



Bloomfield Hills Schools

# **UNIFORM CODE of STUDENT CONDUCT**

— Revised 2004 —

**Board of Education Policy 5301**

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# **Uniform Code of Student Conduct**

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Bloomfield Hills Board of  
Education

Policy 5301

Approved August 10, 2004

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## **4 STUDENT CONDUCT 4**

The School District is committed to programs that will encourage the development of citizens who have self-respect and respect for others, who comply with existing laws and who accept their corresponding rights and responsibilities.

The District will develop and maintain a *Uniform Code of Student Conduct* which sets forth rights and responsibilities, as well as the rules and regulations to which all students are subject. The *Uniform Code of Student Conduct* will formulate clear expectations for individual students and student groups and will specify the processes to provide and regulate student rights and responsibilities.

The rules and regulations described in the *Uniform Code of Student Conduct* will not limit the authority of school personnel to deal appropriately with types of conduct not specifically described in the Code. Conduct violations not specifically covered in the Code will be treated uniformly and fairly by the principal or designee in each building.

In order to assure that procedures used by the School District to deal with student conduct and discipline are current, procedures will be established by the administration for periodic review of all disciplinary and conduct rules and regulations.

## 4 PREAMBLE 4

It is very important for you to read and understand this *Uniform Code of Student Conduct* as it is a statement of both your rights and your responsibilities.

## 4 NOTICE 4

The Board of Education of the Bloomfield Hills Schools complies with the regulations of Title IX of the Education Act Amendments of 1972. No student will be discriminated against on the basis of sex in any district-sponsored curricular or co-curricular program offering as stipulated in Title IX. All student grievances filed in relation to this policy will follow the appeal approach as outlined in the *Uniform Code of Student Conduct*.

The Board of Education of the Bloomfield Hills Schools also complies with the regulations of Title VI, Section 504. In accordance with Title VI, Section 504, no student will be discriminated against on the basis of race, sex, or handicap in any district-sponsored curricular or co-curricular program offering. All student grievances filed in relation to this policy will follow the appeal approach as outlined in the *Uniform Code of Student Conduct*.

Inquiries concerning equal opportunity or discrimination  
on the basis of sex should be directed to:

Christine Barnett  
Assistant Superintendent for Personnel  
Bloomfield Hills Schools  
4175 Andover Road  
Bloomfield Hills, Michigan 48302-1903  
248.341.5425

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Inquiries concerning equal opportunity or discrimination  
for the handicapped should be directed to:

Carolyn A. Packard  
Director of Special Education  
Bloomfield Hills Schools  
4175 Andover Road  
Bloomfield Hills, Michigan 48302-1903  
248.341.5415

ARTICLE A  
RIGHTS AND RESPONSIBILITIES

**1. ACCESS TO STAFF AND FACILITIES**

**4** Rights: Each student has the right of access to a professional staff and the facilities necessary for an instructional and co-curricular program which will allow the achievement of personal growth through active participation in such programs.

**4** Responsibilities: By accepting the right to participate in school programs on or off school property, the student will accept the responsibility to conduct himself or herself according to the rules, regulations and provisions of these programs.

**2. FORMULATION AND EXPRESSION OF IDEAS**

**4** Rights: Every student has the right to form, hold and express his or her own ideas and beliefs. The encouragement of this right requires that each student be permitted to disclose or express an idea in the proper educational setting without penalty, embarrassment or any reflection in academic evaluation. The administration and faculty of each school have the obligation to maintain such an environment and one that is favorable to studying and learning.

**4** Responsibilities: By accepting this right to form, hold and express an idea in the proper educational setting, the student accepts corresponding responsibility to follow reasonable rules of expression designed to protect the rights of others in the educational setting.

**3. USE OF EDUCATIONAL RESOURCES**

**4** Rights: Students have the right to utilize such educational resources as buildings, grounds, equipment, and instructional materials necessary to meet the requirements and needs of their curricular and co-curricular programs in accordance with procedures established by the administration.

**4** Responsibilities: The student exercising his or her right to use the resources provided will also accept the responsibility for the preservation and care of the property. Students will have had prior experience or instruction before using any piece of equipment. Any unauthorized use or deliberate destruction or defacing of the property will be deemed a violation of the *Uniform Code of Student Conduct*. The building principal will establish and enforce procedures necessary to make the building, equipment and materials available for the use of students.

#### **4. DISTRIBUTION OR POSTING OF WRITTEN MATERIALS**

**4** Rights: Students are entitled to express, in writing, their personal opinions, to circulate petitions and to post materials in the building subject to reasonable rules and regulations established by the administration.

**4** Responsibilities: By accepting the right to distribute or post handwritten, printed, duplicated or other material on school premises, the student accepts full responsibility for the content of all material and accepts the rules and regulations established by the administration.

#### **4 RULES REGARDING DISTRIBUTION AND POSTING OF WRITTEN MATERIALS**

The manner of distribution of such material will be such as to not interfere with or disrupt the educational process and will be subject to the following provisions:

- a. The Superintendent, Assistant Superintendent for Instruction, or building principal may prohibit posting or distribution of any material which (1) materially and substantially interferes or threatens to interfere with the requirements of good order in the operation of a school or schools, or (2) materially disrupts or threatens to involve disorder, violence or an invasion of the rights of other students.
- b. Distribution of materials and circulation of petitions may take place during lunch, prior to, and after school, in areas designated by the building administrator and which provide reasonable access to the students. The student must be presently enrolled in the school and authorship of the materials must be identified.
- c. Students will have access to specified bulletin boards and areas for the posting of notices or other communications concerning school activities or matters of general interest to students. Posted notices will (1) be subject to reasonable size and number limitations determined by the administration, (2) be dated and (3) identify the sponsoring individual or organization. Notices in violation of any restriction, outdated, or posted more than ten days may be removed by school authorities.
- d. Materials to be distributed or posted in the building or on school grounds will require prior administrative approval and will be subject to rules published by the building administrator. If the building administrator denies permission for distribution or posting of material, the building administrator will provide a written explanation for such denial. Within five days of receipt of such written explanation, the denial may be appealed in writing to the Superintendent or a designated building representative who may affirm, reverse or modify the action of the building administrator. The reasons for such action will be provided the student in writing within five school days of receipt of the appeal.

## 5. SCHOOL-SPONSORED PUBLICATIONS

**4** Rights: Student editors of school-sponsored publications have the right to present materials for publication without fear that penalty, embarrassment or any reflection in the academic evaluation will result from presentation of such materials.

**4** Responsibilities: By accepting the foregoing rights the student accepts the responsibility to comply with the policies and regulations of the District regarding school-sponsored publications.

### **4** RULES REGARDING SCHOOL-SPONSORED PUBLICATIONS

Student editors of school-sponsored publications will be guided by the policies of the school district and will ensure adherence to accepted standards of good journalism, specifically those guarding against libel, intentional distortion, or reckless disregard for the facts.

- a. Authorship will be disclosed and opinions will be identified as such.
- b. Student editors of school-sponsored publications will provide opportunity for the expression of views by fellow students, teachers and administrators which differ from editorial policy.
- c. All materials to be published in school-sponsored publications will be submitted for approval to the faculty sponsor before publication.
- d. Materials may be rejected by the faculty sponsor who will prepare a written explanation to the student editor of the reasons for rejection.
  - (1) Within five school days after receipt of such written explanation, the rejection may be appealed in writing to the building principal who may affirm, reverse, or modify the action of the faculty sponsor. The reasons for such action will be provided the student in writing within five school days of receipt of the appeal.
  - (2) Within five school days after receipt of the written explanation from the building principal, the principal's decision may be appealed in writing to the Superintendent (or designee) who may affirm, reverse or modify the action of the building principal. The reasons for such action will be provided the student in writing within five school days of receipt of the appeal.

## **6. STUDENT MEETINGS AND GATHERINGS**

**4** Rights: School-sponsored activities and meetings (student government, pep rallies, etc.) are scheduled during the school day. In addition, students will be given the opportunity to organize and hold student meetings at reasonable times, other than during those hours when classes are being held.

**4** Responsibilities: By accepting the foregoing rights, the student accepts the responsibility to initiate meetings and gatherings according to the policies and regulations of the District.

### **4 RULES REGARDING STUDENT MEETINGS AND GATHERINGS**

Student meetings or gatherings in school buildings or on school grounds may function only as authorized by the Board of Education or a school administrator. Building administrators must be informed in advance and may impose reasonable restrictions on the time and place of student gatherings or assemblies.

- a. If the building administrator denies permission for a student gathering or assembly, the building administrator will provide a written explanation.
- b. Denial may be appealed in writing to the Superintendent (or designee) who may affirm, reverse, or modify the action of the building administrator. The reasons for such action will be provided the student in writing within five school days of receipt of the appeal.
- c. Attendance at meetings and assemblies is limited to students regularly enrolled in that building unless prior approval is given by the building administrator.

## **7. PERSONAL PROPERTY WHICH MAY BE BROUGHT ON SCHOOL PREMISES AND PRIVACY OF LOCKERS, DESKS, PERSONS, AND AUTOMOBILES**

**4** Rights: Students have the right to bring upon and store such personal property as is ordinary and necessary to the performance of the academic and co-curricular tasks assigned, including appropriate items of wearing apparel.

**4** Responsibilities: It is the responsibility of the student to bring on school property only that personal property which is ordinary and necessary to the performance of the academic and co-curricular tasks assigned and, when necessary, to store such personal property in a manner so as not to subject it to a risk of loss.

#### **4 RULES REGARDING SEARCH OF STUDENT LOCKERS, DESKS, AND AUTOMOBILES**

a. The following guideline will apply to the opening of school lockers or desks by school administrators for general upkeep and cleanliness:

- (1) School lockers or desks will be assigned to students by the school administration. This assignment is given with the understanding that periodic checks will be made by school personnel for the purpose of general upkeep and cleanliness. These checks will be conducted openly during the school day and in the presence of the students. The students may elect not to be present unless presence is required by the school administration.
- (2) Items that belong to the school and items which may adversely affect the health or safety of others may be removed from the locker or desks.
- (3) Students who were not present when a locker or desk was checked will be informed of the search within one school day.

b. Search of lockers, desks, persons and automobiles for illegal or unauthorized materials:

(1) To maintain order and discipline in the schools, and to protect the safety and welfare of students and school personnel, school authorities may search a student, student lockers, desks and student automobiles under the circumstances outlined below and may seize any illegal, unauthorized, or contraband materials discovered in the search.

(2) A student's refusal to permit searches and seizures, as provided in this policy, will be considered grounds for disciplinary action.

(3) Personal Searches

A student's person and/or personal effects (e.g., purse, book bag, jacket, pockets, etc.) may be searched whenever a school authority has reasonable suspicion to believe that the student is in possession of illegal or unauthorized materials.

If a pat down search of a student's person or a search of pockets, footwear, or garments is conducted, it will be conducted in private by a school official of the same sex and with an adult witness of the same sex when possible.

(4) Locker or Desk Searches

Student lockers and desks are school property and remain at all times under the control of the school; however, students are expected to assume full responsibility for the security of their lockers and desks. An inspection of lockers and desks may be conducted by school authorities at any time without notice and without student consent when there is reasonable suspicion to believe that illegal or unauthorized

materials are or have been contained in the locker or desks. Whenever possible, a locker or desk search will be conducted with the student and another staff member present.

Students who were not present when a locker or desk is checked will be informed of the search within one school day. Upon request, and within three school days of the search, the principal will provide the student with a written list of the reasons which caused the locker or desk check.

(5) Automobile Searches

Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to conduct routine patrols of student parking lots and inspections of the exteriors of student automobiles on school property. The interiors of student vehicles may be inspected whenever a school authority has reasonable grounds to believe that illegal or unauthorized materials are contained inside. Such patrols and inspections may be conducted without notice and without student consent.

c. Seizure of Illegal or Unauthorized Materials

If a properly conducted search yields illegal or contraband materials, such findings may be used in school disciplinary proceedings and may be turned over to proper legal authorities for ultimate disposition.

## 8. STUDENT EXERCISE OF RIGHTS AND PRIVILEGES

A student will not be punished or penalized by any member of the school faculty or administration solely because the student exercises any of the rights or privileges described in this Code. Any student who deems himself or herself aggrieved by a violation of this regulation may appeal, in writing, to the administrator of the building in which he or she is enrolled. The building administrator will promptly hear and consider the appeal and decide the same in writing.

## 9. GENERAL LIMITATIONS

Because educational institutions must be orderly institutions, individual rights must be exercised in such a manner as to recognize the rights of all.

- a. Students are to communicate ideas or beliefs only by means that will not constitute or bring about a disruption of school activities.
- b. Student support of, or participation in, any kind of action is not permitted when such action would disrupt usual school activities, violate any laws, or interfere with the rights of others.
  - c. Communication of an obscene or defamatory nature or those that advocate racism, sexual, ethnic or religious discrimination are not permitted. A determination as to whether such material violates this paragraph will be made by the building administrator.

- d. Students are required to carry and to present upon request at all reasonable times identification cards if issued by the administration.
- e. Nonstudents may be denied access to school buildings at the discretion of the building administrators or their designees.

**10. OTHER RIGHTS**

A complete list of student rights may be found in the *Bloomfield Hills Schools Board Policy Manual* which is available in the principal's office in each school.

In addition to the *Uniform Code of Student Conduct*, the Bloomfield Hills School District Board of Education has additional policies that deal with students. Each policy statement is followed by a regulation which explains and outlines guidelines and procedures for the implementation of that policy.

Following is an index of the policies and regulations of the Board of Education as they pertain to students:

BLOOMFIELD HILLS SCHOOLS  
 BOARD OF EDUCATION  
 STUDENTS  
 5000 Series Policy

**5102 School Admission**

- 5102.1 School Admission
- 5102.2 Residency
- 5102.3 Foreign Exchange Students

**5103 Tuition enrollments**

- 5103.1 Tuition Enrollments

**5105 School Attendance Areas**

- 5105.1 School Attendance Areas
- 5105.2 Student Transfers

**5106 Withdrawals, Suspensions, Expulsions**

- 5106.1 Withdrawals, Suspensions, Expulsions

*continued on next page* ÷

BLOOMFIELD HILLS SCHOOLS  
BOARD OF EDUCATION  
STUDENTS  
5000 Series Policy (*continued*)

- 5201 Promotion and Retention**
  - 5201.1 Promotion and Retention
  
- 5203 Grading and Reporting Pupil Progress**
  - 5203.1 Grading and Reporting Pupil Progress
  
- 5204 Graduation Requirements**
  - 5204.2 Requirements for High School Diploma (Effective-Class of 1986)
  - 5204.3 Early Completion of High School Credits
  
- 5301 Student Conduct**
  - 5301.1 Rights and Responsibilities
  - 5301.2 Behavior
  - 5301.3 Attendance Regulations
  - 5301.4 Suspension, Expulsion, and Appeal Procedure
  - 5301.5 Provisions for Code Review
  
- 5303 Corporal Punishment**
  
- 5304 Sexual Harassment (Student)**
  
- 5402 Health Services**
  - 5402.1 Health Services and Administration of Medication
  
- 5406 Transportation**
  - 5406.1 Transportation
  
- 5407 Food Services**
  - 5407.1 Food Services
  
- 5502 Organizations**
  - 5502.1 School Clubs
  
- 5502 Organizations (continued)**
  - 5502.2 Student Government
  - 5502.3 School Publications
  
- 5503 Social Events**
  
- 5599 Commercial Promotions, Advertising and Sponsorships**
  - 5599.1 Guidelines for Commercial Promotions, Advertising and Sponsorships
  
- 5600 Fund Raising**
  - 5600.1 Guidelines for Fund Raising
  - 5600.2 Guidelines for Accepting Contributions from Individuals or Groups for the Purchase of Athletic Uniforms, Supplies and Equipment
  
- 5601 Solicitation of Students**
  
- 5602 Solicitations by Students**
  
- 5603 Gifts to Staff Members**
  
- 5604 Gifts to Schools**
  - 5604.1 Guidelines for Accepting Gifts
  
- 5605 Respect for Religious Preference**
  - 5605.1 Guidelines for Religious Preference
  
- 5606 Communicable Diseases**
  - 5606.1 Regulations Regarding Communicable Diseases

ARTICLE B  
PROHIBITED BEHAVIOR

Students are subject to the authority of district officials and the *Uniform Code of Student Conduct* going to and from school and/or school-sponsored events and activities, and at school-sponsored events and activities which take place off of school premises (i.e., off-campus).

Students are prohibited from engaging in off-campus misconduct of a serious and/or criminal nature which poses a likelihood of danger to the health (physical or emotional) or welfare of students or district personnel (e.g., selling drugs off-campus), or which reasonably makes the continued presence of the student in the school disruptive to the educational process (i.e., committing a crime off-campus which is vicious in nature).

A student who has engaged in misconduct resulting in expulsion or long-term suspension in another school system, or who has withdrawn from said school system before such misconduct was established by an appropriate hearing, which misconduct, if true, is of sufficient gravity to pose a threat to the health or welfare of students or district personnel, or makes the presence of the student in the school disruptive to the educational process, may be subject to suspension or expulsion where such misconduct has been established in a hearing before the Superintendent (or designee).

Certain administrative procedures may occur during the disciplinary process. For example, a student may be isolated from other students, appropriate social or medical agencies may be contacted for assistance, and disciplinary action may be recorded on a student's disciplinary record. ***The appropriate police agency will be contacted in all cases involving violation of local or township ordinances, state or federal law.*** Communication with parents is strongly encouraged and is required in cases of suspension and/or police involvement.

The number codes appearing after each behavior refer to the disciplinary action which may be taken as explained on pages 23-24. Depending on the circumstances, the District may take any appropriate disciplinary action in response to student misconduct occurring on or off school property, including suspension or expulsion, whether or not it is listed.

All offenses related to controlled  
substances require  
Action Codes 4 and 5 (*refer to pages 23-24*)

**1. CONTROLLED SUBSTANCES**

- |  |  |
|--|--|
| a. The use, possession, or sale of tobacco, as defined in the tobacco-free school law (Michigan Compiled Law—MCL 750.1 Et.Seq.).   | 1 <sup>st</sup> Offense 1, 4, 5, 9, 12, 13, 20, 21<br>2 <sup>nd</sup> Offense 1, 4, 5, 9, 12, 14, 15, 20, 21<br>3 <sup>rd</sup> Offense or more 1, 4, 5, 9, 12, 15, 19, 20, 21                                     |
| b. Under the influence, use, or possession of, alcohol or drugs as defined in the controlled substance Act of 1971. Use, sale, or possession of, imitation controlled substances as defined in Michigan Public Act 1984, #347. This includes imitation alcoholic beverages and drug paraphernalia. | 1 <sup>st</sup> Offense 1, 4, 5, 9, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21<br>2 <sup>nd</sup> Offense 1, 4, 5, 9, 12, 15, 16, 17, 18, 19, 20, 21<br>3 <sup>rd</sup> Offense or more 1, 4, 5, 9, 16, 17, 18, 20, 21 |
| c. The sale or distribution of alcohol/drugs as defined in the controlled substance Act of 1971, or imitation controlled substances, as defined in Michigan PA 1984, #347.   | 1 <sup>st</sup> Offense 1, 4, 5, 9, 12, 15, 16, 17, 18, 19, 20, 21<br>2 <sup>nd</sup> Offense or more 1, 4, 5, 9, 18, 20, 21   |
| d. Sale, use, distribution, or possession of inhalants such as whippets, white-out, glue, aerosol cans, etc., will be treated as controlled substances.  | 1 <sup>st</sup> Offense 1, 4, 5, 9, 12, 15, 16, 17, 19, 20, 21<br>2 <sup>nd</sup> Offense or more 1, 4, 5, 9, 16, 17, 18, 20, 21   |
| e. Use, distribution, possession of, sale of, or under the influence of, unauthorized prescription drugs.  | 1 <sup>st</sup> Offense 1, 4, 5, 9, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21<br>2 <sup>nd</sup> Offense or more 1, 4, 5, 9, 16, 17, 18, 20, 21   |

**2. HAZARDOUS CONDUCT**

- |   |  |
|---|--|
| a. Includes all acts of misconduct such as inciting, provoking, or participating in fighting, assault, battery, bullying, intimidation, harassment of others, and personal threats. | 1 <sup>st</sup> Offense 4, 9, 12, 13, 14, 15, 16, 17<br>2 <sup>nd</sup> Offense 4, 9, 15, 16, 17, 18, 19, 20, 21 |
|---|--|



**2. HAZARDOUS CONDUCT** (continued)

d. Gang Insignia/Activity (continued)

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

e. Hazing

The act of hazing is a crime in the State of Michigan and will not be tolerated by the District. A student will not engage in any behavior that is included in the definition of hazing. The District will comply with Michigan law regarding any incidents of hazing.

1<sup>st</sup> Offense or more      4, 9, 12, 13, 14  
15, 16, 17, 18, 19, 20, 21

The term ‘hazing’ means “an intentional, knowing, or reckless act by a person acting alone or acting with others that is directed against an individual and that the person knew or should have known endangers the physical health and safety of the individual and that is done for the purpose of pledging, being initiated into, affiliating with, participating in, holding office in, or maintaining membership in any organizations.” Further, the term ‘organization’ means “a fraternity, sorority, association, corporation, order, society, corps, cooperative, club, service group, social group, athletic team, or similar group whose members are primarily students at an educational institution.”

*Reference: MCL 750.411(t)*  
*(P.A. 111 of 2004)*

## PROHIBITED BEHAVIOR

## ACTION CODES (see pages 23-24)

### 2. HAZARDOUS CONDUCT (continued)

- |  |                         |                       |
|--|-------------------------|-----------------------|
| f. Includes all other misconduct deemed by the administration to be injurious to oneself or others (i.e., throwing snowballs). | 1 <sup>st</sup> Offense | 2, 3, 9, 12, 13, 14   |
|  | 2 <sup>nd</sup> Offense | 4, 9, 13, 14, 15      |
|  | 3 <sup>rd</sup> Offense | 9, 15, 17, 19, 20     |
|  | 4 <sup>th</sup> Offense | 9, 15, 17, 18, 19, 20 |

### 3. DISOBEDIENCE/DISRUPTIVE BEHAVIOR

- |   |                         |                            |
|---|-------------------------|----------------------------|
| Insubordination, disobedience, disrespect toward a school employee, volunteer, or approved adult visitors, failure to carry out an assigned disciplinary action, being on school property without permission during an assigned suspension from school, failure to follow approved school and classroom rules, disruption of class and/or school activities (such as pranks). | 1 <sup>st</sup> Offense | 2, 3, 4, 9, 12, 13, 14, 15 |
|   | 2 <sup>nd</sup> Offense | 3, 4, 9, 14, 15, 16        |
|   | 3 <sup>rd</sup> Offense | 9, 15, 16, 17, 18, 19, 20  |

### 4. PROPERTY MISCONDUCT

- |   |                                 |  |
|---|---------------------------------|--|
| a. Involvement in theft, robbery, malicious destruction, defacement, or unauthorized use of any aspect of personal or school property <i>totaling less than \$100</i> (i.e., building vehicles, equipment, grounds, and/or similar objects).                | 1 <sup>st</sup> Offense         | 1, 2, 3, 4, 6, 9, 12, 13, 14, 15                         |
|   | 2 <sup>nd</sup> Offense         | 1, 3, 6, 9, 14, 15, 16, 17, 18, 19, 20, 21               |
| b. Involvement in theft, robbery, malicious destruction, defacement, unauthorized use of any aspect of personal or school property including the use or assistance of a computer or computer technology, or <i>totaling equal to, or more than, \$100</i> . | 1 <sup>st</sup> Offense or more | 1, 2, 3, 4, 6, 9, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 |
| c. Involvement in theft, robbery, malicious destruction, alteration, or unauthorized use of personal or school computer software or data.   | 1 <sup>st</sup> Offense or more | 1, 2, 3, 4, 6, 9, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 |

**PROHIBITED BEHAVIOR**

**ACTION CODES** (see pages 23-24)

**2. PROPERTY MISCONDUCT** (continued)

- d. Involvement in intentional damage or defacement of the property of another because of that person’s race, sex, religion, color, creed, disability, sexual orientation, national origin, or ancestry.

1<sup>st</sup> Offense or more 1, 2, 3, 4, 6, 9, 12,  
14, 15, 16, 17, 18, 19, 20, 21

**5. INDECENCY**

- a. Abusive, profane, or vulgar language, sexual harassment, gestures, displays, or graffiti, including those of an intimidating or hostile nature with respect to race, gender, religion, color, creed, disability, sexual orientation, national origin, or ancestry.

- (1) Incidental type —  
not specifically directed toward another person or group

1<sup>st</sup> Offense 2, 3, 4, 9, 12, 13, 14, 15  
2<sup>nd</sup> Offense 2, 3, 4, 9, 13, 14, 15  
3<sup>rd</sup> Offense 3, 4, 9, 14, 15, 16

- (2) Directed type —  
Abusive, profane, or vulgar language, sexual harassment, gestures, displays, or graffiti, including those of an intimidating or hostile nature with respect to race, gender, religion, color, creed, disability, sexual orientation, national origin, or ancestry directed toward another person or group.

1<sup>st</sup> Offense 2, 3, 9, 4, 12, 13, 14, 15  
2<sup>nd</sup> Offense 3, 4, 9, 14, 15, 16  
3<sup>rd</sup> Offense 3, 9, 15, 16, 17, 18,  
19, 20

- b. Indecent or inappropriate attire —  
refer to “Student Dress” on page 21.

1<sup>st</sup> Offense 2, 3, 4, 9, 12, 13, 14, 15  
2<sup>nd</sup> Offense 2, 3, 4, 9, 13, 14, 15  
3<sup>rd</sup> Offense 3, 4, 9, 14, 15

## PROHIBITED BEHAVIOR

## ACTION CODES *(see pages 23-24)*

### 6. ATTENDANCE

Leaving school without prior permission, misuse of a pass, violation of open lunch regulations, presence in unauthorized areas as defined by the school administration, chronic tardiness, skipping.

1 <sup>st</sup> Offense	2, 3, 4, 7, 9, 11, 13
2 <sup>nd</sup> Offense	same as above +14
3 <sup>rd</sup> Offense	same as above +14, 15
4 <sup>th</sup> Offense	2, 3, 4, 7, 9, 13, 14, 15, 17, 18, 19, 20

### 7. VEHICLES

Hazardous driving, unauthorized parking, misuse of a permit, violation of other student vehicle regulations as outlined in the student handbook.

1 <sup>st</sup> Offense	2, 7, 8, 9, 13, 14
2 <sup>nd</sup> Offense	8, 9, 14, 15
3 <sup>rd</sup> Offense	8, 9, 15, 17, 19, 20

### 8. FOOD, BEVERAGE, LITTERING

Improper disposal of food and refuse, removal of food from the cafeteria, improper lunch room behavior, consumption and/or littering of food and beverages in hallways, classrooms, and unauthorized areas.

1 <sup>st</sup> Offense	1, 2, 3, 9, 12
2 <sup>nd</sup> Offense	1, 2, 3, 9, 13
3 <sup>rd</sup> Offense	1, 3, 9, 13, 14, 15
4 <sup>th</sup> Offense	9, 15, 17, 19, 20

### 9. OTHER PROHIBITED BEHAVIOR

- a. Deception, forgery, lying, card playing, gambling.

1 <sup>st</sup> Offense	1, 2, 4, 9, 12, 13, 14
2 <sup>nd</sup> Offense	1, 2, 4, 9, 13, 14, 16
3 <sup>rd</sup> Offense	9, 14, 15, 16, 17, 18, 19, 21



**PROHIBITED BEHAVIOR**

**ACTION CODES** (see pages 23-24)

**10. ACADEMIC CONDUCT**

Cheating and failure to follow academic conduct guidelines (see pages 27 & 28 in the *Uniform Code of Student Conduct*).

1<sup>st</sup> Offense 1, 2, 9, 10, 13  
2<sup>nd</sup> Offense 1, 2, 4, 9, 10, 13  
3<sup>rd</sup> Offense 1, 4, 9, 10, 13, 14, 19, 20

**11. PERSISTENT DISOBEDIENCE**

Will be defined as three violations of any of the prohibited behaviors within one school year.

1<sup>st</sup> Offense or more 1 through 20

**12. WEAPONS/  
DANGEROUS MATERIALS**

- a. Possession, use, sale or distribution of, dangerous materials such as fireworks, explosives, smoke bombs, Mace, pepper gas, and other objects of similar nature.
- b. Possession or use of dangerous or deadly weapons such as knives, chains, pipe sections, razor blades, or use or threatened use of, any weapon or instrument in a manner intended to inflict bodily harm (see Section 13 for rules regarding guns, arson, or rape).

1<sup>st</sup> Offense 1, 2, 3, 4, 9, 13, 14, 15, 16, 17, 18  
 2<sup>nd</sup> Offense or more 9, 17, 18, 19, 20, 21  
 1<sup>st</sup> Offense or more 1, 4, 9, 13, 14, 15, 16, 17, 18, 19, 20, 21

**13. WEAPON FREE SCHOOL ZONE**

AMENDMENTS TO THE SCHOOL CODE CONCERNING POSSESSION OF A DANGEROUS WEAPON, COMMITTING ARSON OR RAPE IN A SCHOOL BUILDING, ON OR WITHIN 1,000 FEET OF SCHOOL GROUNDS, OR AT A SCHOOL-SPONSORED ACTIVITY:

Bloomfield Hills Schools establishes a weapon-free school zone. Any student who possesses a dangerous weapon, commits arson, or rapes someone in a school building, on or within 1,000 feet of school grounds, or at a school-sponsored activity, will be permanently expelled in accordance with Section 1311 of the School Code of 1976, as amended (a copy of Section 1311 appears at the end of this book). The procedures for expulsion, as provided in Article D of the

*Uniform Code of Student Conduct*, will be followed. In addition, a report will be made to the appropriate police department and/or the Oakland County Juvenile Court.

### **13. WEAPON FREE SCHOOL ZONE** (*continued*)

a. Definitions:

**4** Arson

Willfully or maliciously setting a fire. The definition includes committing any act which results in the starting of a fire, or aiding, counseling, inducing, persuading or procuring another to do such act or acts.

**4** Rape

Engaging in conduct which is considered criminal sexual conduct under the Michigan Penal Code.

**4** Dangerous Weapon

(1) Any firearm which will, is designated to, or may readily be converted to expel a projectile by the action of the explosive; or the frame or receiver of the firearm (i.e., any part of a firearm)

(2) Any firearm muffler or firearm silencer

(3) Any explosives, incendiary or poisonous gas device (i.e., bomb, grenade, rocket having a propellant charge of more than four (4) ounces, missile having the explosive or incendiary charge of more than one-quarter ( $\frac{1}{4}$ ) ounce, mine or any similar devices)

(4) A dangerous weapon will also mean a dagger, dirk, stiletto, knife with a blade more than three inches long, pocket knife opened by a mechanical device, iron bar, or brass knuckles.

b. Petition for Reinstatement:

(1) If a student is expelled for possession of a dangerous weapon, or committing arson or rape, the student may file a petition with the Board of Education requesting reinstatement. Students in grades K-5 may petition for reinstatement 60 school days after expulsion. If reinstatement is approved, the reinstatement may not occur for at least 90 school days. Students in grades 6-12 may petition for reinstatement after 150 school days, but may not be reinstated for at least 180 school days.

(2) If a petition for reinstatement is received by the Board of Education, the Board will appoint a committee to review both the petition and information provided by the Superintendent. The committee, in accordance with the school code, will make a recommendation to the Board for unconditional reinstatement, conditional reinstatement or against reinstatement. The Board will act on the petition for reinstatement. The decision of the Board is final.

## 14. STUDENT DRESS

District students are expected to dress, groom, and attire themselves in a manner that is not potentially dangerous, does not distract others or disrupt education, and does not convey a message contrary to District policy. The following are examples of dress, grooming, and attire that may violate District policy. This should not be considered an exclusive list.

### 4 Potentially Dangerous Items

Chains, pointed rings, metal spikes, clothing or attire restricting physical movement, etc.

### 4 Distracting or Disruptive Items

Clothing that exposes or draws unusual attention to breasts, buttocks, or genitals; styles that expose undergarments; bizarre clothing, grooming or attire that focuses attention on a student or group of students at the expense of learning, such as nightwear or beachwear, etc. Students must wear shoes.

### 4 Contrary to District Policy

Clothing that advertises or promotes smoking, alcohol, or the illegal use of drugs; clothing reasonably likely to be perceived as promoting racial, ethnic, or religious discrimination or intolerance; clothing reasonably likely to be perceived as advertising or promoting illegal behavior; clothing reasonably likely to be perceived as obscene, lewd, vulgar, or plainly offensive, etc.

Students who violate the District's Dress Code may be subject to discipline according to the District's *Uniform Code of Student Conduct*. Additionally, students may be asked to change clothes that do not comply with the District's Dress Code and/or may be sent home.

## 15. "SAFE SCHOOLS" AMENDMENTS TO THE REVISED SCHOOL CODE

On July 6, 1999, Governor Engler signed into law certain legislative amendments to the Revised School Code which are referred to as the "Safe Schools" legislation. The "Safe Schools" amendments are effective immediately, and are part of the Michigan Legislature's response to the problem of dangerous student misconduct and school violence. The "Safe Schools" amendments are incorporated into the *Uniform Code of Student Conduct* as provided below. As with all provisions of the *Uniform Code of Student Conduct*, special education students are only subject to discipline consistent with the Individuals with Disabilities Education Act (IDEA).

### a. **Students in Grade Six or Above Who Commit a Physical Assault at School Against Another Student**

- 4 A student in grades six or above, who commits a physical assault at school against another student, where the assault is reported to the Board, Superintendent, or Building Principal, will be suspended for up to 180 days from Bloomfield Hills Schools. The student has the right to reinstatement after the suspension period.

## 15. "SAFE SCHOOLS" AMENDMENTS TO THE REVISED SCHOOL CODE

*(continued)*

**b. Students in Grade Six or Above Who Commit a Physical Assault at School Against an Employee, Volunteer, or Contractor**

**4** A student in grades six or above, who commits a physical assault at school against an employee, volunteer, or contractor, where the assault is reported to the Board, Superintendent, or Building Principal, will be permanently expelled from Bloomfield Hills Schools (and every public school in the state) for at least 180 days. The student may petition for reinstatement to Bloomfield Hills Schools at the conclusion of the expulsion period; however, the reinstatement is subject to the discretion of the Board of Education, and is not a matter of right. The reinstatement procedure is the same as for reinstatement following expulsion for possession of a dangerous weapon set forth in Article B(13)(b).

**c. Students in Grade Six or Above Who Commit a Verbal Assault at School Against an Employee, Volunteer, or Contractor or Who Make a Bomb Threat or Other Similar Threat**

**4** A student in grades six or above, who commits a reported “verbal assault” at school against an employee, volunteer, or contractor of a school district, or who makes a bomb threat or a similar threat directed at a school building, other school property or a school-related event, will be suspended from Bloomfield Hills Schools for up to 180 days. The student has the right to reinstatement following the suspension period.

**d. Definitions**

**4** Physical Assault

Intentionally causing or attempting to cause physical harm to another through force or violence.

**4** Verbal Assault

Any spoken or written willful attempt or threat to inflict injury upon another person when coupled with the apparent present ability to do so.

**4** “Bomb or Similar Threats”

Words, writing or behavior, directed at a school building, school property or school-related event, that, in the judgment of building administration would put reasonable school personnel or students in fear of imminent injury to persons or property by a bomb, chemical or incendiary device.

**4** “At School”

Classroom, 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.

**DISCIPLINARY ACTION THAT MAY BE TAKEN  
BY THE PRINCIPAL (OR DESIGNEE)**

ACTION CODES

1. Material will be confiscated.
2. Student may be required to spend up to five hours in after-school detention and/or satisfactorily complete a written assignment.
3. Student may be required to complete up to 30 hours of cleanup or general repair work on school property.
4. Student may be required to make use of counseling services.
5. Student may be required to attend a special clinic on alcohol, smoking or substance abuse.
6. Student will be required to make full financial restitution.
7. Student may be denied permission to operate or park a vehicle on school property for up to 20 school days.
8. Vehicles will be towed at student expense or a parking ticket will be issued which will carry a fine.
9. Parking privileges will be revoked for up to 90 school days.
10. A failing grade of a "0" will be assessed for the specific work associated with cheating.
11. Students will not receive credit for class work missed unless designated by the principal or his or her designee.
12. First offense of misconduct on a bus will result in up to three days' suspension from riding the bus; second and subsequent offenses will be for not more than 30 school days' suspension from riding the bus.
13. Students may be required to attend the district's in-school suspension program, not to exceed three days per incident. Students will receive credit during the in-school suspension. If the first infraction (per school year) results in a one-day, in-school suspension, the student may participate in after-school activities.

**DISCIPLINARY ACTION THAT MAY BE TAKEN  
BY THE PRINCIPAL (OR DESIGNEE)**

ACTION CODES

14. Suspend from school premises and activities for period not to exceed three days per incident and/or a pending conference with parents. Either or both actions will be determined by principal or his or her designee. At the discretion of the principal, the conference may be made a condition for readmission.
15. Suspend from school premises and activities for a period of no fewer than four and no more than ten days with a conference required with parents, the principal (or designee) and the police liaison officer. Legal action may be taken.
16. Student may be suspended from school premises up to an indefinite period of time subject to intensive counseling and until receipt of statements from counselor, psychologist or psychiatrist that behavior is not likely to be disruptive or dangerous to himself or herself or others.
17. Students may be subject to actions applicable to the offense and may, subject to the requirements of Article D, be suspended from school and excluded from premises and activities for the balance of the semester with subsequent loss of credits for the semester.
18. A recommendation for expulsion from school may be made to the Superintendent of schools (or designee).
19. Student may be placed on probation for the balance of a semester or the school year. Activities of such a student will be monitored by the principal (or designee) through required attendance at scheduled conferences. The student will be expected to conform strictly to the *Uniform Code of Student Conduct*. Any violation of probation may result in the student being suspended subject to the requirements of Article D for the balance of a semester or the school year.
20. Student may be placed on probation for the balance of a semester or the school year. Co-curricular and extra curricular activities of such a student may be restricted. The student will be expected to conform strictly to the *Uniform Code of Student Conduct* and activities of such a student will be monitored by the principal (or designee) through attendance at scheduled conferences. Any violation of probation may result in the student being suspended subject to the requirements of Article D for the balance of a semester or the school year.
21. Township police will be notified; further action may be taken.

#### **4**SUSPENSION BY THE TEACHER FOR UP TO ONE SCHOOL DAY

A teacher may suspend a student from his/her class, subject or activity for up to one school day in accordance with state law (Section 1309 of the Revised School Code) and the *Uniform Code of Student Conduct* for conduct that poses a clear threat of imminent injury to persons or property. (This provision does not permit teachers to suspend students for one full day, but only to suspend students from the individual teacher's class, subject, or activity for one school day.) Specifically, a teacher may suspend a student if the teacher has good reason to believe that the student has engaged in the following conduct during the teacher's class, subject, or activity:

1. Possessing, distributing, selling, using or being under the influence of alcohol or a controlled substance [Controlled Substances — Article B(1)(b) and (c)].
2. Physically fighting, participating in bomb threats or false fire alarms [Hazardous Conduct -- Article B(2)(a)].
3. Possessing, using, selling, or distributing dangerous materials such as fireworks, explosives, smoke bombs, mace, pepper gas, and other objects of a similar nature [Weapons/Dangerous Materials — Article B(12)(a)].
4. Possessing or using dangerous or deadly weapons; the commission of arson or rape as defined and provided in [Weapons/Dangerous Materials — Article B(12)(b) and Weapons Free School Zone — Article B(13)].

All other conduct must be handled as provided in this *Uniform Code of Student Conduct*. A teacher may elect not to suspend a student from the teacher's class, subject or activity for the conduct described above and handle the matter in accordance with the standard disciplinary process provided in this *Uniform Code of Student Conduct*. As with all provisions of the *Uniform Code of Student Conduct*, special education students are only subject to discipline consistent with the Individuals with Disabilities in Education Act (IDEA).

#### **PROCEDURE**

The following procedure will be followed if a teacher suspends a student:

1. The teacher will immediately provide an oral report of the suspension and the reason for the suspension to the principal, to be followed with a written report within one hour of the suspension.
2. The teacher will send the student to the principal or principal's designee for appropriate action.
3. If the student remains in school, the student shall be under appropriate supervision.
4. The student will not be returned that day to the class, subject or activity from which he/she was suspended without the concurrence of the suspending teacher and the principal.

5. As soon as possible after the teacher-imposed suspension, but not later than the next school day, the teacher will contact the student's parent or guardian and ask them to attend a parent/teacher conference to discuss the suspension.
6. Wherever practicable, a school counselor, psychologist or social worker shall attend the conference. The school principal or designee will attend the conference if so requested by the teacher or parent/guardian or at the discretion of the principal.
7. The teacher will report the outcome of the parent/teacher conference to the principal in writing.
8. In the event that a parent/teacher conference cannot be held, the teacher will send a letter home to the parent explaining the reason for the teacher-imposed suspension. The teacher will provide a copy of the letter to the principal.
9. Substitute teachers shall not suspend students under this procedure. Instead, substitute teachers will follow the provision of the *Uniform Code of Student Conduct* with respect to student discipline.

## **4** ACADEMIC CONDUCT

It is the school's intent to maintain and encourage high standards of personal conduct. These standards include personal honesty, discipline and integrity.

We believe that students are in school to do their own work. We assume that any school work that is turned in for credit by a student is a result of that student's effort. Generally, academic misconduct occurs any time a student turns in work which is not his or her own. Academic misconduct is a serious violation of school policy.

Specifically, students should be aware of the following information:

1. **HOMEWORK** — Daily homework assignments should represent reasonable effort on the part of the student. The copying of someone else's work with the intent to misrepresent that assignment is never permissible.
2. **CLOSED BOOK QUIZZES, TESTS AND ASSIGNMENTS** — The results of a quiz or a test should represent only the student's own work. This work must be performed during the testing period without any unauthorized verbal or nonverbal communication or assistance. Specifically, this language prohibits such behavior as looking at another student's papers, unauthorized communication during a testing situation, or having inappropriate material available for use, or securing test information from other students.
3. **OPEN BOOK TESTS** — The same rules apply to open book tests that apply to closed book tests except that teachers will define the specific resources that a student may use.
4. **MAJOR PAPERS, PROJECTS OR TAKE HOME TESTS** — The basic guideline is that a student turns in his or her own work. Thus, plagiarism including purchased, borrowed, or obtained materials, is specifically prohibited. Collaboration may be permitted or encouraged by the teacher.
5. **UNAUTHORIZED ACCESS** — Students are prohibited from gaining unauthorized access to test materials through such behavior as going into teacher files and looking through a teacher's desk or securing information from an individual who has taken the test previously.
6. **OTHER SITUATIONS** — Students who provide or receive unauthorized assistance, i.e., papers to be copied, answers to tests, have violated the policy.
7. **TEACHER PRACTICES** — Students have the right to expect the following behavior from teachers:
  - a. At the beginning of the course, each teacher should review with the students the academic expectations and the grading procedures for that course.
  - b. All tests should be actively monitored by a teacher.
  - c. Tests which are given from year to year will be kept under tight security.

7. TEACHER PRACTICES — Students have the right to expect the following behavior from teachers (*continued*):
- d. If at all possible, all make-up tests will be proctored.
  - e. Make-up tests may be different from the original test.

ARTICLE C  
BLOOMFIELD HILLS SCHOOLS  
MISSION STATEMENT

Everyone has the potential to learn, grow, and make positive contributions to society. This development is enhanced when we provide a caring, trusting learning environment committed to nurturing a passion for lifelong learning.

#### **4 ATTENDANCE PHILOSOPHY 4**

Regular school attendance is vital to successful academic growth and demonstrates caring and respect for self and others. It is the intent of the Bloomfield Hills Attendance Policy to provide opportunities for all students to achieve their fullest potential. Each student is an irreplaceable resource, necessary for the interaction that forms an essential part of classroom learning. When absences occur, the educational experience of all students in the class is diminished.

In order to enhance this educational experience, the following expectations and responsibilities should be emphasized. The major responsibility for acceptable attendance lies with the individual student. However, parents, teachers, counselors, and administrators have the responsibility to assist the student in meeting the goal of acceptable attendance.

Students are expected to be in school, and in class every day. They should be fully aware that the interactions that go on in the classroom cannot be duplicated and constitute a valid and critical part of the course work. They should be on time, attentive, and prepared with the proper materials to be actively involved in the class. If a class has to be missed for school activities, the student must give prior notification to the teacher and request assignments.

Parents are expected to notify the school promptly of any absence or extenuating circumstances regarding illness or personal and family problems which may have an effect on attendance. Every effort should be made to schedule routine appointments after school hours, and family vacations should be planned during the holidays outlined on the school calendar. Parents should discuss the importance of good attendance with their student, and avoid supporting any abuse of the Attendance Policy.

Teachers are expected to maintain accurate daily attendance records, and report them properly to the office. A teacher has the professional responsibility to begin class on time and provide a consistent classroom environment that is a challenging, rewarding, and stimulating experience.

To promote this philosophy and to assist students in developing lifelong responsible attendance patterns, the following regulations will be implemented:

## **4 ATTENDANCE REGULATIONS 4**

### **1. DAILY EXCUSED ABSENCES**

Daily excused absences will be granted for such reasons as personal illness, family illness, medical, dental, or legal appointments, religious holidays, and funerals.

### **2. EXCUSING ABSENCES**

*For an absence to be excused, adult students or parents of a minor student must advise the attendance office by telephone of the reason for the absence the day of the absence.* Family trips and college visits must be prearranged. Documentation or other verification may be required to establish an excused absence. This documentation may be by phone or in writing. Contacts with the attendance office should be made prior to the student's readmission to classes. Students leaving the building during the school day must check in and out with the attendance office or Health Clinic.

All parent calls regarding attendance will be noted on the master attendance list.

### **3. PREARRANGED EXCUSED ABSENCES**

Prearranged absences which include family trips\* and college visits must be approved by the administration. These prearranged absences should not be taken before or after a holiday. These absences must be arranged at least 24 hours in advance. Family trips must be arranged 72 hours in advance.

\*Absences due to family trips are strongly discouraged. Such absences should not exceed five days per school year. Any work missed beyond five days cannot be made up for credit. Exceptions can be made by the principal for unique educational opportunities, when approval is received in advance. Emergency circumstances will be dealt with by the principal on an individual basis.

In the case of trip absences, it is the student's responsibility to take the initiative in arranging with the teacher for make-up and for completing any make-up either before the trip or within the time established by the teacher after the trip. Teachers may designate such make-up to occur before or after school, during the student's lunch period, or any other mutually agreed upon time. A prearranged absence form must be signed by teachers and parents and returned to the school attendance office three days prior to the trip only if the absence exceeds two (2) days.

#### **4. UNACCEPTABLE REASONS FOR ABSENCES AND TARDINESS**

Absences such as oversleeping, car trouble, skipping, truancy, leaving school without permission, or no specific reason for the absence will be considered unexcused. Extenuating circumstances may be appealed to the principal (or designee).

#### **5. STUDENT'S RESPONSIBILITY**

It is the responsibility of the student to know the number of unexcused and excused absences accumulated in the student's records.

#### **6. ABSENCES FOR IN-SCHOOL ACTIVITIES**

Absences for approved participation in-school activities, verified detainment by another teacher or administrator, and approved clinic visits, will be considered excused absences.

#### **7. MAKE-UP WORK**

Teachers are obligated to assist students in making up class work missed because of excused absences. The teacher may require that class period time not be used for arranging or completing make-up work and may designate test make-up to occur before or after school, during the student's lunch period, or any other mutually agreed upon time. It is the student's responsibility to take the initiative in arranging for make-up. Teachers are not obligated to assist in the make-up of class work and/or tests missed because of unexcused absences unless specifically directed to do so by the building principal.

#### **8. ATTENDANCE ALERTS**

The school will notify parents, in writing, after two unexcused absences from an individual, semester class. In the case of minor students, parents will be notified and a conference may be required. In the case of adult students, the student and/or parent will be notified and a conference may be required.

#### **9. UNEXCUSED ABSENCES: REMOVAL FROM CLASS AND/OR SCHOOL**

Upon notice by the teacher, and upon approval of the principal (or designee), a student may lose credit in a class when unexcused absences exceed three in that class. The student may remain in that class for the balance of the semester, and will not receive credit for the course, or the student may be removed from that class and reassigned.

- a. The student may receive a grade of "W" or "F."

b. The student may be subject to suspension from school, pursuant to Article D, for the remainder of the semester, with loss of credit for the semester for the following reasons:

(1) The student has exceeded two unexcused absences in three or more classes.

(2) The student has exceeded six unexcused absences in a single class period.

## **10. EXCESSIVE EXCUSED ABSENCES**

Students with excessive excused absences (10 per semester) will be referred to the counseling staff. Parents will be contacted to express concern regarding the loss of class time, and students may be required to complete additional course work in order to receive credit for the class.

## **11. UNEXCUSED TARDINESS**

Unexcused tardiness to class beyond five minutes will be considered an absence.

## **12. SUSPENSION ABSENCES**

a. Out-of-school suspension absences are a separate category of absence. Teachers may not allow students to make up work or tests for credit missed as a result of suspension absences unless specifically directed to do so by the building principal (or designee).

b. In-school suspension absences are a separate category of absence. Students are allowed to make-up all work or tests for credit missed as a result of the suspension.

## **13. CHANGE OF RESIDENCY**

Adult students or parents of minor students must immediately notify the building principal when the student or parents move out of the boundaries of the Bloomfield Hills School District.

ARTICLE D  
SUSPENSION AND EXPULSION

The school is a part of the total community. School rules and regulations are established for the protection of all of its members. Violations of school rules and regulations (on school property, en route to or from school or school activities, on school vehicles, and during or in connection with school-sponsored activities or off-campus misconduct of a serious or criminal nature) are cause for action as described herein. As used herein, days will mean school days.

Prior to implementation of suspension or expulsion the student will be informed of claimed infraction and will be given an opportunity to respond to the charges made. The student must always be advised of his or her right to appeal.

## 1. LEGAL BASIS FOR SCHOOL DISCIPLINE

(School Code of 1976)

“Sec. 1300. The Board of a school district shall make reasonable regulations relative to anything necessary for the proper establishment, and carrying on of the public schools of the district, including regulations relative to the conduct of pupils concerning their safety while in attendance at school or en route to and from school.”

“Sec. 1311. (1) Subject to Subsection (2), the School Board, or the school district superintendent, a school building principal, or another school district official if designated by the School Board, may authorize or order the suspension or expulsion from school of a pupil guilty of a gross misdemeanor or persistent disobedience if, in the judgment of the School Board (or designee), as applicable, the interest of the school is served by the authorization or order. If there is reasonable cause to believe that the pupil is handicapped, and the school district has not evaluated the pupil in accordance with rules of the State Board to determine if the student is handicapped, the pupil shall be evaluated immediately by the Intermediate School District of which the school district is constituent in accordance with Section 1711.”

*(The full text of the law is contained on pages 43-47.)*

## 2. TYPES OF DISCIPLINARY ACTION

### a. IN-SCHOOL SUSPENSION

In-school suspension is exclusion from regular class(es) and school activities for up to three (3) full days with the requirement that the student attend the In-School Suspension Program

- (1) This action may be taken by the building principal (or designee).
- (2) Cause for this action is a violation of school rules and regulations

- (3) Parent(s) and/or legal guardian(s) and the student, if 18 years of age, will be notified of this action by phone and/or letter. The school administration will determine the need for a parent conference prior to student readmission. If, however, the parent requests a conference, the administrator will honor this request.

**b. OUT-OF-SCHOOL SUSPENSION**

Out-of-school suspension up to ten (10) days is exclusion from school premises, classes and activities for a period not to exceed ten (10) days.

- (1) This action may be taken by the building principal (or designee).
- (2) Cause for this action is a violation of school rules or regulations.
- (3) Parents and/or legal guardians and the student, if 18 years of age, will be notified of this action by phone and letter. The school administration will determine the need for a parent conference prior to the student re-entering. If, however, the parent requests a conference, the administrator will honor this request.

**c. INDEFINITE SUSPENSION, AS DEFINED BY BLOOMFIELD HILLS SCHOOLS, IS TO BE INTERPRETED AS FOLLOWS:**

- (1) Removal from school pending action at a higher level, or awaiting disposition of civil authorities.
- (2) This action may be taken by the Superintendent of schools (or designee) upon the recommendation of the principal.
- (3) Causes for this action are “gross misdemeanor” or “persistent disobedience,” “the student’s inability to be educated in the school environment, or conduct which endangers the welfare of other pupils or the welfare of property of other persons or the welfare of school district property.”
- (4) Parents and/or legal guardians and the student, if 18 years of age, will be notified in writing of this action.
- (5) The Superintendent (or designee) will notify the Board of Education of the student’s suspension in writing within three (3) days with recommendation for action. In no event will indefinite suspension extend for more than ten (10) days unless an extension of time is authorized by the board president where there is sufficient reason for extension.

**d. COUNTING SUSPENSION DAYS**

Suspension days will be counted starting on the day the student is denied participation in school activities other than Recreation Department activities.

- (1) The day the student is removed from school should be counted as a day of suspension providing he or she was denied class participation or school activities before noon of that day.
- (2) Times when school is not officially scheduled are not to be counted as part of the suspension time.

**e. SUSPENSION FOR DEFINITE PERIOD**

Suspension for definite period, in excess of ten (10) days as defined by the Bloomfield Hills Schools is to be interpreted as follows:

- (1) Removal from school/class assignments for a specified period of time.
- (2) This action may be taken by the Superintendent (or designee) only after an opportunity for hearing is given.
- (3) Causes for suspension for a definite period are those defined in the Michigan School Code.
- (4) The school administration will recommend cases for suspension for a definite period to the Superintendent (or designee).
- (5) Parents and/or legal guardians and the student, if 18 years of age, will be notified in writing of this action.
- (6) The Superintendent is vested with final authority in all cases of suspension for a definite period subject to appeal procedures set forth. The superintendent may establish conditions which must be met prior to readmission of the student.
- (7) The student will be readmitted at the end of the period only after a parent conference satisfactory to school administration, and only in the event the student has met all reasonable conditions established for readmission.
- (8) The Superintendent will notify the parents and/or legal guardians and student, if 18 years of age, in writing.

## **f. APPEAL FOR SUSPENSION**

Appeals of disciplinary actions or discrimination based on race, sex or handicap may be initiated by students or parents of minor students. Appeals must first be directed to the building principal, who will specify the appropriate level for the appeal to begin.

***There will be no appeal process beyond the building level for suspensions of three or fewer days.***

The following appeal levels are available in cases of in-school suspensions and out-of-school suspensions of four (4) to ten (10) days:

- 4** First Level — Building Principal Review Hearing
- 4** Second Level — Assistant Superintendent for Instruction

The following appeal levels are available in cases of out-of-school suspensions of eleven (11) or more days:

- 4** First Level — Building Principal Review Hearing
- 4** Second Level — Assistant Superintendent for Instruction
- 4** Third Level — Board Hearing Panel

- (1) A request for an appeal will be made within three (3) school days of the date disciplinary action was taken and must be made in writing, stating the adjustments being requested and the reasons thereof. (An oral appeal may be made if three or fewer days remain in the semester.)
- (2) Based on the review of the appeal, the building principal within five (5) school days will notify in writing the adult student or the parents or legal guardian of a student under the age of 18 years of his or her decision to adjust, revoke or sustain the disciplinary action.
- (3) The student and/or the student's parents and affected teachers or coaches have a right to be present at all review hearings and must be notified in advance of the time and place. Both the affected student and the school administration have the right to present a witness at all review hearings.
- (4) Unless the student's presence in school is considered dangerous or disruptive, he or she will be allowed to remain in school and participate in all activities pending the outcome of the appeal.
- (5) Appeal to the next level must be made in writing within three (3) days of receipt of the decision at the lower level and the review hearing at the next level must be held within five (5) days of receipt of the appeal.

**g. EXPULSION**

Expulsion, as defined by Bloomfield Hills Schools, is to be interpreted as follows:

- (1) Removal from school and exclusion from school district programs and facilities for more than the remainder of the semester by action of the Board of Education. The student must petition the Superintendent for readmission and the written petition must evidence satisfactory elimination of the cause for removal, and compliance with, all reasonable conditions established for readmission.
- (2) This action may be taken by the Board of Education only after an opportunity for hearing is given.
- (3) Causes for expulsion are those defined in the Michigan School Code.
- (4) The school administration will recommend cases for expulsion to the Board of Education through the Superintendent.
- (5) Parents and/or legal guardian and the student, if 18 years of age, will be given notice in writing of the recommendation.
- (6) The Board of Education is vested with final authority in all cases of expulsion.
- (7) The Superintendent (or designee) will notify the parents and/or legal guardian and the student, if 18 years of age, in writing of the decision of the Board of Education.
- (8) Notice will be considered given when administration sends written notice to the student's most recent address stated in his or her student record via first class mail.

**h. EXPULSION PROCEDURES**

(1) INITIATION OF EXPULSION

The building principal (or designee) will recommend in writing to the Superintendent (or designee) that expulsion be considered.

(2) HEARING FOR EXPULSION

The Board of Education will appoint a panel of three board members to hear expulsion cases. The hearing date will be set by the panel chairperson. The Superintendent (or designee) will conduct a hearing in accordance with this *Uniform Code of Student Conduct*.

### (3) NOTICE OF HEARING FOR EXPULSION

The Superintendent (or designee) will provide written notice to the parents or legal guardian of the student if under 18 years of age and to the student only if 18 years of age or older. The notice will be mailed to the record address of the student at least five (5) days prior to the scheduled hearing date and will specify:

- (a) The charges which have been made and the recommendation for expulsion which has been submitted to the Board of Education;
- (b) The date, time and place for hearing;
- (c) The names of witnesses who might be called to testify with respect to the charges;
- (d) The student has the right to be represented at the hearing by legal counsel;
- (e) The right of the student to present witnesses on the student's behalf and to cross-examine witnesses called by the administration; and
- (f) Will advise the student that the hearing will be open to the public unless a request is made in writing by the student or the parents of a minor student that it will be a closed hearing.

### (4) PROCEDURE AT HEARING FOR EXPULSION

If the student (or representative) attends the hearing, the Superintendent (or designee) of the hearing panel will advise the student and/or parents of the charges. The student will then be advised that the purpose of the hearing is to determine the validity of these charges. The student will be advised that the student or the student's attorney will have the right to question witnesses who will be present to give testimony in support of the charges. The student will be advised of the right to present witnesses on his or her own behalf. The student will be asked if he or she is represented by counsel.

- (a) The student will then be asked if, understanding the charges, he or she admits or denies those charges. If the student admits or does not contest the charges, it will not be necessary for the hearing panel to proceed with the hearing. However, it will be permissible for the student or his or her counsel to make a statement on his or her behalf and for the Superintendent (or designee) and/or the hearing panel to question the student as to reasons for his or her behavior. This procedure is intended to assist the panel in arriving at a determination of the appropriate penalty to recommend to the Board of Education.

- (b) If the student denies or contests the charges, the hearing will proceed with the appropriate school official presenting witnesses to give testimony as to the charges. The student or his or her attorney will have the opportunity to cross-examine each witness. The student or his or her attorney will also be given the opportunity to present his or her own witnesses, including the opportunity for the student to testify. The members of the hearing panel and/or the Superintendent (or designee) may ask questions of any witnesses.
- (c) A court reporter will be present at the hearing and a transcript of the testimony at the hearing will be made.
- (d) Upon conclusion of the presentation of evidence, the panel will make findings on each of the charges which have been brought. In the event the student is found to have committed some or all of the acts charged, the panel will make recommendations to the Board as to the action which should be taken. These recommendations will be reduced to a written report and a copy of the report sent to the student and/or parents or guardian together with notice that the recommendation will be made to the Board of Education at its next regular meeting. The report, when submitted to the Board in its public session, will not refer to the student by name. The Board, at its regular meeting, will then, by resolution, either affirm, modify or reverse the recommendation of the hearing panel.
- (e) The student or the parent(s) or legal guardian(s) of a student who is under the age of 18 years will be notified in writing of the decision of the Board.

If neither a student nor his representative appears, the review panel will permit the administration to summarize the evidence it intended to present. The panel will conclude the hearing and proceed with the requirements of paragraph four (4), (d) and (e).



ARTICLE E  
PROVISIONS FOR CODE REVIEW

The Board of Education directs all secondary schools within the District to make provisions for periodic review of this *Uniform Code of Student Conduct* every two (2) years.

**1. REVIEW COMMITTEE**

- a. The Review Committee will consist of a representative group of students, parents, teachers and administrators from the elementary, middle and senior high schools. Said students will be selected in such manner as the student governments of the schools will determine.
- b. The Review Committee will be charged with reviewing the entire Code and for recommending changes when necessary.
- c. The Review Committee will submit its recommendation to the Assistant Superintendent for Instruction.
- d. The Assistant Superintendent for Instruction will present these recommendations to the Board of Education.

**2. BOARD REVIEW**

The Board president will appoint a Board liaison to the committee to consider the revisions and to recommend those which will become policy.

## **4 VIRTUAL LEARNING 4**

The Bloomfield Hills Schools Board of Education recognizes the need to provide alternative means by which students can achieve the educational goals of the District. Such options must be accredited and may include, but are not limited to, virtual (online) courses, Internet, digital broadcasting, or satellite course work offered by the school, any regionally accredited college, Michigan Virtual High School, or other acceptable satellite course offerings as determined by the Superintendent or designee. The principal will grant credit and approve exceptions.

### **4 VIRTUAL LEARNING POLICY REGULATION 4**

Approval for a student to enroll in a virtual course must be obtained from the counselor of record. Credit earned will be placed on the student's transcript as the title appears from the accredited institution. Credits may be granted to the student upon submission of an official transcript.

If the student's schedule is counted as greater than 1.0 Full-Time Equivalency (FTE), the District will not pay tuition and/or costs associated with classes taken under this policy. Reimbursement procedures for the state-mandated dual enrollment program will be followed.

THE REVISED SCHOOL CODE  
§380.1311

**380.1311 Sus-  
pension or expulsion of pupils.**

Sec. 1311. (1) Subject to subsection (2), the school board, or the school district superintendent, a school building principal, or another school district official if designated by the school board, may authorize or order the suspension or expulsion from school of a pupil guilty of gross misdemeanor or persistent disobedience if, in the judgment of the school board or its designee, as applicable, the interest of the school is served by the authorization or order. If there is reasonable cause to believe that the pupil is handicapped, and the school district has not evaluated the pupil in accordance with rules of the state board to determine if the student is handicapped, the pupil shall be evaluated immediately by the intermediate school district of which the school district is constituent in accordance with section 1711.

(2) If a pupil possesses in a weapon free school zone a weapon that constitutes a dangerous weapon, commits arson in a school building or on school grounds, or commits criminal sexual conduct in a school building or on school grounds, the school board, or the designee of the school board as described in subsection (1) on behalf of the school board, shall expel the pupil from the school district permanently, subject to possible reinstatement under subsection (5). However, a school board is not required to expel a pupil for possessing a weapon if the pupil establishes in a clear and convincing manner at least 1 of the following:

- (a) The object or instrument possessed by the pupil was not possessed by the pupil for use as a weapon, or for direct or indirect delivery to another person for use as a weapon.
- (b) The weapon was not knowingly possessed by the pupil.
- (c) The pupil did not know or have reason to know that the object or instrument possessed by the pupil constituted a dangerous weapon.
- (d) The weapon was possessed by the pupil at the suggestion, request, or direction of, or with the express permission of, school or police authorities.

(3) If an individual is expelled pursuant to subsection (2), the expelling school district shall enter on the individual's permanent record that he or she has been expelled pursuant to subsection (2). Except if a school district operates or participates cooperatively in an alternative education program appropriate for individuals expelled pursuant to subsection (2) and in its discretion admits the individual to that program, an individual expelled pursuant to subsection (2) is expelled from all public schools in this state and the officials of a school district shall not allow the individual to enroll in the school district unless the individual has been reinstated under subsection (5). Except as otherwise provided by law, a program operated for individuals expelled pursuant to subsection (2) shall ensure that those individuals are physically separated at all times during the school day from the general pupil population. If an individual expelled from a school district pursuant to

subsection (2) is not placed in an alternative education program, the school district may provide, or may arrange for the intermediate school district to provide, appropriate instructional services to the individual at home. The type of services provided shall be similar to those provided to homebound or hospitalized pupils under section 109 of the state school aid act of 1979, being section 388.1709 of the Michigan Compiled Laws, and the services may be contracted for in the same manner as under that section. This subsection does not require a school district to expend more money for providing services for a pupil expelled pursuant to subsection (2) than the amount of the foundation allowance the school district receives for the pupil under section 20 of the state school aid act of 1979, being section 388.1620 of the Michigan Compiled Laws.

(4) If a school board expels an individual pursuant to subsection (2), the school board shall ensure that, within 3 days after the expulsion, an official of the school district refers the individual to the appropriate county department of social services or county 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.

(5) The parent or legal guardian of an individual expelled pursuant to subsection (2) or, if the individual is at least age 18 or is an emancipated minor, the individual may petition the expelling school board for reinstatement of the individual to public education in the school district. If the expelling school board denies a petition for reinstatement, the parent or legal guardian or, if the individual is at least age 18 or is an emancipated minor, the individual may petition another school board for reinstatement of the individual in that other school district. All of the following apply to reinstatement under this subsection:

- (a) For an individual who was enrolled in grade 5 or below at the time of the expulsion and who has been expelled for possessing a firearm or threatening another person with a dangerous weapon, the parent or legal guardian or, if the individual is at least age 18 or is an emancipated minor, the individual may initiate a petition for reinstatement at any time after the expiration of 60 school days after the date of the expulsion. For an individual who has enrolled in grade 5 or below at the time of the expulsion and who has been expelled pursuant to subsection (2) for a reason other than possessing a firearm or threatening another person with a dangerous weapon, the parent or legal guardian or, if the individual is at least age 18 or is an emancipated minor, the individual may initiate a petition for reinstatement at any time. For an individual who was in grade 6 or above at the time of expulsion, the parent or legal guardian or, if the individual is at least age 18 or is an emancipated minor, the individual may initiate a petition for reinstatement at any time after the expiration of 150 school days after the date of expulsion.
- (b) An individual who was in grade 5 or below at the time of the expulsion and who has been expelled for possessing a firearm or threatening another person with a dangerous weapon shall not be reinstated before the expiration of 90 school days after the date of expulsion. An individual who was in grade 5 or below at the time of the expulsion and who has been expelled pursuant to subsection (2) for a reason other than possessing a firearm or threatening another person with a dangerous weapon shall not be reinstated before the

expiration of 10 school days after the date of the expiration of 180 school days after the date of expulsion.

- (c) It is the responsibility of the parent or legal guardian or, if the individual is at least age 18 or is an emancipated minor, of the individual to prepare and submit the petition. A school board is not required to provide any assistance in preparing the petition. Upon request by a parent or legal guardian or, if the individual is at least age 18 or is an emancipated minor, by the individual, a school board shall make available a form for a petition.
- (d) Not later than 10 school days after receiving a petition for reinstatement under this subsection, a school board shall appoint a committee to review the petition and any supporting information submitted by the parent or legal guardian or, if the individual is at least age 18 or is an emancipated minor, by the individual. The committee shall consist of 2 school board members, 1 school administrator, 1 teacher, and 1 parent of a pupil in the school district. During this time the superintendent of the school district may prepare and submit for consideration by the committee information concerning the circumstances of the expulsion and any factors mitigating for or against reinstatement.
- (e) Not later than 10 school days after all members are appointed, the committee described in subdivision (d) shall review the petition and any supporting information and information provided by the school district and shall submit a recommendation to the school board on the issue of reinstatement. The recommendation shall be for unconditional reinstatement, for conditional reinstatement, or against reinstatement, and shall be accompanied by an explanation of the reasons for the recommendation and of any recommended conditions for reinstatement. The recommendation shall be based on consideration of all of the following factors:
  - (i) The extent to which reinstatement of the individual would create a risk of harm to pupils or school personnel.
  - (ii) The extent to which reinstatement of the individual would create a risk of school district or individual liability for the school board or school district personnel.
  - (iii) The age and maturity of the individual.
  - (iv) The individual's school record before the incident that caused the expulsion.
  - (v) The individual's attitude concerning the incident that caused the expulsion.
  - (vi) The individual's behavior since the expulsion and the prospects for remediation of the individual.

- (vii) If the petition was filed by a parent or legal guardian, the degree of cooperation and support that has been provided by the parent or legal guardian and that can be expected if the individual is reinstated, including, but not limited to, receptiveness toward possible conditions placed on the reinstatement.
  - (f) Not later than the next regularly scheduled board meeting after receiving the recommendation of the committee under subdivision (e), a school board shall make a decision to unconditionally reinstate the individual, conditionally reinstate the individual, or deny reinstatement of the individual. The decision of the school board is final.
  - (g) A school board may require an individual and, if the petition was filed by a parent or legal guardian, his or her parent or legal guardian to agree in writing to specific conditions before reinstating the individual in a conditional reinstatement. The conditions may include, but are not limited to, agreement to a behavior contract, which may involve the individual, parent or legal guardian, and an outside agency; participation in or completion of an anger management program or other appropriate counseling; periodic progress reviews; and specified immediate consequences for failure to abide by a condition. A parent or legal guardian or, if the individual is at least age 18 or is an emancipated minor, the individual may include proposed conditions in a petition for reinstatement submitted under this subsection.
- (6) A school board or school administrator that complies with subsection (2) is not liable for damages for expelling a pupil pursuant to subsection (2), and the authorizing body of a public school academy established under part 6a or part 6b is not liable for damages for expulsion of a pupil by the public school academy pursuant to subsection (2).
- (7) The department shall develop and distribute to all school districts a form for a petition to be used under subsection (5).
- (8) Subsections (2) to (7) do not diminish the due process rights under federal law of a pupil who has been determined to be eligible for special education programs and services.
- (9) If a pupil expelled from a public school district pursuant to subsection (2) is enrolled by a public school sponsored alternative education program or a public school academy during the period of expulsion, the public school academy or the alternative education program shall immediately become eligible for the prorated share of either the public academy foundation allowance or the expelling school district's foundation allowance, whichever is higher.
- (10) As used in this section:
- (a) "Arson" means a felony violation of chapter X of the Michigan penal code. Act No. 328 of the Public Acts of 1931, being sections 750.71 to 750.80 of the Michigan Compiled Laws.

- (b) “Criminal sexual conduct” means a violation of section 520b, 520c, 520d, 520e, or 520g of Act No. 328 of the Public Acts of 1931, being sections 750.520b, 750.520c, 750.520d, 750.520e, and 750.520g of the Michigan Compiled Laws.
- (c) “Dangerous weapon” means that term as defined in section 1313.
- (d) “Firearm” means that term as defined in the federal gun-free schools act of 1994, Public Law 103-227, 20 U.S.C. 3351.
- (e) “School board” means a school board, intermediate school board, or the board of directors of a public school academy established under part 6a or 6b.
- (f) “School district” means a school district, a local act school district, an intermediate school district, or a public school academy established under part 6a or 6b.
- (g) “Weapon free school zone” means that term as defined in section 237a of the Michigan penal code, Act No. 328 of the Public Acts of 1931, being section 750.237a of the Michigan Compiled Laws.

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History: 1976, Act 451, Imd. Eff. Jan. 13, 1977;—Am. 933, Act 335, Imd. Eff. Dec.31, 1993—Am. 1994, Act 328, Eff. Jan. 1, 1995;— Am. 1995, Act 250, Imd. Eff. Jan. 2, 1996.



# **Sexual Harassment**

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Bloomfield Hills Board of  
Education

Policy 4503

Approved May 3, 1994

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## Sexual Harassment

The Bloomfield Hills Schools is committed to providing equal opportunity for all staff and Board of Education members and creating an environment which is without sexual harassment, as defined by law. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct or communication of a sexual nature. In the employment and educational context, such actions are prohibited when:

1. Submission to such conduct is made an expressed or implied condition of obtaining employment or educational benefit.
2. Submission to or rejection of such conduct is used as a basis for decisions affecting the employment or educational benefit of the individual who submits or rejects; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's employment or education or creating an intimidating, hostile, or offensive working or learning environment. Examples of such conduct might include: off-color language, jokes, cartoons, or nicknames, propositions, repeated unwanted social invitations, gestures, touching, sexually oriented posters, suggestive or insulting sounds.

Behavior by any individual that results in the sexual harassment of a staff member or a Board of Education member will not be tolerated. Such conduct may result in disciplinary actions including verbal or written warnings, suspension without pay, or more severe discipline including immediate discharge or removal from office. Students who engage in sexual harassment of staff or Board of Education members are subject to discipline, including suspension or expulsion per the Student Code of Conduct.

Each individual has a special responsibility to assure the success of the District's commitment and to take positive steps to comply with equal employment policies. Any individual who engages in sexual harassment or who fails to comply with the equal employment policies of the District is acting without authority and outside the scope of his or her responsibilities.

**POLICY 4503 (2)**

If an individual has reason to believe that he or she has been subjected to discrimination in the form of sexual harassment, or that such exists, it shall be reported immediately to the Assistant Superintendent for Personnel, 4175 Andover Road, Bloomfield Hills, Michigan, 48302, (248) 341-5425. As an alternative, an individual may report such discrimination to the superintendent.

When an individual wishes to make a sexual harassment charge, the investigative procedure defined in Regulation 4503(1) will be initiated.

Appr: 5/3/94 REV

## Sexual Harassment Claims Procedure

### A. Complaint Initiation

An individual who believes that sexual harassment has been practiced toward him or her or another individual shall report the claim to the Assistant Superintendent for Personnel or the Superintendent.

Upon receiving a report, a meeting will be scheduled immediately with the claimant.

### B. Procedural Conditions

Confidentiality is imperative. Only those individuals who have a legitimate need to know will be advised, and they will be advised only of specific facts.

The District may elect to temporarily reassign the parties until the matter is resolved. One or both parties may be given time off with/without pay pending resolution of the claim. The claimant may request reassignment or time off.

The investigation will be conducted by the Assistant Superintendent for Personnel, or designee, hereafter known as "investigator."

The parties will be advised that detailed notes will be taken from which a summary of the meeting will be prepared, which the claimant will be asked to sign in order to verify the accuracy of the report.

The charged party will be instructed to desist from contact with the claimant, and the claimant will be instructed to report any contact from the charged party.

The parties will be instructed not to discuss the matter with any other members of the District. If either party wants other persons contacted to assist in corroborating the allegations, he or she shall provide the name, address and telephone number of each person to the Assistant Superintendent for Personnel or Superintendent who will interview as required.

Advice and service of legal counsel may be sought and implemented as determined by the District.

### C. Complaint Investigation

The initial meeting will be attended by the claimant, the claimant's union representative, upon request (if any), the Assistant Superintendent for Personnel, and one other administrative representative. Upon request, the administrative representatives will include one male and one female.

A second meeting will be scheduled with the same individuals present, at which time the claimant will be asked to review and sign the report to confirm its accuracy. Copies of the report will be given to the claimant and the Assistant Superintendent for Personnel. The claimant will be informed that a copy may be provided to the person against whom the charges were made.

Within two (2) working days following the meeting at which the report is signed, a meeting will take place attended by the Assistant Superintendent for Personnel, another administrative representative, the charged individual, and the charged individual's union representative (if any), upon request.

The charged party will be provided a copy of the signed report.

The charged party will be given an opportunity to respond at that time, or at the charged party's option, in a reasonable amount of time not to exceed five (5) days, to prepare a written or oral response. The charged party shall not have contact with the claimant pending resolution of the matter and shall be so instructed by the administration.

D. Review and Recommendation

Upon conclusion of the investigation, a determination will be made and a report prepared which includes any penalties to be imposed.

Within five (5) working days, each of the parties will be provided with a written response reflecting the final determination. The charged party may appeal a determination.

Hearing and appeal rights shall be determined by applicable grievance procedure. If there is no grievance process, appeal may be made to the Superintendent. A final determination will be made in accordance with the applicable procedure.

Appr: 5/3/94 REV



