or exceeding the district tardy guidelines.

Elementary	Middle School	High School
Step 1	Step 2-3	Step 2-4
<u>Forced Entry</u>	Middle School	High School
	Step 3	Step 3-5

---

6. **Assault -** Verbal assault against students, district employees, volunteers, or contractors - oral threat of bodily harm coupled with an apparent immediate ability to commit same and which puts a person in a reasonable apprehension of such bodily harm.

Elementary	Middle School	High School
Step 1-7	Step 3-7	Step 3-7

---

7. Larceny/Petty Theft

a. Any theft of money or personal or public property less than $5.00 value.

Elementary	Middle School	High School
Step 2-3	Step 2-3	Step 2-3

b. Any theft of money or personal or public property of $5.00 or more value and/or any theft involving unlawful entry, including lockers, desks, etc.

Elementary	Middle School	High School
Step 3-6	Step 3-6	Step 3-6

c. Possession of property reported stolen to school authorities having a value of less than $5.00. Return of property or if damaged, restitution recommended.

Elementary	Middle School	High School
Step 2-3	Step 2-3	Step 2-3

d. Possession of property reported stolen to school authorities having a value of more than $5.00. Return of property or if damaged, restitution recommended.

Elementary	Middle School	High School
Step 3-6	Step 3-6	Step 3-6

e. Sale or purchase of stolen property including the purchase of items markedly below normal retail prices. The student is responsible for knowing the source of the purchased property.

Elementary	Middle School	High School
Step 2-6	Step 3-6	Step 3-6

---

8. Extortion/Blackmail - Obtaining money, property or favors as a result of intimidation without use of a weapon as defined in Section E-23.

Elementary	Middle School	High School
Step 1-3	Step 2-3	Step 3-4

Gambling - Playing or betting on a game of chance, a contest or other event with the hope of gaining some personal or financial advantage.

Elementary	Middle School	High School
Step 1-3	Step 2-3	Step 3-4

---

9. **Offensive Speech/Displays -** Speech, communication, displays which tend to disrupt the orderly conduct of the educational process.

   a. Indecency, the act of offending commonly recognized standards of good taste including the use of vulgar acts, obscenities, gestures, or inappropriate display of affection or sexual contact, or symbols.

   b. Illegal messages, displays which advocate or glamorize behavior, which is illegal for students, such as alcohol, drugs, tobacco use or gang affiliation.

   c. Display, possession, distribution, sharing of any drawings, graphics, video, printed material of an obscene nature.

   Incidental, not specifically directed toward another person.

Elementary	Middle School	High School
Step 1-3	Step 1-3	Step 2-4

   Directed toward another person, which has the tendency to disrupt the orderly conduct of the educational process.

Elementary	Middle School	High School
Step 1-3	Step 1-4	Step 2-6

---

10. **Harassment** - The act of verbal or physical behavior, written or electronic communication which:

   a. Involves an expressed or implied threat to personal safety including stalking.

   b. Has the effect of interfering with an individual's participation in the curricular or extra-curricular activities of the school district.

   c. Involves unwelcome sexual advances or requests for sexual favors, or other verbal or nonverbal sexual innuendoes or obscene gestures.

   d. Creates an intimidating, hostile, or offensive school environment which would adversely affect either the performance or psychological well being of a student or staff member.

Elementary	Middle School	High School
Step 1-4	Step 1-7	Step 2-7

---

25. Bullying - Bullying is characterized by, but not limited to, deliberate hurtful behavior, or behavior that produces fear in others. As opposed to normal peer conflict, bullying is often repeated over a period of time, and it is difficult for those being targeted to defend themselves.

a. Intimidation - Intimidates individual or groups on any basis including race, ethnic background, religion, gender, sexual orientation, national origin, physical or cognitive disability.

b. Physical - Hitting, kicking, taking belongings, inappropriate gestures or acts.

c. Direct communication - Verbal, written, or electronic name calling, taunting, teasing, insulting, intimidating remarks, sarcasm, or prejudicial comments.

d. Indirect Communication - Spreading rumors about someone with malicious intent, excluding someone from social groups.

e. Hazing - Any willful act committed individually or by a group for the purpose of subjecting a person to humiliation, intimidation, physical abuse, threats of abuse, shame or disgrace as a rite of passage to join a group. Permission, consent or assumption of risk by an individual subjected to hazing does not lessen this prohibition.

Elementary	Middle School	High School
Step 1-5	Step 1-7	Step 2-7

---

11. Fighting - The act of physical bullying or quarreling, including bodily contact, in and on school property, going to and from school, including any activity under school sponsorship, i.e., dances, athletic events, field trips, etc. Spontaneous incident, if one student initiates physical contact and the other student does not respond with physical contact, the second student does not have to be placed on the step system.

Physical assault against another student: intentionally causing or attempting to cause physical harm to another through force or violence.

a. Incitement - The act of inciting or prompting others to action.

Elementary	Middle School	High School
Step 1-3	Step 1-5	Step 2-7

b. Spontaneous incident

Elementary	Middle School	High School
Step 1-3	Step 2-7	Step 2-7

c. Planned, prearranged fight

Elementary	Middle School	High School
Step 4	Step 4-7	Step 4-7

d. Gang fighting - Three (3) or more students involved in the same fight.

Elementary	Middle School	High School
Step 5	Step 5-7	Step 5-7

e. Physical assault against school district employees, volunteers, or contractors- Intentionally causing or attempting to cause physical harm to another through force or violence.

Elementary	Middle School	High School
Step 2-7	Step 8	Step 8

---

12. Possession or use of Fireworks and Explosives

a. Fireworks and explosives including stink bombs, bomb bags and bottle bombs.

Elementary	Middle School	High School
Step 2-7	Step 2-7	Step 2-7

b. Possession or use of explosives or incendiary devices that have potential to do great bodily harm or great physical damage.

Elementary	Middle School	High School
Step 8	Step 8	Step 8

c. Possession or use of matches or lighters

Elementary	Middle School	High School
Step 1-3	Step 2-3	Step 2-4

---

13. Possession of Controlled Substances, Drug Paraphernalia, Alcoholic Beverages, or Over the Counter Drugs or Medications

a. Controlled substances (drugs) - Shall include, marijuana, cocaine, steroids, heroin, and those substances included within (or exempted from) 7212 through 7229, inclusive of the Michigan Substance Abuse Act or any successor thereof, MCLA 333.7212 through 333.7229, inclusive.

b. Drug paraphernalia - Instruments that aid in the administration of controlled substances such as, but not limited to; a smoking pipe, rolling papers, syringe.

c. Alcoholic beverages

d. Over the counter drugs or medications

Elementary - Step 2-4

Middle School and High School - 1st offense, Step 2-5, recommended involvement in intervention program for students and parents, possible police involvement.

2nd offense, Step 5-6, recommended involvement in intervention program for students and parents, mandatory police involvement.

3rd offense, Step 7, recommended professional evaluation to determine treatment needs, mandatory police involvement.

*Alternative Disciplinary Action – "Choices" class, groups or concerned students, recovering students, parental support groups, and/or professional evaluation to determine needs. The Student Assistance Program will be offered as an intervention, if available.

---

24. Consumption or Under the Influence - Consumption or under the influence of alcoholic beverages, alleged drugs, or inhalants without prescription on school property, school owned vehicles or at school events. Controlled substances shall include marijuana, cocaine, steroids, heroin, and those substances included within 7212 through 7229, inclusive of the Michigan Substance Abuse Act or any successor thereof, MCLA 333.7212 through 333.7229, inclusive.*

Elementary - Step 2-4

Middle School & High School – 1st Offense, Step 2-5, recommended involvement in Intervention Program for students and parents; possible police involvement.

2nd Offense, Step 5-6, recommended involvement in Intervention Program for student and parent, mandatory police involvement.

3rd Offense, Step 7, recommended professional evaluation to determine treatment needs, mandatory police involvement.

* Alternative Disciplinary Action: "Choices" class, groups or concerned students, recovering students, parental support groups, and/or professional evaluation to determine needs. The Student Assistance Program will be offered as an intervention, if available.

---

14. Sale or Supplying Alcohol - The act of selling, supplying or arranging for the sale or supply of alcoholic beverages to another person on school property, in school owned vehicles, or at school events.

Elementary - 1st Offense, Step 3-7; 2nd Offense, Step 6-7; advised that professional evaluation would be helpful to determine treatment needs, mandatory police involvement.

Middle School and High School - 1st Offense; Step 6-7, recommended professional evaluation to determine treatment needs; possible police involvement; 2nd Offense Step 6-7, recommended professional evaluation to determine treatment needs, mandatory police involvement.

---

15. Controlled Substances - Delivery or receipt of controlled or alleged controlled substances as set forth in Article 13. The act of, or the intent of, delivering, receiving, purchasing, selling, supplying or arranging for the delivery, receipt, purchase, sale or supply of controlled or alleged controlled substances on school property, in school owned vehicles, or at school events.

Elementary - Step 6-7

Middle School and High School - Step 7 - 1st Offense; recommend professional evaluation to determine treatment needs, mandatory police involvement.

Delivery of over-the-counter drugs or medications. The act of selling, supplying or arranging for the sale or supply of over-the-counter drugs or medications on school property, school owned vehicles, or at school events.

Elementary	Middle School	High School
Step 1-4	Step 2-7	Step 3-7

---

16. Tobacco - Possession or use of smoking or smokeless tobacco while on school property, in school owned vehicles, or at school events.

Elementary	Middle School	High School
Step 2-4	Step 2-4	Step 3-5

---

17. Negligence - Damage to the school or personal property through carelessness or inappropriate behavior. Restitution must be made in addition to the following:

Elementary	Middle School	High School
Step 1-4	Step 2-4	Step 2-4

Malicious mischief - Damage to the school or personal property through vandalism or defacing. Restitution must be made in addition to the following:

Elementary	Middle School	High School
Step 1-7	Step 2-7	Step 2-7

Electronic tampering - Any unauthorized use, misuse or access of any of the school district's electronic equipment including, but not limited to, voice and video equipment, computers or use of the internet. Reference will be made to the ***Rochester Community Schools Acceptable Technology Use Agreement*** and classroom rules which may apply in cases of this misconduct.

For all levels restitution and repair or replacement of damaged property, and/or removal of computer privileges and possible loss of credit for the course.

Elementary	Middle School	High School
Step 1-5	Step 2-7	Step 2-7

a. Connection of any non-authorized device to hardware or the network.

Elementary	Middle School	High School
Step 1-3	Step 2-4	Step 3-5

b. Downloading of software/programs without staff authorization.

Elementary	Middle School	High School
Step 1-2	Step 2-3	Step 2-5

c. Engaging in any activity which potentially or intentionally compromises network security.

Elementary	Middle School	High School
Step 3-4	Step 3-7	Step 5-7

---

18. Forgery - The act of fraudulently using, in writing or verbally, the name of another person, or falsifying times, dates, grade, address, absences, or other data pertaining to the school.

Elementary	Middle School	High School
Step 1-4	Step 1-4	Step 2-4

---

19. Bomb Threats - Bomb threats and other similar threats. The act of making a threat to use explosive devices to cause harm to another or to property.

Elementary	Middle School	High School
Step 5-7	Step 7	Step 7

---

20. Fire Alarms - Tampering with a fire alarm box or system or fire fighting equipment.

Elementary	Middle School	High School
Step 1-4	Step 2-4	Step 5

Setting off a false fire alarm.

Elementary	Middle School	High School
Step 3-4	Step 6-7	Step 6-7

---

21. Electronic Communication Devices

a. No student shall display or distribute inappropriate information on cellular phones, laptops, or other electronic communication devices on school property or at a school sponsored event.

b. Students may not use any electronic communication device in any way that is disruptive to the educational process.

The item will be confiscated and only returned to a parent or guardian.

Elementary	Middle School	High School
Step 1-7	Step 1-7	Step 2-7

---

22. Weapons - Possession or use of weapons not defined under Section F-1 of this Code, in a school building, on school premises or in school owned vehicles. The term weapons shall mean any object or instrument, the principal use of which is to inflict injury or physical harm upon the person of another, or the use of which may result in pain or suffering. The term weapons shall also include a facsimile of objects or instruments, which are weapons. The term weapons shall additionally include an object or instrument which is not in and of itself a weapon as defined above, but where the possession or use of same is coupled with an intent by a student to inflict injury or harm upon another person.

Elementary	Middle School	High School
Step 2-7	Step 3-7	Step 3-7

---

23. Infraction of school rules not covered by any of the above items 1-22.

Elementary	Middle School	High School
Step 1-7	Step 1-7	Step 1-7

F. Acts of Student Misconduct, which will Result in Expulsion

Pursuant to State and Federal law, the Board of Education established the following categories of misconduct, which will result in expulsion from the Rochester Community Schools.

1. **Dangerous Weapons** - Possession or use of dangerous weapons in a school building, on school grounds or in a school owned vehicle. The term "dangerous weapon" shall mean a firearm (including a starter gun) or any device which will or is designed to or may readily be converted to expel a projectile by the action of an explosive. Any destructive device or any explosive, incendiary, or poison gas bomb, grenade, rocket having a propellant charge of more than four (4) ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or similar device; a dagger, stiletto, knife with a blade over three (3) inches in length, or pocket knife opened by a mechanical device; an iron bar or brass knuckles; or any other weapon as set forth in 18 USC Section 921.

Elementary	Middle School	High School
Step 8	Step 8	Step 8

2. **Arson** - In a school building, on school grounds or in a school owned vehicle.

Elementary	Middle School	High School
Step 8	Step 8	Step 8

3. **Criminal Sexual Conduct** - In a school building, on school grounds or in a school owned vehicle.

Elementary	Middle School	High School
Step 8	Step 8	Step 8

4. **Physical Assault** - Against school district employees, visitors, students, volunteers, or contractors.

   Grade 6 and above – Step 8

II. DISCIPLINARY PROCEDURES

A. Corrective Measures

Definition: School authorities should take necessary action to assist the student to modify inappropriate behavior prior to the use of punitive measures. Such corrective measures may include, but not be limited to the following:

1. Counseling by school personnel.
2. Parent/student/teacher conference.
3. Referral to a building special services team for evaluation.
4. Recommend a health examination and evaluation.
5. Recommend services of outside agencies, public or private.
6. Detention by an individual teacher.
7. Transfer to other rooms or classes within the building.
8. Involvement in a school intervention program if available.

B. Types of Suspension

1. Loss of activity privileges

    a. Building administrators may suspend students from participating in or being present at extracurricular activities.

    b. Sponsors of activities, including coaches, have full authority to determine who shall be participants in a given situation, but they may remove a student from a given activity only on the basis of predetermined rules which have been approved by the principal or appropriate administrative personnel. Parents and students are to be made aware of school rules or regulations affecting specific activities prior to the beginning of the activity.

    c. Students under school suspension shall refrain from entering upon school property without prior permission from school authorities.

    d. Students under suspension shall not participate in or be present at school functions.

e. Nothing in this policy is intended to limit a teacher or sponsor in exercising authority requiring a student to leave a particular activity when that student's behavior violates Board policies or school rules. A report of misconduct of such a student and the action taken by the teacher or sponsor shall be reported to the appropriate school administrator at the earliest possible opportunity not later than the beginning of the next school day.

2. Closed class

a. Definition

(1) A closed class is the denial of the right to attend a class or classes on a temporary basis during a time when a matter of immediate concern is being resolved.

(2) Classes may be closed by a school administrator for a period not to exceed five (5) days. Permanent closing of a class(es) may result if all established school procedures fail to modify student behavior.

b. Procedures

(1) A closed class may be imposed only after following the procedure applicable to short term suspension.

(2) The student will be notified by the proper administrator that a class or classes are closed, the reason therefore, and what must be done prior to his/her re-entry to the class.

(3) Parents of students having classes closed for a period in excess of one day will be notified by mail.

(4) A parent/student/administrator conference shall be held prior to permanent class closure.

3. Social probation

a. Definition - At times, students become habitual discipline problems involving persistent disobedience and class disruption. When efforts to effect a change in behavior, including parent contact, have been tried and the student's behavior continues to disrupt the educational progress of others, it may be necessary to place the student on social probation. During the period of social probation, the student will be given assignments but will not be able to attend any RCS activities or events or be on any RCS property for the duration of the social probation.

b. Procedures

(1) The student will be made aware of the "Social Probation" procedures, the reason for being considered for probation and the steps necessary for removal from probation and re-entry into the regular school program.

(2) A student may be placed on social probation only after following the procedure applicable to short term suspension.

(3) Written notice outlining the specific violations and the conditions of "Social Probation" will be forwarded to the student, parent, or guardian by mail prior to the actual placement.

(4) A committee made up of teachers, a counselor, and a school administrator shall be appointed by the principal/designee, to serve as a Social Probation Committee. The purpose of this committee is to monitor the progress of the student and to make recommendations as to future status. If the academic program is recommended, the student will follow a program similar to the following:

(a) The student will be given one week's assignments, books, and supplies necessary to carry out the assignments and sent home for one week.

(b) At the end of one week, an appointment will be made, at which time the student will bring in the finished work, meet with the teachers to be advised of necessary work, and be given the next week's assignments. The student will, in addition, be seen by the counselor, then be returned home for one more week.

(c) At the end of the second week, the student will return all completed work, along with a written explanation of why he or she should be allowed back into a regular program. The entire committee will meet to evaluate the work and to determine whether the student should return to school.

(d) The student may be returned to a regular class schedule for an additional two-week probationary period or be required to return home for an additional two-week period.

(e) If the student is returned to school for the probationary period, the committee shall meet at the end of the two weeks to evaluate the student's progress. The probation may be lifted or continued. In all cases where the probation is continued, or the student is returned home for an additional period, the parent and student shall be made aware of the rationale for such action. In cases where the committee feels it necessary, the process may be reinitiated.

- Students will be given full credit for work completed and for credits earned during this period.

- It may be necessary under certain circumstances to recommend additional support agencies to assist in effecting a desirable change during the period of "Social Probation."

- A written record of all aspects of the case will be documented and will reflect all steps taken by the school.

4. Teacher Imposed Suspension, the following Safe School Amendment was enacted by the Michigan Legislature and was effective as of July 5, 1999.

   Teacher suspension rights, the misconduct that warrants a teacher imposed suspension is:

   Repeated failure by a student to follow classroom rules.

   The teacher imposed suspension does not take the place of the Code of Conduct. Teachers will have the option to refer students to the office for disciplinary action by the administrator.

   The following procedures are to be followed by the teacher imposing the student suspension:

   a. The student will be sent to the office or designated area for supervision.*

   b. The teacher will report the suspension to the designated administrator on the Teacher Imposed Student Suspension Report Part I.

   c. The teacher will contact the parent or guardian and schedule a conference to discuss the suspension.*

   d. The conference will be scheduled before or after school or during the teacher's conference or lunch hour.

   e. Whenever possible, a school counselor, school psychologist, or school social worker will be invited to attend the conference.*

   f. An administrator will attend the conference upon the request of the teacher or parent or legal guardian.

   g. The teacher will report the outcome of the conference to the designated administrator on the Teacher Imposed Student Conference Report Part II.

h. The conference should be held prior to subsequent teacher imposed suspensions.

i. The student will be given missed class work or assigned homework upon his/her return from suspension.

* Required by the Michigan Compiled Law 380.1309. This policy does not diminish the due process rights under federal law of a student who has been determined to be eligible for special education programs and services.

III. SHORT TERM SUSPENSION

A. Definition - A short term suspension is the denial of a student's right to attend school. A short term suspension may be one (1) to ten (10) school days.

If an in-school suspension program exists, at the discretion of building administration, it may be utilized as an alternative to out-of-school suspension. If a student is serving an in-school suspension, the student is responsible for bringing his/her school work for the day and will receive credit for assigned work completed in this program. Students are expected to remain on task and be productive.

Students serving suspensions will not be able to attend any RCS activities or events or be on any RCS property for the duration of the suspension.

B. Authority - A principal or designee (hereafter "Building Administrator") has the authority to impose a short term suspension based upon misconduct.

C. Procedures - Suspension of ten (10) school days or less.

1. As a general rule, prior to any suspension of the student, the building administrator shall conduct an informal hearing and provide the student with the following due process:

   a. The building administrator shall inform the student of the charges against him/her, and, if the student denies the charges, the administrator shall provide the student with an explanation of the evidence the administrator possesses.

   b. The student shall be provided an opportunity to explain to the administrator his/her version of the facts.

   If a student's presence in school poses an immediate danger to persons or property or an ongoing threat of disruption to the educational process, the building administrator may immediately suspend the student, and as soon thereafter as reasonable, provide the student with his/her due process rights as set forth in subparagraphs a. and b. above.

If, after providing the student with his/her due process rights, the administrator determines that the student has engaged in a prohibited act under this Student Code of Conduct, then he/she may impose a disciplinary penalty of a suspension not to exceed ten (10) days. The principal, or his/her designee, shall inform (in person or by phone) the student's parent/guardian of the suspension and of the reasons and conditions of the suspension.

A district "Notice of Suspension" is to be completed, with copies going to the parent/guardian, the counselor and the student's file.

2. During a short term out-of-school suspension, the student will be given the opportunity to complete school assignments. The following conditions will apply:

   a. A request for homework will be initiated by the building administration.

   b. The student or parent has the responsibility for obtaining the assignments from the school.

   c. The assigned homework must be completed and ready to turn in upon return date to school. Additional time may be granted by a building administrator and the teacher for extenuating circumstances.

   d. Specific labs and activity-based assignments will be available to the students at the teacher's discretion. If unassigned, the lab or activity will not count against the student's grade.

D. Appeal Procedures

1. Should the student and parent or guardian request a review for the student regarding the suspension, that review shall be held before the building administrator. During the appeals process, said student shall remain in class.

2. If the building administrator decides that the student's presence in school would present a danger to the student her/himself, or to other students, school personnel or the educational process, then the student shall be suspended out of school pending the decision of the Suspension Review Officer.

   If the student would not present a danger as described above, the student may be returned to school pending the decision of the Suspension Review Officer.

3. A review at the building level shall be held within three (3) school days of the suspension unless the parent's request a delay. A delay may be granted for as long as one week. If a review hearing does not occur within a week, the disciplinary action will go into effect.

4. The building administrator is the final level of appeal on short term suspensions, except in cases where the principal was the suspending administrator or a witness against the student. In such cases, the appeal shall be directed to the Suspension Review Officer whose decision shall be final.

IV. LONG TERM SUSPENSION OR EXPULSION

A. Definition - A long term suspension or expulsion is the denial of a student's right to attend school, be present on school grounds and attend any school function for a period in excess of eleven (11) or more school days.

Students suspended for more than eleven (11) or more school days may not complete assignments for credit during the length of the suspension.

Expulsion is the total and permanent exclusion of a student from the Rochester Community School District.

B. Authority - The District Hearing Officer, appointed by the Superintendent/designee, has the authority to impose a long term suspension or an expulsion based upon misconduct.

C. Procedures - Suspension for eleven (11) or more school days and expulsion.

1. If the building administrator recommends a suspension for eleven (11) or more school days or expulsion is warranted and the district's Suspension Review Officer (SRO), appointed by the Superintendent/designee, agrees with the administrator's decision, the student and the parent(s) or guardian(s) shall be notified in writing of:

   a. the charges against the student;

   b. the recommended disciplinary action;

   c. a hearing will be held before the District Hearing Officer within ten (10) days;

   d. the time, place, location and procedures to be followed at the hearing;

   e. the right to appeal any decision of the District Hearing Officer if the District Hearing Officer upholds an expulsion recommendation.

D. Appeal Procedures

1. A hearing before a Hearing Officer will be held for the purposes of (1) determining the truth or falsity of the charges against the student and, (2) if the charges are true, the appropriate disciplinary measures.

a. The student and/or his/her parent(s) or guardian(s) may notify the school district that they waive their right to a hearing before a Hearing Officer by signing the Disciplinary Hearing Waiver. In such case, the building administrator's recommended disciplinary penalty shall be imposed.

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

2. If the building administrator decides that the student's presence in school would present a danger to the student her/himself, or to other students, school personnel or the educational process, then the student shall be suspended out of school pending the decision of the Hearing Officer.

   If the student would not present a danger as described above, the student may be returned to school pending the decision of the Hearing Officer.

3. The Hearing Officer's decision shall be given orally to the student and parent(s) or guardian(s) not later than two (2) business days after the close of the hearing. A written decision shall be mailed not later than four (4) business days after the close of the hearing. These timelines, however, may be enlarged by the Hearing Officer due to extenuating circumstances.

4. The Hearing Officer's decision is final on all long term suspensions.

5. If the Hearing Officer's decision is expulsion, the student and/or his/her parent(s) or guardian(s) may choose one of the following options for the appeal.

   <u>Option 1</u>
   A hearing before an Expulsion Appeal Panel. This panel will consist of three Board of Education Members and one Principal from a High School, Middle School and Elementary School in which the student is not enrolled, along with the Superintendent or designee.

   or

   <u>Option 2</u>
   A hearing before the Board of Education at an open meeting.

   The decision of the Expulsion Appeal Panel or the Board of Education will be final on all expulsions.

E. Readmission after Long Term Suspension

1. Following a long term suspension, the student shall not be readmitted to any school within the Rochester Community Schools except by action of the Superintendent/designee. After the student's absence from school for the specified time, the student or, on his/her behalf, the parent or guardian thereof may seek readmission by applying to the Superintendent/designee. The Superintendent/designee may readmit the student if he/she can satisfactorily demonstrate that he/she has made a sincere effort at rehabilitation subsequent to the long term suspension and will not represent a threat to the safety and welfare of the students of the Rochester Community Schools.

2. The Superintendent/designee shall base his/her decision in part on the severity of the incident leading to the long term suspension. The Superintendent/designee may further qualify readmission upon specified conditions, which he/she determines are appropriate. An application for readmission shall be filed with the Superintendent/designee prior to the term for which readmission is sought. If, as a result of the recommendation for long term suspension, the parents and/or guardian voluntarily withdraw the student from school, the student shall follow the readmission procedure applicable to the long termed suspension student.

3. If the student fails to uphold the specified conditions for readmission set forth during the readmission hearing, the Superintendent/designee's decision regarding the student's enrollment in Rochester Community Schools is final.

F. Readmission after Expulsion

1. The student and/or his/her parent(s) or guardian(s) may petition to return to Rochester Community Schools under Section 1311 of the revised school code.

Notice of Nondiscrimination

Rochester Community Schools does not discriminate on the basis of race, color, religion, national origin, creed or ancestry, age, sex, marital status, or handicap including but not limited to Title II, Title VI, and Title VII of the Civil Rights Act of 1964, Title IX of the Educational Amendment Act of 1972, and Section 504 of the Rehabilitation Act of 1973. In addition, individuals will not be excluded from, or be denied, the benefits of participation in any program or activity for which the Board is responsible. Rochester Community Schools has designated the following individual as Compliance Coordinator: Title IX, Section 504, Title II, Assistant Superintendent for Instruction, 501 W. University, Rochester, MI 48307 248-726-3106.

ROCHESTER COMMUNITY SCHOOLS