

# SECONDARY STUDENT CODE OF CONDUCT



**CLINTON TOWNSHIP, MICHIGAN 48036-1304**

**NOTICE OF NONDISCRIMINATION.** It is the policy of L'Anse Creuse Public Schools not to discriminate on the basis of race, color, religion, national origin or ancestry, gender, age, disability, height, weight or marital status in its programs, services, activities, or employment. Inquiries related to nondiscrimination policies should be directed to: Civil Rights Coordinator, Assistant Superintendent for Human Resources, L'Anse Creuse Public Schools, Harry L. Wheeler Community Center and Administrative Offices, 24076 F. V. Pankow Blvd., Clinton Township, MI 48036, and (586) 783-6300. Nondiscrimination inquiries related to disability should be directed to: Section 504 Coordinator, Director for Special Education, (586) 783-6300.

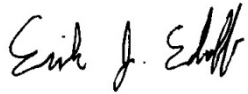
Dear Parents and Students:

The State Board of Education requires all Michigan school districts to adopt a written code of student conduct. The purpose of providing a single booklet citing the rules and regulations of the L'Anse Creuse Public Schools school district is to ensure everyone is informed of the formal procedures involved in student discipline, including suspension.

Discipline problems involve a very small percentage of our student body. However, situations do arise and do occur. The intent of this document is to provide an orderly procedure for resolving problems when they do. It is important to remember that the intent is to provide a safe and orderly learning environment for all students and staff.

Your cooperation and assistance in upholding the L'Anse Creuse Public Schools' Student Code of Conduct is most sincerely appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Erik J. Edoff". The signature is written in a cursive style with a large initial "E".

Superintendent

# STUDENT CODE OF CONDUCT

## Preamble

The board hereby establishes the following categories of misconduct, which may result in suspension or expulsion from the L'Anse Creuse Public Schools. These categories are generally descriptive of the most obvious types of misconduct and are not to be construed as an exclusive list or as a limitation upon the authority of school officials to deal appropriately with any other type of conduct, including off campus misconduct, which interferes with the good order of the school system or the proper functioning of the educational process.

## I. General Procedure

1. In the event the principal of the school believes that a suspension of longer than 10 days is necessary, he should notify the superintendent.
2. The student shall be informed of the reason for the suspension.
3. Provision shall be made for the student to be heard and to present his/her view of the occurrence.
4. The student shall not be judged guilty by virtue of being accused.
5. An informal investigation should be conducted by the principal or his/her designee for the purpose of obtaining all information pertinent to a fair decision.
6. For students in grades 6-12, suspensions of less than five days can be appealed to the building principal only.
7. Violations of the law will be reported to the authorities.
8. Under MCL 380.1310d the school district will consider each of the following factors prior to any disciplinary decisions:
  - a. The pupil's age.
  - b. The pupil's disciplinary history.
  - c. Whether the pupil is a student with a disability.
  - d. The seriousness of the violation or behavior committed by the pupil.
  - e. Whether the violation or behavior committed by the pupil threatened the safety of any pupil or staff member.
  - f. Whether restorative practices will be used to address the violation or behavior committed by the pupil.

- g. Whether a lesser intervention would properly address the violation or behavior committed by the pupil.

## **II. Searches – Search and Seizure**

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

**LEGITIMATE USE OF SCHOOL LOCKERS.** The school assigns lockers for the student's convenience and temporary use. Students are to use lockers exclusively to store school-related materials and authorized personal items such as outer garments, footwear, grooming aids, or lunch. Students shall not use the lockers for any other purpose, unless specifically authorized by school board policy or the school principal or his/her designee in advance of students bringing the items to school. Students are solely responsible for the contents of their lockers and should not share their lockers with other students nor divulge locker combinations to others, unless authorized by the school principal or his/her designee.

**SEARCH OF LOCKER CONTENTS.** Random searches of school lockers and their contents have a positive impact on deterring violations of school rules and regulations, ensure proper maintenance of school property and provide greater safety and security for students and personnel. Accordingly, the board authorizes the school principal or his/her designee to search lockers and locker contents at any time, without notice, and without parental/guardianship or student consent.

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

**SEIZURE.** When conducting locker searches, the school principal or his/her designee may seize any illegal unauthorized items, items in violation of board policy or rules, or any other items reasonably determined by the school principal or his/her designee to be a potential threat to the safety or security of others. Such items include, but are not limited to the following: firearms, explosives, dangerous weapons, flammable material, illegal controlled substance analogues or other intoxicants, contraband, poisons and stolen property. Law enforcement officials shall be notified immediately upon seizure of

such dangerous items, or seizure of items that schools are required to report to law enforcement agencies under the Statewide School Safety Information Policy. Any items seized by the school principal or his/her designee shall be removed from the locker and held by school officials for evidence in disciplinary proceedings and/or turned over to law enforcement officials. The parent/guardian of a minor student, or a student eighteen (18) years of age or older, shall be notified by the school principal or his/her designee of items removed from the locker.

**SEARCH OF STUDENTS.** In order to protect the health, safety or welfare of students under school jurisdiction, building principals or designated representatives are authorized to search students. No strip searches shall be conducted by school authorities. Whenever possible all searches shall be carried out in the presence of an adult witness.

**CONSENT TO SEARCH.** A student who operates a vehicle upon property of the school district or parks such vehicle thereon is deemed to have given his/her consent to have such vehicle searched and forbidden items seized under the following conditions:

1. There should be reasonable cause for school authorities to believe that certain items are in the student's possession and such possession constitutes a crime or a rule violation.
2. The search should be for a specific item and be conducted in the student's presence.
3. Illegal items or other possessions reasonably determined to be a threat to the safety or security of others may be seized by school authorities.
4. Items, which are used to disrupt or interfere with the educational process, may be temporarily removed from the student's possession.

### **III. Severability Provision**

In the event that any provision(s) herein shall be determined to be illegal or of no effect by a court of competent jurisdiction, such provision(s) shall be void and inoperative, but all other provisions hereof shall remain and continue in full force and effect.

### **IV. Prohibited Student Conduct**

Numerated sections below are intended to show increasing severity of consequences. All decisions will be subject to the considerations in Section I.8.

#### **Section 1**

- 1.1 **BACKPACKS.** The use of backpacks in the classroom is prohibited. Backpacks shall be used for purposes of transporting books and other school related materials to and from school only.
- 1.2 **BULLYING.** The repeated intimidation of others by the real or threatened infliction of physical, verbal, written, electronically transmitted, or emotional abuse, or through attacks on the property

of another. It may include, but not be limited to, actions such as verbal taunts, name-calling and put-downs, including ethnically-based or gender based verbal put-downs, extortion of money or possessions, and exclusion from peer groups within school.

- 1.3 **CELLULAR TELEPHONES AND COMMUNICATION DEVICES.** When directed, cellular telephones and communication devices shall be turned off and not visible during instructional or class time, lunch time, during passing time between classes, and at school-sponsored events where there is reasonable expectation of quiet attentiveness or where the use of the device would cause any disruption unless there is a bona fide case of health or safety emergency. Devices operated in violation of this rule, or for any illegal purpose, shall be confiscated and not returned until, where appropriate, a parent(s)/guardian(s) conference has been held. Students bring cellular phones to school at their own risk.
- 1.4 **CHEATING.** Cheating is the obtaining or giving of any schoolwork to be evaluated by fraudulent means, with or without another student's permission. This also includes forging notes, plagiarism, passes, permission slips, telephone calls and other correspondence.
- 1.5 **DEFIANCE/INSUBORDINATION.** Defiance/Insubordination is refusal to obey the instructions of school district personnel.
- 1.6 **DISCRIMINATION.** Discrimination by race/religion/gender/ethnic origin/sexual orientation includes any willful act done by a student, either individually or with others, to another student for the purpose of subjecting the other student to indignity, humiliation, intimidation, physical abuse or threats of abuse, social or other ostracism, shame or disgrace.
- 1.7 **DISRESPECT.** Disrespect is an open treatment of contempt to school personnel and students.
- 1.8 **DISRUPTIVE CONDUCT.** Disruptive conduct is conduct which materially or substantially interferes with the educational process.
- 1.9 **GAMBLING.** Gambling is an activity where games or other activities of chance or skill are pursued with the expectation and purpose of winning money or other property.
- 1.10 **GANG BEHAVIOR.** To prevent disruption of school activities, the wearing/use of gang paraphernalia that have been outlined by local, state, or federal enforcement agencies are prohibited.
- 1.11 **HAZING.** Hazing includes any willful act done by a student, either individually or with others, to another student for the purpose of subjecting the other student to indignity, humiliation, intimidation, physical abuse or threats of abuse, social or other ostracism, shame or disgrace.
- 1.12 **OBSCENITY.** Obscenity is using profanity or obscene acts or gestures in the presence of other students, parents, teachers, or other school personnel.
- 1.13 **PUBLIC DISPLAY OF AFFECTION.** Displays of affection, such as kissing, hugging or any other contact that may be considered personal in nature, are not appropriate.

- 1.14 **SMOKING.** Smoking is the use or possession of tobacco paraphernalia on school property, on property adjacent to school property, or at a school sponsored event. In compliance with state law, a police report will be filed resulting in a fine in addition to suspension time.
- 1.15 **TRANSPORTATION.** Rules for student conduct related to transportation provided by L'Anse Creuse Public Schools are necessary to ensure the safety of the students and employees of the district. Therefore, all students of the district are required to be familiar with the bus rules of the district, which are distributed to all students. In this context, the district recognizes that the school bus is an extension of the classroom and any infraction of these rules will be handled by the appropriate building administrator. In addition, all student behavior on any school related transportation is governed by the Student Code of Conduct.
- 1.16 **TRUANCY.** Truancy is excessive absences and/or tardies.
- 1.17 **SEXUAL HARASSMENT.** Sexual harassment includes any willful act done by a student, either individually or with others, to another student for the purpose of subjecting the other student to indignity, humiliation, intimidation, physical abuse or threats of abuse, social or other ostracism, shame or disgrace.
- 1.18 **PENALTIES.** The minimum penalty for a violation contained in Section 1 shall be the suspension of the student from a class or classes for the remainder of the day. The maximum penalty for a Section 1 violation shall be the suspension of the student for not more than five school days, unless this is a repeated offense in which case the penalties of Section 2 will apply. A violation of Section 1, which results in a suspension, includes suspension from any or all attendance or participation in school or school district sponsored activities. Under MCL 380.1309 a teacher is authorized to immediately remove and suspend a student from a class, subject, or activity when the student engages in conduct prohibited by law, Board of Education Policy, or the school district's Student Code of Conduct. Any student suspended pursuant to the Teacher Initiated Suspension Law shall not be allowed to return to the class, subject or activity from which he/she was suspended until the passage of one full school day from the time of the student's infraction unless otherwise permitted by the teacher who ordered the suspension and the building principal. Students attending separate class periods throughout the school day shall be permitted during the term of suspension to attend other classes taught by other teachers only when the student's conduct does not rise to the level of requiring a multiple day suspension or expulsion in accordance with Board of Education Policy and the school district's Student Code of Conduct.
- 1.101 **PROCEDURE.** Alleged violations of Section 1 of this code shall be heard and dealt with by the school principal or his/her designee. Parents will be notified.

## **Section 2**

- 2.1 **BATTERY/FIGHTING.** Battery/Fighting is the offensive touching of another.
- 2.2 **EXTORTION, BLACKMAIL OR COERCION.** Extortion, blackmail or coercion is obtaining money or property by threat of violence or forcing another to act against his/her will by threat of violence.
- 2.3 **LARCENY.** Larceny is taking property without knowledge or permission of the owner, which has a value under \$100.
- 2.4 **POSSESSION OF STOLEN PROPERTY.** Knowing possession of stolen property is the unauthorized holding of definable property belonging to another.
- 2.5 **PROPERTY DAMAGE.** Property damage is infliction of damage to property, which has a value under \$50. Students will be charged for damage.
- 2.6 **TRESPASS.** Trespassing is being present in an unauthorized place or refusing to leave when ordered to do so.
- 2.7 **USE OR POSSESSION OF ALCOHOLIC BEVERAGES.**
- 2.8 **ASSAULT/THREAT.** Assault/Threat is the act of threatening another individual with physical harm.
- 2.9 **GANG ACTIVITY.** Gangs, or groups, which initiate, advocate or promote activities which threaten the safety or well-being of persons or which are disruptive to the school environment are not tolerated. Incidents involving initiations, hazing, intimidations or related activities which are likely to cause harm or personal degradation are prohibited. Student wearing, carrying or displaying gang paraphernalia or exhibiting behaviors or gestures which symbolize gang membership or causing and/or participating in activities which are designed to intimidate another student will be disciplined.
- 2.10 **PENALTIES.** For any violation in Section 2, the student shall be suspended for not less than five nor greater than 10 school days unless this is a repeated offense in which case Section 3.5 will apply. In any case, however, there must be a conference between the principal or his/her designee and the student's parents or guardians before the student will be allowed to return to the building. If the violation is of 2.2, 2.3 or 2.5, provision should be made for restitution. A violation of Section 2, which results in a suspension, includes suspension from any or all attendance or participation in school or school district sponsored activities. For any of the above offenses, a police report may be filed with appropriate legal action taken.
- 2.101 **PROCEDURE.** Alleged violations of Section 2 of this code should be heard and dealt with by the building principal or designee. The superintendent may be the designee, at the discretion of the building principal.
- 2.102 **IMMEDIATE SUSPENSION.** The principal or his/her designee may immediately suspend the student pending an ultimate determination by the superintendent or his/her designee.



### **Section 3**

- 3.1 **MAJOR BATTERY.** Major Battery is the physical attack or intentional infliction of harm on another requiring medical attention. A police report will be filed and result in the issuance of a Disorderly Person Ticket.
- 3.2 **MAJOR LARCENY.** Major Larceny is the taking of property of value in excess of \$100 without the knowledge or permission of the owner.
- 3.3 **MAJOR ASSAULT.** Major Assault is the communicated act to inflict physical or other harm on another individual with present intent and ability to act on the threat.
- 3.4 **MALICIOUS MISCHIEF.** Malicious Mischief is intentional infliction of damage in excess of \$50 to property.
- 3.5 **REPEATING OFFENSES.** A repeating of offenses is the repetition of any violation of Section 1 or 2 or the commission of two or more acts forbidden by Section 1 or 2.
- 3.6 **ROBBERY.** Robbery is the taking of money or goods from another person, or, in his/her presence against his/her will, by force or violence.
- 3.7 **SALE, USE OR POSSESSION OF ILLEGAL DRUGS, CONTROLLED SUBSTANCES, DRUG PARAPHERNALIA OR OTHER SUBSTANCES PORTRAYED AS ILLEGAL DRUGS INCLUDING VAPE PENS, E-CIGARETTES OR ANY ELECTRONIC SMOKING DEVICES.** Sale, use or possession of illegal drugs, controlled substances, drug paraphernalia or otherwise legal substances misrepresented to be illegal drugs. In compliance with state law, a police report will be filed resulting in a fine in addition to suspension time. All illegal drugs, controlled substances, vape pens or any electronic smoking devices will be confiscated.
- 3.8 **TURNING IN A FALSE FIRE ALARM.**
- 3.9 **UNLAWFUL INTERFERENCE WITH SCHOOL AUTHORITIES.** Unlawful interference with school authorities is the unreasonable interference with teachers or administrators in the conduct of their affairs.
- 3.10 **USE OR POSSESSION OF DANGEROUS OBJECTS.** Use or possession of dangerous objects (or perceived as dangerous) is use, possession or threat to use any explosive device (including firecrackers, etc.), smoke bombs, or any instrument capable of inflicting bodily injury. All dangerous objects will be confiscated. For students in grades 6-8, possession of a dangerous object without intent can be considered a section 2 offense.
- 3.11 **PENALTIES.** Any violations of Section 3 shall result in from 10 days suspension from school to recommendation for expulsion. Any actions endangering the safety of students and staff may result in recommendation for expulsion. There must be a conference between the principal or designee and the student's parents or guardians before the student will be allowed to return to the building. If the violation is of 3.2, 3.3 or 3.5, provision should be made for restitution. A

violation of Section 3 shall be grounds for suspension from any or all attendance or participation in school or district sponsored activities. For any of the above offenses a police report may be filed with appropriate legal action taken.

- 3.101 **PROCEDURE.** Alleged violations of Section 3 of this code should be heard and dealt with by the principal or his/her designee. If the parents, guardians, or students so desire, a review of the decision may be heard by the superintendent.

## **Section 4**

With the exception of possession of a firearm, consideration of the factors in section I. 8, will be made before disciplinary action occurs

- 4.1 **MAKING A BOMB THREAT.** MCL 380.1311a
- 4.2 **PHYSICAL ASSAULTS COMMITTED AGAINST SCHOOL PERSONNEL.** “Physical Assault” means intentionally causing or attempting to cause physical harm to another through force or violence. MCL 380.1311a
- 4.3 **PHYSICAL ASSAULTS COMMITTED BY A STUDENT AGAINST OTHER STUDENTS.** “Physical Assault” means intentionally causing or attempting to cause physical harm to another through force of violence. MCL 380.1310
- 4.4 **ASSAULTS COMMITTED AGAINST SCHOOL PERSONNEL.** “Assault” shall be defined as any willful threat to inflict injury upon another person, under such circumstances, which create a reasonable fear of imminent injury, coupled with an apparent ability to inflict injury. MCL 380.1311a
- 4.5 **POSSESSION OF DANGEROUS WEAPONS, ARSON OR CRIMINAL SEXUAL CONDUCT.**  
Students who possess dangerous weapons in a school building, or on school grounds, or who commit arson or criminal sexual conduct in a school building or on school grounds.
- 4.6 **SUSPENSION OR EXPULSION BY THE BOARD OF EDUCATION FOR OFFENSES OTHER THAN POSSESSION OF DANGEROUS WEAPONS, ARSON, OR RAPE.** Upon the recommendation of the superintendent and following such procedures as the board may designate, the board may suspend or expel a student or students from school who are guilty of gross misdemeanor or persistent disobedience, including but not limited to the repetition of any violation of any section of this code, when in the judgment of the board it is in the best interest of the district. Further, the commission of or participation in the above offenses is prohibited whenever such conduct has an adverse effect on the discipline or general welfare of the students. Certain of the above-enumerated offenses are among those defined as “criminal” under the laws of State of Michigan. Disciplinary action will be taken by the school regardless of whether or not criminal charges result.

#### 4.7 **PENALTIES.**

1. **BOMB THREAT.** If a pupil enrolled in grade 6 or above makes a bomb threat or similar threat directed at a school building, other school property, or a school-related event, then the school board, or the designee of the school board as described in MCL 380.1311a(2) on behalf of the school board, may expel the pupil from the school district for up to 180 school days.
2. **PHYSICAL ASSAULTS COMMITTED BY STUDENTS AGAINST OTHER STUDENTS.** The board may expel a student in grade 6 or above for up to 180 days if the student commits a physical assault, as defined by MCL 380.1310(3)(B), against another student on school property, on a school bus or other school related vehicle, or at a school-sponsored activity or event.
3. **PHYSICAL ASSAULTS COMMITTED BY STUDENTS AGAINST SCHOOL PERSONNEL.** The board may permanently expel, (subject to reinstatement after a minimum of 180 days), a student in grade 6 or above if the student commits a physical assault, as defined by MCL 380.1311a(12)(B), against a district employee or against a person engaged as a volunteer or contractor for the district on school property, on a school bus or other school related vehicle, or at a school-sponsored activity or event.
4. **VERBAL ASSAULTS COMMITTED BY STUDENTS AGAINST SCHOOL PERSONNEL.** Any student in grade 6 or above who commits a verbal assault against a district employee or against a person engaged as a volunteer or contractor for the district on school property, on a school bus or other school related vehicle, or at a school-sponsored activity may be expelled by the board for up to 180 days. MCL 380.1311a(2)
5. **POSSESSION OF DANGEROUS WEAPONS, ARSON OR CRIMINAL SEXUAL CONDUCT**  
The Board may expel a student for up to 180 days if the student possesses a dangerous weapon, commits arson or criminal sexual conduct. If a student possesses a firearm they will be expelled for 180 school days.

### **Section 5**

- 5.1 **MISCONDUCT IN ANOTHER SCHOOL SYSTEM.** A student who has been established through a due process hearing to have been engaged in misconduct resulting in expulsion or long-term suspension in another school system or who is alleged by school authorities to have engaged in misconduct in another school system, public or private, but who has withdrawn from such school system prior to same being established in a due process hearing, which misconduct, if true, is of sufficient gravity to represent a threat to the safety or welfare of the students in the district, may be subject to suspension or expulsion from the district where such misconduct has been established in a hearing before the superintendent or his/her designee. Such student shall be

permitted to enroll but shall be held on suspension pending the hearing before the superintendent or his/her designee. If the same cannot be scheduled within 10 school days following the commencement of such suspension, an intermediate hearing shall be offered before the building principal where the student intends to enroll.

- 5.2 **OFF CAMPUS MISCONDUCT.** Students in attendance at school-sponsored, off-campus events are subject to the direction and authority of school district personnel and are governed by all applicable rules and regulations of L'Anse Creuse Public Schools. A student's off-campus actions which cause or are likely to cause, a material and substantial negative effect on the general safety and welfare of students and staff, or the good order and functioning of the school(s) may result in disciplinary action whether or not a part of a school-sponsored activity. Violators will be punished as prescribed by the appropriate section of this code.
- 5.3 **SCHOOL SPONSORED OFF CAMPUS EVENT.** Students at school-sponsored events shall be governed by school district rules, regulations, this code of conduct and are subject to the authority of school district officials. Violators will be punished as prescribed by the appropriate section of this code.
- 5.4 **UNAUTHORIZED AND/OR INAPPROPRIATE USE OF TECHNOLOGY.** (i.e., school computer programs, Internet, fax machines, phones, E-mail, etc.). Any violation of the uses of technology shall result in suspension from school up to a recommendation for expulsion. Suspension days or a recommendation for expulsion will be guided by other appropriate sections of the Student Code of Conduct.
- 5.6 **TECHNOLOGY MISCONDUCT.** A student shall not engage in behavior violating non-technology sections of the Code of Conduct through the use of technology. For example, a student shall not harass another student via texting or social networks either on or off campus. A student shall not cheat by using cell phone cameras or other technology. A student shall not make a threat via a social network, texting, or other technological means. A student shall not disrupt the academic environment through the use of technology. Any violation within the Code of Conduct that occurs without technology is included in this section through the use of technology. Off campus violations using technology that impact the educational environment are included in this section. Days of suspension will be commensurate with the violation of a similar offense found in a non-technology section.

## **STUDENT PUBLICATIONS AND EXPRESSIONS OF OPINION**

1. Students are entitled to express in writing their personal opinions. The distribution of such material may not interfere with or disrupt the educational process. Such written expressions must be signed by the authors.
2. Students who edit, publish, or distribute handwritten, printed, or duplicated matter among their fellow students within the schools must assume responsibility for the content of such publications.

3. Libel, obscenity and personal attacks are prohibited in all publications.
4. Unauthorized commercial solicitation will not be allowed on school property at any time. An exception to this rule will be the sale of non-school sponsored student newspapers published by students of the school district at times and places as designated by the school authorities.
6. Students are entitled to verbally express their personal opinions. Such verbal opinions shall not interfere with the freedom of others to express themselves. The use of obscenities or personal attacks is prohibited.
7. All student meetings in school buildings or on school grounds may function only as a part of the formal educational process or as authorized by the principal.
8. Students have the freedom to assemble peacefully. There is an appropriate time and place for the expression of opinions and beliefs. Conducting demonstrations which interfere with the operation of the school or classroom are inappropriate and prohibited.

**PENALTIES.** For any violation under Student Publications and Expressions of Opinion, the minimum penalty shall be suspension for one day. The maximum penalty shall be suspension from school up to 10 days. There must be a conference between the principal or designee and the student's parents or guardians before the student will be allowed to return to the building. A violation of Student Publications and Expressions of Opinion shall be grounds for suspension from any or all attendance or participation in school or school district sponsored activities.

Adopted by the L'Anse Creuse Public Schools Board of Education June 9, 1998.

*Revised: August 2017*