

NOTICE OF NON-DISCRIMINATION

“It is the policy of Farmington Public Schools that no person shall be discriminated against based on race, color, religion, national origin or ancestry, sexual orientation, gender, age, disability, height, weight, or marital status in any of its programs, services, activities or employment.”

Complaint procedure for

Title VI of the Civil Rights Act of 1964

Title IX of the Education Amendment Act of 1972

Section 504 of the Rehabilitation Act of 1973

If any person believes that the district, or any part of the school organization, has inadequately applied the principles and/or regulations of (1) Title VI of the Civil Rights Act of 1964, (2) Title IX of the Education Amendment Act of 1972, (3) Section 504 of the Rehabilitation Act of 1973, he/she may bring forward a complaint to the following:

Assistant Superintendent

Human Resources & Legal Services

32500 Shiawassee, Farmington, Michigan 48336-2338

248-489-3356

PREAMBLE

Farmington Public Schools (FPS) is dedicated to creating and maintaining a positive learning environment for all students. *The school community must assume a responsible role for promoting behavior that enhances academic and social success. Respectful and responsible behavior fosters a positive climate for the learning community.

Schools must be free of disruptions that interfere with teaching and learning at school and during school-related activities and events. Therefore, school officials have the authority to regulate student conduct at school, during school related activities, including on school transportation vehicles, and where the conduct creates a substantial risk of disruption to the educational process or to an orderly school environment.

Discipline procedures are necessary in order to protect the rights of each member of the school community. Therefore, effective student discipline can only be achieved through cooperation and a shared commitment among the school community.

Thus, the Farmington Public Schools Student Code of Conduct has been designed to set forth student responsibilities. Upon a violation of the Student Code of Conduct, appropriate action is taken. When determining the appropriate action, school officials may use intervention strategies and/or disciplinary actions dependent upon the severity or repetition of the misconduct; age or grade level of the student; circumstances surrounding the misconduct; the degree upon which the health and safety of students and the learning environment has been disrupted and any other relevant factors.

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

***The school community includes students, parents/guardians, administrators and all staff.**

STUDENT RESPONSIBILITIES

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

Expectations of student conduct should be kept within the bounds of reasonable behavior expected of all members of the school community. Students should have the freedom and encouragement to express their individuality in school, as long as their conduct does not intrude upon the freedom of others. This applies especially to the freedom of fellow students to receive instruction. There must be a balance between individual freedom and the orderly operation of a school building.

All students should recognize the consequences of their language, manners and actions toward each other and school staff. Students need to understand that they benefit from an orderly school operation and, as members of the school community, acknowledge their responsibility to promote a good learning environment. If a student feels unsafe or is threatened, the student or the student's parent/guardian should contact the building administrator.

ATTENDANCE PHILOSOPHY

The purpose of the Farmington Public Schools is to help students become academically and socially prepared to begin their adult lives. Regular school

attendance is basic to the success students attain from their school programs. For each student, daily teaching, classroom interactions, discussions, lectures, clarifications, explanations, audio-visuals, etc., cannot be duplicated and, therefore, constitute valid and crucial parts of course work.

An important part of the student's preparation for adult life is to develop a positive attitude toward attendance through a responsible attendance pattern in school. The underlying premise of this regulation is that all absences result in the loss of valuable instructional time; thus, this regulation includes excused and unexcused absences. In most employment situations, employers discriminate between excused and unexcused absences, with unexcused absences being handled with greater severity. All employers require timely notification regarding employee absences. Another premise of this regulation is our belief that the vast majority of parents/guardians exercise good judgment when making decisions about school attendance. Consistent with this belief, parents/guardians providing timely notification will result in absences being excused.

Michigan school laws are very strict in regard to the compulsory attendance of children 6-15 years of age, and hold parents/guardians responsible for

their child/children's regular attendance in a manner, which is "continuous and consecutive for the school year." (MCL 380.1561). If attempts by the administration to improve a student's attendance fail, it may be necessary to petition the juvenile court or other public agencies for assistance. The prosecuting attorney has the option of filing criminal charges against parents/guardians, filing delinquency charges against the student in family court, filing educational neglect charges against parents/guardians in family court, or any combination of these alternatives.

Therefore, the major responsibility for acceptable attendance lies with the student and parents/guardians. Teachers, counselors, and administrators have the responsibility to assist the student and work with parents/guardians in meeting the goal of acceptable attendance.

Students are expected to be in school and on time to each class every day. Students must attend all scheduled classes unless prior arrangements have been made. Students should be fully aware that interactions in the classroom constitute a valid and critical part of the course work; they cannot be duplicated. Students should be attentive and prepared with proper materials in order to be actively involved during class time.

Parents/guardians must notify the school of any absences within 24 hours of the student's absence. Parents/guardians must notify the school of the reason for the absence. A sample list of excused and exempt absence reasons is included in the "Attendance Policy and Procedures" section in this document. Every effort should be made to schedule routine appointments after school hours. Family vacations should be planned during holidays as outlined in the school calendar. Parents/guardians should discuss the importance of good attendance with their student to avoid loss of credit due to violations of the Farmington Public Schools attendance policy.

Teachers are expected to maintain accurate daily attendance/tardy records and to report them when they have concerns.

Counselors are to help students recognize possible consequences of poor attendance and to counsel students in making good decisions. Counselors are expected to communicate with teachers and parents/guardians and work closely with administrators and other support personnel to provide early intervention.

Administrators are to coordinate the efforts of students, teachers, parents/guardians and counselors when a student's absences are adversely affecting school success. Administrators will make reasonable attempts to notify parents/guardians of unexcused absences within 24 hours by phone. Teachers and administrators are to enforce whatever steps and procedures are necessary to improve the student's attendance and follow the guidelines of this policy and the rights and responsibilities within the Student Code of Conduct.

To excuse an absence parents/guardians must call the attendance office within 24 hours of the student's absence. There are no exceptions to this rule. The school phone/attendance office phone records messages 24 hours per day, 7 days a week.

ATTENDANCE POLICY AND PROCEDURES

ELEMENTARY SCHOOL, MIDDLE SCHOOL AND HIGH SCHOOL

The foundation for educational success is based on good attendance. Good attendance is crucial in the learning process.

EXCUSED ABSENCES

To excuse an absence parents/guardians must call the attendance office within 24 hours of the student's absence. There are no exceptions to this rule. The school phone/attendance office phone records messages 24 hours per day, 7 days a week.

An absence will be considered an "excused absence" if a parent/guardian contacts the school, within 24 hours of the absence, and provides a reason for the absence. The absence, as well as the reason for the absence, will then be documented in our attendance system. Excused absences may include, but are not limited to, the following:

- Personal injury or illness
- Family emergency

- Medical/dental/legal appointment
- Funeral
- Verifiable chronic illness - Statement signed by physician
- Pre-arranged absences with proper notification
- A short term family trip or vacation with prior notification of the absence being provided to the school administrator.

Please note that long-term absenteeism may lead to the failure of a course, the necessity to repeat a course, the possibility of retention, and/or the filing of a truancy petition with Oakland County.

EXEMPT ABSENCES

Exempt absences are absences which are not considered when counting excessive absences.

- School activities
- Legally documented court subpoena
- Suspension from school
- Religious holidays

- Medically verified long-term or chronic illness

UNEXCUSED ABSENCES

Unexcused absences are defined as an absence for any other reason other than those listed excused or exempt. They include but are not limited to:

- Skipping school (truancy)
- Leaving the school or a designated area within the school without permission
 - A student may not leave a designated or assigned area without permission from the teacher.
 - A student may not leave school without permission from parent/guardian.
 - A student must sign out and receive permission to leave school.
 - A student who leaves school and whose parent/guardian calls in after-the-fact will be marked unexcused for those class periods.

If a student fails to attend class(es), and a parent/guardian has not called the office within 24 hours of the student's return, the absence(s) will be recorded as unexcused.

Administrators or school personnel will make reasonable attempts to notify a parent/guardian of unexcused absences, by phone, within 24 hours.

PARTICIPATION IN EXTRACURRICULAR ACTIVITIES WHEN ABSENT

Secondary Grades (Grade 6 – 12):

Secondary students are not permitted to participate in any athletic events, extracurricular activities, evening programs or any other school events unless they were present for at least 50% of the school day. This includes participation as a spectator at events. Exempt absences do not apply to this policy with the exception of suspensions or expulsions. For other types of

absences, a student's ability to participate may be appealed to the building administrator, before the event begins, for possible approval.

TARDINESS

A student is tardy if he/she is not in the classroom at the designated time the class period or school day is scheduled to begin. Cooperation by parents/guardians is necessary to minimize student tardiness. Oversleeping and or missing the bus are not valid reasons to be tardy to school. All students must report directly to the office/attendance office when arriving late. At the secondary level, if a student arrives to class fifteen (15) minutes late, the teacher will record an unexcused absence for the student, unless the tardy has been excused. *Additionally, any student who is tardy to school, or to any class during the school day, may be required to attend a detention based upon the policy of the classroom teacher or the policy of the school.*

At the elementary level, if a student arrives to class thirty (30) minutes late, the tardiness will be recorded as an unexcused absence for the student, unless the tardy has been excused.

Please note that excessive tardiness can lead to the failure of a course, the necessity to repeat a course, the possibility of retention, and/or the filing of a truancy petition with Oakland County.

TRUANCY

To be meaningful and effective, quality education requires continuity of instruction and regular contact among students. Lack of school attendance disrupts the continuity of instruction and may also signal that a student may be experiencing difficulties at home and/or at school. The Oakland County Prosecutor, Oakland County school districts and Oakland Schools have joined in partnership to address truancy issues through an early intervention Oakland County Truancy Program. This collaborative effort will ultimately help students who are not regularly attending school.

CONSEQUENCES OF EXCESSIVE ABSENCES INCLUDING UNEXCUSED/EXCUSED ABSENCES

Excessive absences, whether excused or unexcused, is a level II violation of the Student Code of Conduct and will result in a school response. This

would include full day or partial day absences. First, whenever absenteeism becomes excessive, it is the expectation that the parent/guardian will provide medical documentation to the school to document the medical rationale to support the absenteeism. In addition to the consequences listed as “School Responses to Student Code of Conduct Violations”, excessive absenteeism can also lead to the failure of a course, the necessity to repeat a course, the possibility of retention, and/or the filing of a truancy petition with Oakland County. School responses include, but are not limited to: parent/guardian contact, conference, attendance/behavioral contract, Saturday school/detention, Youth Assistance referral, Oakland County Health referral, Oakland County Truancy Program referral, support services, loss of parking privileges at the secondary level, and eventually court intervention. Written communication, notifying parents/guardians of an increase in absences, will be made beginning when a student accrues a number of absences in excess of 12% of the scheduled school days and/or a total of 10 absences. Ultimately, if excessive absences continue, despite multiple interventions, educational neglect or truancy charges may be filed through the Oakland County Truancy Program or as a petition to the court.

NOTICE TO FAMILY OF EXCESSIVE ABSENCES

NOTE: If there is a history of truancy, initial communication to the home, as well as any of the following interventions, may ensue earlier.

- When an attendance concern arises that will likely lead to a truancy issue, an initial letter of concern will be sent home. This intervention will generally take place no later than when the student's absenteeism reaches 12% of the scheduled school days and/or reaches a total of 10 days of absenteeism.
- The second intervention will generally take place no later than when the student's absenteeism continues to be in excess of 12% of the scheduled school days and/or reaches a total of 15-20 days of absenteeism. If, after receiving the initial letter, the student continues the same pattern of poor attendance, a second letter will be sent home. If truancy and/or educational neglect are suspected, the student may now be placed on an attendance contract. Additionally, a building team committee meeting should also be convened to discuss further support service interventions which may include: assistance from school social worker/psychologist, teacher consultant, counselor, and/or referrals to the Oakland County

Health Department, the Oakland County Truancy Program, Oakland County Social Services and/or Youth Assistance. Parent/guardian meeting shall ensue to discuss interventions.

- The third intervention will generally take place when the student's absenteeism continues to be in excess of 12% of the scheduled school days and/or reaches a total of 25 days of absenteeism. If, after receiving the first two communications from the school, the pattern of poor attendance still exists, a third written communication will be sent home. At this point, if multiple interventions have failed and no referral has been made to the Oakland County Truancy Program, the family will be notified that a court petition is being filed to address truancy/educational neglect.

MAKE-UP WORK

All students will be expected to make-up all work missed during the time he/she was absent from school with an excused/exempt absence. In general, a student has the same amount of time to do make-up work, as he/she was absent. It is the student's responsibility to take the initiative to arrange for

make-up work, tests and assignments. Class time should not be used for make-up work.

NOTIFICATION TO PARENTS/GUARDIANS

Reasonable attempts will be made to notify parents/guardians by telephone or mail within 24 hours after an unexcused absence to confer and remind them of possible consequences.

DISCIPLINE AND APPEAL

Disciplinary measures resulting from unexcused or excessive absences may be imposed by the administrator or his/her designee. These measures may be appealed by the student/parent/guardian or teacher to the building principal or his/her designee. Class detention due to excessive absences may be appealed to the building principal or his/her designee. A parent/guardian must initiate and attend any appeal. Attendance and tardy issues may also be administered as violations of the Student Code of Conduct.

VIOLATIONS OF THE STUDENT CODE OF CONDUCT

Student misconduct is classified within three levels of violations. The definitions of misconduct are not all-inclusive, but are representative and illustrative. A student, who commits an act of misconduct not listed herein, is nonetheless subject to disciplinary action.

School district staff may use intervention strategies such as teacher/student conferences, student contracts, student support service referrals and/or parent/guardian conferences for Student Code of Conduct violations. Staff will refer Level II and Level III violations directly to building administrators because of the more serious and/or unlawful nature of the misconduct. At the option of building administrators, a student accused of any violation of the Student Code of Conduct may be referred to a school counselor or school social worker in conjunction with, or in lieu of, other disciplinary procedures. However, if the misconduct is subject to mandatory discipline under Michigan law, the Board of Education's designated hearing officer will impose any mandatory sanctions.

Teachers or other appropriate staff may issue suspensions up to one day. Building administrators may issue short-term suspensions, not to exceed ten days. The district's designated hearing officer(s) may issue long-term suspensions or expulsions.

The Student Code of Conduct applies to the following student situations:

1. When students are traveling to or from school or a school related activity, including bus transportation.
2. When students are in or on property of the school district.
3. When students are in attendance at any school related activity, regardless of its location.
4. Regardless of date of incident or location and regardless of whether it occurred off campus, where the result of a student's conduct would create a substantial risk of disruption to the educational process or threaten the safety and welfare of students or staff.
5. When students are using school communication networks, internet, accounts or other services, or using personal communication networks on school property.

All school community members should become familiar with the Student Code of Conduct.

DISCIPLINE OF STUDENTS RECEIVING OR
OTHERWISE ELIGIBLE FOR SPECIAL EDUCATION OR
SECTION 504 ACCOMODATIONS

These guidelines do not diminish the due process rights of any student, including a student who has been determined to be eligible for Special Education programs and services or Section 504 accommodations under federal law.

SUSPENSIONS AND EXPULSIONS

SUSPENSIONS

A student who is suspended from school loses the rights and privileges of attending school and will not be allowed to practice, participate in, or attend any school event or activity, regardless of location, nor be on or near any Farmington Public Schools property during the suspension (including weekends and/or holidays).

SHORT-TERM SUSPENSION

A short-term suspension occurs when a student is suspended for one (1) to ten (10) school days. During a short-term suspension, the student's rights and privileges of attending school, including extracurricular events or activities, are suspended.

Except in extraordinary circumstances, alleged violations of the Student Code of Conduct are initially handled at the student's school. Staff will conduct an investigation of the allegation to ascertain whether or not a violation of the Student Code of Conduct has occurred and whether the violation also requires immediate notification to law enforcement. The building administrator in charge of the investigation shall provide the student with oral or written notice of the charges or allegations, and if denied by the student an explanation of the evidence. The student shall have an opportunity to present and explain his/her side of the story. If the building administrator determines that a violation of the Student Code of Conduct has occurred, the building administrator may impose discipline up through a short-term suspension. Also, if the incident appears to be a violation of law, police may be notified. A decision regarding a short term suspension is only

appealable to the building principal whose decision is final. Such appeal shall be conducted the next school day following its request and may be held over the telephone.

Students whose presence pose a continuing danger to persons or property, or who may disrupt the educational process, may be immediately removed from the school without prior notice, explanation, or opportunity to respond. In such cases, the above procedures shall be provided as soon as is practical.

LONG-TERM SUSPENSION

A long-term suspension occurs when a student is suspended for more than ten (10) school days. During a long-term suspension, the student's rights and privileges of attending school, including extracurricular activities, are suspended.

ONE-DAY SUSPENSION BY TEACHER

Pursuant to Section 1309 of the Michigan School Code, a teacher may suspend a student for one full day under certain terms and conditions.

EXPULSION

An expulsion is the termination of the student's rights and privileges to attend any school within the District, including extracurricular events or activities. An expulsion is permanent, unless otherwise specified by the Board of Education or its designated hearing officer(s).

MAINTAINING CLASS PROGRESS

A suspended student is allowed to maintain academic progress and may arrange to obtain schoolwork under terms and conditions set by the building administration. An expelled student is not allowed to maintain academic progress.

HEARINGS FOR LONG-TERM SUSPENSION OR EXPULSION

If a long-term suspension or expulsion is recommended by a building administrator who issued a short term suspension, the Board of Education, or its designated hearing officer, shall conduct an impartial hearing to confirm whether a student violated the Student Code of Conduct and determine whether to and impose any long-term suspension or expulsion. The student and parents/guardians shall be notified of the allegation, the potential disciplinary action, the time, date and location of the hearing and of their

right to attend and to participate in the hearing. The Board of Education, or its designated hearing officer, shall conduct the hearing. The student shall be advised of the alleged violation and be given an explanation of the evidence. The student and parents/guardians may be represented at the hearing by an attorney or other adult. Written or oral evidence may be presented at the hearing on behalf of the student. Following the hearing, the Board of Education, or its designated hearing officer, shall issue a decision, including a determination of disciplinary action.

APPEAL OF LONG-TERM SUSPENSION OR EXPULSION

A student aggrieved by a decision imposing a long-term suspension or expulsion may request to appeal such decision to the Board of Education. To request an appeal, the student, within five (5) days of receipt of the decision, must petition the Superintendent requesting the opportunity to appeal the decision of the Board's designated hearing officer. The petition shall be in writing and contain the reasons that the decision should be reviewed. The Superintendent shall consult with the President of the Board of Education or its designee before deciding the request. The Superintendent may then grant or deny the request for an appeal. If the appeal is denied, the Superintendent shall notify the student in writing. If it is granted, the

Superintendent shall notify the student in writing of the particular procedures to be used for the appeal. The decision of the Superintendent is final.

EXPULSIONS REQUIRED BY STATE LAW

The Michigan Legislature has mandated that students be expelled for particular offenses. School authorities have no discretion to reduce or modify the consequences for those offenses meeting the expulsion standard, as defined by State law. The State law also prohibits other Michigan public school districts from enrolling expelled students except under special circumstances.

Expulsion is required for at least 180 days for students in sixth grade or above, and at least 90 days for fifth grade or below, for the following offense:

- A. Possession of a dangerous weapon, defined as firearm, dagger, dirk, stiletto, knife with a blade over three inches in length, pocket-knife opened by a mechanical device, iron bar or brass knuckles.

Similar penalties apply to:

- B. Arson.
- C. Criminal sexual conduct.
- D. Physically assaulting a school employee, volunteer or contractor (sixth grade and above only).

For possession of dangerous weapons set forth in A., above, certain exceptions to mandatory expulsion exist. Pursuant to MCL §380.1311(2) mandatory expulsion is not required if:

- (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.

In the event a student is expelled for possession of a dangerous weapon in a weapon-free school zone (MCL750.237a), arson in a school building or on school grounds, or criminal sexual conduct in a school building or on school grounds, the Board of Education shall ensure that, within three (3) days after the expulsion, an official of the school district refers the individual to the appropriate County Department of the Family Independence Agency or County Community Mental Health Agency, and notifies the individual's parent or legal guardian or, if the individual is at least age 18 or is an emancipated minor, notifies the individual of the referral. (MCL 380.1311[4]).

Pursuant to MCL §380.1311(5), an expelled student may petition the Board of Education for reinstatement.

NOTIFICATION TO LAW ENFORCEMENT AGENCIES

Some Student Code of Conduct violations are also criminal law violations. Therefore, dual sanctions may be imposed if the misconduct at school violates the Student Code of Conduct and also State law.

To that end, the legislature has imposed upon school personnel a legal duty to notify law enforcement agencies of the occurrence of enumerated incidents which may jeopardize the health and safety of the educational environment.

Additionally, the Statewide School Safety Policy, within its "Index of Reportable Incidents," has identified the following types of incidents, occurring "at school or during school-related activities and events," including on a school bus, that must be immediately reported to a local law enforcement agency. The District's Crises Management Plan must be consulted for a more detailed description of a reportable incident. School officials shall endeavor to inform the student and parents or guardians if the alleged violation is reportable.

Armed Suspect or Hostage

Minor in Possession of
Alcoholic Liquor

Arson	Physical Assault (Fights)
Bomb Threat	Robbery or Extortion
Death or Homicide	Sexual Assault (Criminal Sexual Conduct)
Drive-By Shooting	Suicide Attempt
Drug Possession or Drug Sale or Possession of Tobacco Products	Suspected Armed Suspect Threat of Suicide
Explosion	Unauthorized Removal of a Student
Illegal Drug Use or Overdose	Vandalism or Destruction of Property
Intruders (Trespassing)	Weapons on School Property
Larceny	

A student will not gain illegal or unauthorized entry or attempt to gain access to another's files, computers, or computer systems. This includes but is not

limited to damage, vandalism or destruction of technology that compromises the integrity of the FPS Network. A student will also not take, disseminate, transfer, or share obscene, sexually suggestive, pornographic, lewd, nude or partially nude, or otherwise illegal images or photographs, whether by electronic data transfer or otherwise (commonly called texting, sexting, emailing, etc.). Any person taking, disseminating, transferring, or sharing the above described images or photographs may be reported to law enforcement and other appropriate State or Federal agencies, which may result in arrest, criminal prosecution and inclusion on sexual offender registries.

INTERVIEWS OF STUDENTS BY POLICE

The school district endeavors to cooperate with law enforcement agencies. Students may be interviewed in school by law enforcement officials. School officials will grant law enforcement interviews with a student after considering the:

- Type of incident
- Seriousness of the incident
- Age and maturity of the student
- Relationship of the incident to school and the educational process

- Whether time is of the essence

If a student is a suspect, when practical, school personnel will be present during the police interview. An attempt will be made to contact a parent/guardian prior to the interview of a student suspect. If the student is a victim or witness, a parent/guardian will be notified when the student is interviewed by police. If a witness or victim then becomes a suspect, an attempt will be made to contact a parent or guardian as stated above. If appropriate, school personnel will be present during the interview of a victim or witness.

In matters of urgent school or personal safety, police may require immediate access to students before parents have been notified. In these cases, parents will be contacted as soon as possible.

Note: If a student is a victim or a witness due to a child abuse/neglect case, and allegations exist that a parent/guardian is abusing the student or a sibling, the parent(s)/guardian(s) will NOT be contacted prior to law enforcement/DHS interviews. DHS and/or law enforcement will determine when the parent/guardian will be contacted. See Policy/Procedure: Child Protection 5155.

SERVICE OF SUBPOENA ON STUDENTS

Subpoenas may be served to students on school property only by law enforcement officers. Private process servers shall not be given access to students. School officials will assist law enforcement officers in serving subpoenas in a manner which does not disrupt the educational process nor invade the privacy of students. Parent/guardian notification will be made upon the service.

SEARCH AND SEIZURE

Various types of school property, including, but not limited to hall lockers, gymnasium lockers, storage bins, musical instrument lockers and computer terminals are assigned to students for their convenience of storage or educational usage. School property remains the property of the school district. School property is not to be construed as belonging to, or for the sole use of the student, even though the student assumes full responsibility for the security of such property. The school district maintains a master

passkey, which opens storage facilities as well as combination locks; the district's server maintains access to computer terminals.

To maintain order and discipline in the schools and to protect the safety and welfare of students and staffs, school authorities may conduct a search and may seize any illegal, unauthorized or contraband materials discovered. Therefore, students should not expect privacy regarding school property items used or items placed on school property because school property is subject to search at any time by school officials. School officials may conduct inspections or searches of lockers, desks, computer terminals, cars, etc., at any time without notice, without consent and without a search warrant.

Law enforcement officers may assist the school district during school initiated searches. Searches may include the use of dogs or mechanical devices for the discovery of contraband.

A student's person and/or personal effects (i.e., purse, book bag, backpack or athletic bag, computer, cell phone, and other electronic or digital devices) may be searched whenever a school official has reasonable suspicion to

believe that the student is in possession of illegal or unauthorized material, information, contraband, evidence of a crime or evidence of a violation of the Student Code of Conduct. A student may be disciplined for refusal to cooperate with a search and seizure as provided in this Student Code of Conduct.

CONTRABAND

Materials or items whose possession by students is prohibited by the Student Code of Conduct, by building policy or by law, or which is evidence of a crime or evidence of a violation of the Student Code of Conduct, is deemed contraband without the necessity of a hearing or other due process procedures. Contraband materials (including electronic devices) confiscated or obtained by school staff or delivered to school staff may be retained, turned over to parent/guardian, destroyed or turned over to law enforcement authorities, as determined by the building administrator or as required by law.

LEVELS OF VIOLATIONS

LEVEL I VIOLATIONS

A Level I violation is behavior that disrupts the educational environment or interferes with the teaching and learning process. For the most part, Level I violations disrupt or interfere with a student's own learning environment, attendance or punctuality. Depending upon severity or repetition, a Level I violation may be reclassified as a Level II or Level III violation.

Academic Misconduct

A student will not plagiarize, cheat, copy, allow others to copy, gain unauthorized access to, or tamper with educational materials or report to class without school furnished learning materials. Discipline under this section may result in academic sanctions in addition to other discipline.

Defacement of Property

A student will not willfully cause defacement of, or damage to, property of the school or others. Defacement includes, but is not limited to, writing in school textbooks or library books, or writing on desks or walls.

Disruptive Behavior

A student shall not engage in any type of physical or verbal action that causes interference with lessons, assemblies, field trips, athletic events, performing arts, or activity of the school district.

Inappropriate Displays of Affection

A student will not engage in inappropriate displays of affection, such as kissing or long embraces of a personal nature, or any activity that exceeds standards of good taste and common decency.

Inappropriate Dress and Grooming

A student will not dress or groom in a manner that disrupts the educational process or is detrimental to the health, safety or welfare of others. A student will not dress in a manner that is distracting or indecent, to the extent that it interferes with the learning and teaching process. This includes wearing apparel that displays messages which tend to condone or depict, in a positive sense, drugs, alcohol, sexual themes, vulgarity, violence or other subjects which are inconsistent with the district's policies or this Code.

Leaving Designated Area without Permission

A student will not leave the school building, classroom, cafeteria, assigned area, or campus without permission from authorized school personnel. Discipline under this section may result in academic sanctions in addition to other discipline.

Loitering

A student will not remain or linger on school property longer than 30 minutes following the end of the school day, 30 minutes following the end of a school related activity/event, or 30 minutes after concluding his/her participation in the school related activity/event.

Possession of Inappropriate Personal Property

A student will not possess personal property that is prohibited by school rules or that is disruptive to teaching and learning including, but not limited to, unauthorized toys, trading cards, personal entertainment devices, computer games, laser lights, aerosol cans, lighters, and pornographic or obscene material. Certain devices may be permitted for health or other reasons, if approved by administration.

Sexual Harassment (Level I)

A student will not use words, pictures, objects, gestures, or other actions relating to sexual activity or a person's gender that cause embarrassment or discomfort to others.

Tardiness

A student will not fail to be in his/her place of instruction at the assigned time without a valid excuse.

Teasing

A student will not disturb another person by pestering or tormenting, including any oral, written, or transmitted intimidation for any reason including a person's race, color, ability, physical condition, religion, gender or ethnicity.

Technology Abuse

Refusing to comply with staff instructions regarding the possession or use of technology devices or violating District Network Acceptable Use Terms and Conditions.

Undesirable Physical Contact

A student will not cause physical contact to be made with others that results in embarrassment, harm, disruption, annoyance, or discomfort.

Insubordination

A student will not ignore or refuse to comply with reasonable directions or instructions given by school personnel.

LEVEL II VIOLATIONS

A Level II violation is a behavior, which seriously disrupts the educational environment or seriously interferes with the teaching and learning process. For the most part, Level II violations disrupt or interfere with another person's right to an appropriate learning environment. In addition, depending upon severity or repetition, a Level II violation may be reclassified as a Level III violation.

Coercion

A student will not compel another to act or refrain from acting against his/her will.

Destruction of Property -Vandalism

A student will not intentionally or negligently cause destruction of property of the school or others. Actions that impair the use of something are destructive. Destruction of property includes, but is not limited to, defacing bulletin boards, intentionally clogging the plumbing system, breaking light bulbs or fixtures, carving into woodwork, desks or tables, writing on or spray painting surfaces or damaging school equipment to the point where repair or cleaning is necessary.

Failure to Serve Assigned Detention

A student will not fail to serve an assigned detention of which the student and/or parent/guardian have been notified.

False Identification

A student will not refuse to identify one's self, use another person's identification, use false identification or provide false identification to any school representative.

False Information

A student will not intentionally misrepresent information or lie to any school representative.

Fighting

Two or more students engaged in physical aggression towards each other with hitting, kicking, and/or striking involved.

Forgery

A student will not sign the name of another person for the purpose of fraud or misrepresentation.

Fraud

A student will not deceive another or cause another to be deceived by providing false or misleading information in order to obtain anything of value or a particular result.

Gambling

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

Gang Activity

A Student will not join, organize, support or participate in a gang or groups of students and/or adults who engage in activities that threaten the safety of the general populace, compromise the general community order, and/or interfere with the school district's educational mission.

Gang activity includes:

- a. Wearing or displaying any clothing, jewelry, colors or insignia that intentionally identifies the student as a member of a gang, or otherwise symbolizes support of a gang.

- b. Using any word, phrase, written symbol or gesture that intentionally identifies a student as a member of a gang, or otherwise symbolizes support of a gang.

- c. Gathering of two or more persons for purposes of engaging in activities or discussions promoting gangs.

- d. Recruiting student(s) for gangs.

Harassment

A student will not harass another person.

Harassment means any gesture or written, verbal or physical act that a reasonable person, under the circumstances, should know will have the effect of harming a student or damaging a victim's property, placing a student in reasonable fear of harm to the student's person, stalking a person, causing damage directly, or that has the effect of insulting or demeaning any person or group of persons in such a way as to disrupt or interfere with the school's educational mission or the education of any student. Harassment includes, but is not limited to, a gesture, written, verbal or physical act, offensive or hostile in nature, that is reasonably perceived as being motivated by a victim's religion, race, color, national origin, age, sex, sexual orientation, disability, height, weight, socioeconomic status, or because of any other distinguishing characteristics.

Hazing

A student will not intentionally create peer pressure on another person or induct a person into membership in a group by exacting unnecessary or disagreeable acts from the person, by harassing or by use of abusive or humiliating tricks.

Inappropriate Use of a Motor Vehicle

A student will not drive in an unsafe manner, fail to properly register his/her vehicle, or park in an unauthorized area.

Instigation

A student will not directly or indirectly instigate, to include, but not limited to, incite, persuade or aid and abet conduct constituting a violation of this Student Code of Conduct.

Intimidation

A student will not make any gesture or physical action nor engage in any communication that causes another to feel fright, panic, or a reasonable fear of harm.

Persistent Misbehavior

Accumulating numerous Level I violations.

Physical Aggression

A student engages in any physical contact, with another person, with the intent of causing physical pain or injury.

Profanity and/or Obscenity

A student will not orally, in writing, electronically or with photographs or drawings, use profanity or insulting, offensive, vulgar, or obscene language or gestures.

Sexual Harassment (Level II)

A student will not make unwelcome sexual advances, request sexual favors or engage in verbal or nonverbal communication of a sexual nature with or toward any other student, school district personnel or adult volunteers.

Theft, Possession or Transfer of Property of Others

A student will not, without permission of the owner or custodian of the property, take property or have in his/her possession property which does not belong to the student.

Threat (Level II)

A student will not threaten another with bodily harm.

Trespassing

A student will not enter upon the premises of the school district, other than the location to which the student is assigned, without authorization from proper school authorities. If removed, suspended or expelled from school, a student is not allowed to be on or near any Farmington Public Schools' grounds, nor to participate in or be present at any Farmington Public Schools event or activity.

Truancy

A student will not fail to report to the school's assigned class or activity, be chronically absent from school or violate an attendance contract. Discipline

under this section may result in academic sanctions in addition to other discipline.

Use or Possession of Tobacco Products

A student will not smoke, use tobacco, or possess any substance, product or object containing or relating to tobacco use in any area under the control of the school district, including all activities or events supervised by the school district.

LEVEL III VIOLATIONS

A Level III violation is behavior of an aggravated nature, generally unlawful, which seriously disrupts or interferes with teaching, learning or the effective functioning of the school.

Abuse of Technology

A student will not gain illegal or unauthorized entry or attempt to gain access to another's files, computers, or computer systems. This includes but is not limited to damage, vandalism or destruction of technology that compromises the integrity of the FPS Network. A student will also not take, disseminate,

transfer, or share obscene, sexually suggestive, pornographic, lewd, nude or partially nude, or otherwise illegal images or photographs, whether by electronic data transfer or otherwise (commonly called texting, sexting, emailing, etc.). Any person taking, disseminating, transferring, or sharing the above described images or photographs may be reported to law enforcement and other appropriate State or Federal agencies, which may result in arrest, criminal prosecution and inclusion on sexual offender registries.

Arson (Starting a Fire)

A student will not intentionally, by means of starting a fire, cause harm to any property or person, or participate in the burning of any property or person. A student is subject to mandatory expulsion for arson.

“Arson” means a felony violation as set forth in Chapter X of the Michigan Penal Code.

(MCL 750.71 to MCL 750.80)

Breaking and Entering

A student will not break and enter any school building, facility, vehicle, property, office, room, storage space or other enclosure.

Bullying and Cyberbullying

A student will not bully or cyberbully another or by any means demonstrate a pattern of behavior aimed at another person including but not limited to taunting, teasing, sexual harassment, physical aggression, intimidation, harassment, fraud, hazing, instigation, profanity and/or obscenity, threat, coercion or extortion. As set forth by Board Policy 5131.3, bullying and cyberbullying means:

Any written, verbal or physical act, or any electronic communication, that is intended or that a reasonable person would know is likely to harm one or more District students, either directly or indirectly, by doing any of the following: (i) substantially interfering with educational opportunities, benefits or programs; (ii) adversely affecting a student's ability to participate in or benefit from educational programs or activities by placing a student in reasonable fear of physical harm or by causing substantial emotional distress; (iii) having an actual and substantial detrimental effect on a student's physical or mental health; or, (iv) causing substantial disruption in, or substantial interference with, the orderly operation of the school.

“Cyberbullying” is defined as the use of the internet, telephone, cell phone or other electronic devices to engage in “bullying.”

Dangerous Instruments

A student will not conceal, possess, handle, transmit, or use a dangerous instrument capable of harming another person. “Dangerous instruments” means any devices intended to cause injury or bodily harm, any devices used in a threatening manner that could cause injury or bodily harm, or any devices that are primarily used for self-protection. Dangerous instruments include, but are not limited to, chemical mace, pepper gas or like substances, stun guns, razors or box cutters.

Disorderly Conduct

A student will not behave in a grossly inappropriate or violent manner, to include but not limited to, temper outbursts, verbal altercations or inciting the unruly assembly of persons.

Extortion

A student will not make another person do any act against his or her will by threat, force, or threat of force, expressed or implied.

False Fire Alarm or Bomb Report; Tampering with Fire Alarm System

Unless an emergency exists, a student will not intentionally sound a fire alarm or cause a fire alarm to be sounded, nor will a student falsely communicate or cause to be communicated that a bomb is located in a building or on school property, or at a school-related event. These acts are prohibited, irrespective of the whereabouts of the student. A student will not destroy, damage, or otherwise tamper with a fire alarm system in a school building.

If a student enrolled in grade 6 or above makes a bomb threat or similar threat directed at a school building, other school property, or a school-related event, then the Board of Education or its designate hearing officer shall suspend or expel the student from the school district for a period of time as determined by the discretion of the Board of Education or its designated hearing officer. (MCL 380.1311a[2])

False Reports

A student will not falsely report a crime to school, police or fire officials or falsely call a 911 emergency.

Felonious Assault

A student will not use a weapon or other device to threaten another person with bodily injury and/or to cause harm.

Felony

A student will not commit a criminal act at school or at a school event that results in being convicted of a felony. A student charged with committing a felony off campus may be subject to suspension if their continued attendance at school would create a substantial risk of disruption to the educational process or threaten the safety or welfare of students or staff. If the felony charge is dismissed or reduced to a misdemeanor or the student is found not guilty of the charge, any period of suspension imposed under this provision shall be recorded as non-disciplinary.

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Fireworks/Explosives

A student will not possess, handle, transmit, conceal, or use any fireworks or explosives.

Improper, Negligent, or Reckless Operation of a Motor Vehicle

A student will not intentionally or recklessly operate or make use of a motor vehicle so as to endanger the safety, health or welfare of self or others on school property.

Intent to Distribute Alcohol/Drugs without Possession

A student will not by any means make a plan or organize a situation in which a student plans to sell, give away or otherwise transfer to another person any regulated or unregulated controlled substances or prescription medication including, but not limited to, alcoholic beverages, marijuana, intoxicants, drugs, imitation controlled substances or malt beverages labeled as nonalcoholic.

Interference with School Authorities

A student will not interfere with administrators, teachers or other school personnel by threat of force or violence.

Misuse of Legitimately Prescribed or Over-the-Counter Medication

A student will not use any prescription or over-the-counter medication in a manner other than is indicated on the packaging. This includes consuming in a fashion other than the method indicated for recommended use or consuming quantities greater than the expected/regulated amount.

Persistent Misbehavior

Accumulating Level I or Level II violations or reclassification of a serious Level I or Level II violation.

Physical Assault

A student will not physically assault another person.

If a student enrolled in grade 6 or above commits a physical assault at school against another student, then the Board of Education or its designated hearing officer shall suspend or expel the student from the school district for up to 180 school days. (MCL 380.1310[1])

If a student enrolled in grade 6 or above commits a physical assault at school against a person employed by, or engaged as a volunteer or contractor by the Board of Education, then the Board of Education or its designated hearing officer shall expel the student from the school district permanently, subject to possible reinstatement under MCL 380.1311a(5).

“Physical assault” means intentionally causing or attempting to cause physical harm to another through force or violence. (MCL 380.1310[3][b] MCL 380.1311a[12][b])

Possession of Drug Paraphernalia

A student will not possess drug paraphernalia to include, but not limited to, bongs, pipes, rolling papers, rollers, grinders, etc.

Possession/Ownership, Use or Under the Influence of Alcohol/Drugs

A student will not possess, use or be under the influence of any regulated, unregulated or controlled substances not prescribed by a physician including, but not limited to, alcoholic beverages, marijuana, inhalants, medicines, intoxicants, drugs, imitation controlled substances or malt beverages labeled as nonalcoholic.

Possession with Intent to Distribute Alcohol/Drugs

A student will not sell, give away or otherwise transfer to another person any regulated, unregulated, controlled substances or prescription drugs including, but not limited to, alcoholic beverages, marijuana, intoxicants, drugs, imitation controlled substances or malt beverages labeled as nonalcoholic.

Profanity and/or Obscenity Toward Staff

A student will not verbally, in writing, electronically or with photographs or drawings, direct profanity or insulting, obscene gestures toward any school district staff members or adult volunteers.

Robbery

A student will not take, or attempt to take, from another person any property, by force or threat of force, expressed or implied.

Sexual Assault

A student will not engage in unwelcome physical conduct of a sexual nature with another person including non-consensual and intentional touching of another person's genital area, groin, thigh, buttock or breast. If a student

commits the crime of criminal sexual conduct in a school building, on school grounds or any other school property, or at any school sponsored event or activity, the Board of Education or its designated hearing officer shall expel the student from the school district, subject to possible reinstatement, pursuant to MCL 380.3111(5), (MCL 380.1311[2]).

Sexual Misconduct

A student will not engage in intimate sexual conduct with another person, inappropriate behavior or displays of a sexual nature including, but not limited to, displays of sexual parts or mimicking sexual acts.

Theft, Possession or Transfer of Property of Others - Value of more than \$200

A student will not, without permission of the owner or custodian of the property, take property or have in his/her possession property valued at more than \$200 that does not belong to the student.

Threat (Level III)

A student will not threaten any act of violence or disruption on school property or at school related events or activities.

Verbal Assault against an Employee

A student will not bully, harass, intimidate, threaten or coerce any school employee, contractor, or volunteer.

Weapons

A student will not conceal, possess, handle or transmit a weapon, or any instrument capable of causing injury or bodily harm to another person.

Weapons include but are not limited to, firearms, starter guns, BB guns and pellet guns, paintball guns, airsoft guns, any instrument propelling a dangerous projectile by spring, gas, air or explosive chemicals, knives, pocket knives, black jacks, martial arts devices, explosive devices including, but not limited to, bullets, bombs, grenades, poison gas or mine, projectile missiles and rockets.

“Dangerous Weapons”, pursuant to MCL 380.1313, are specifically defined as a firearm, dagger, dirk, stiletto, knife, with a blade over 3 inches

in length, pocketknife opened by a mechanical device, iron bar, or brass knuckles.

A **“Firearm”** as defined in Section 921, Title 18 of the United States Code (18 U.S.C. § 921) means:

- Any weapon, including a starter gun which will or is designed to, or may be readily converted to expel a projectile by action of an explosive
- The frame or receiver of any such weapon
- Any firearm muffler or firearm silencer
- Any destructive device

State law requires the Board of Education or its designated hearing officer to permanently expel from the school district a student who possesses a “dangerous weapon” in a “weapons-free school zone,” subject to possible reinstatement, pursuant to MCL 380.1311(5) (MCL 380.1311(2))

“Weapons-Free School Zone” means school property and a vehicle used by a school to transport students to or from school property. (MCL 750.237a)

Look Alike Weapons

A student will not conceal, possess, handle, transmit or use any replicas, antique firearms, toys or items made to look like a weapon or any other dangerous instrument.

Use of Legitimate Tools as Weapons

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

SCHOOL RESPONSE TO STUDENT CODE OF CONDUCT

VIOLATIONS

Any or all of the following intervention strategies or disciplinary actions may be used, subject to mandatory sanctions or notification to law enforcement as required by State law:

- Administrator and student conference or reprimand
- Administrator and teacher/parent/guardian conference
- Referrals and conferences involving various support staff or community resources
- Daily/weekly progress reports
- Written apology
- Behavioral contracts/plans
- Change in student's schedule
- School service assignment
- No contact directive
- Loss of bus transportation privileges
- Lunch/recess detention or reflection
- Confiscation of inappropriate item
- Restitution/restoration
- Before and/or after-school detention
- Denial of participation in class and/or school activities

- Saturday detention
- In-school suspension
- Out-of-school suspension (short-term) from one (1) school day up to and including ten (10) school days
- Denial of driving privileges to and from school
- Law enforcement agency notification
- Recommendation to the Board of Education or its designated hearing officer(s) for long-term suspension or expulsion
- Other strategies, as needed

Appeal procedures for Short Term Suspensions appear under SHORT-TERM SUSPENSION.

Appeal procedures for Long Term Suspension appear under APPEAL OF LONG TERM SUSPENSION OR EXPULSION.

APPENDIX

- A. Student Assistance Program
- B. Bus Transportation Behavior Guidelines and Consequences
- C. Bullying Policy

APPENDIX A

STUDENT ASSISTANCE PROGRAM

The Student Assistance Program (SAP) is a school/community based comprehensive prevention and intervention program designed to provide educational, early identification, referral and support services for children

and families. In addition, the SAP strategizes to encourage safe and drug-free learning environments where schools and communities are able to link more effectively as proactive alliances. The goal of the SAP is to facilitate collaborative connections between schools, families and the community to increase support services. Supplemental programs also addressed by the SAP include conflict resolution, peer mediation and crisis management.

In connection with the Student Code of Conduct, students may be referred to the SAP for intervention and support. Recommended interventions may include conflict resolution, peer mediation, anger management, alcohol, tobacco or other drug education programs or referral to outside community resources.

A student referred to the SAP, who successfully participates within an educationally designed intervention program, may be eligible for reduced or modified discipline.

APPENDIX B

BUS TRANSPORTATION BEHAVIOR GUIDELINES

1. The bus driver is in charge.
2. Students will be seated as directed by the driver and may be assigned a seat.
3. Students need to be seated quickly upon entering the bus.
4. Students are expected to sit three (3) in a seat, when required.
5. Students are to remain in their seat while the bus is moving. The switching of seats may only occur with the permission of the driver.
6. Only items able to be held in one's lap may be brought onto the bus.
7. Items not allowed in school are not allowed on the bus, including, but not limited to, skateboards and roller blades.
8. Bus aisles and emergency exits must be clear for access at all times.
9. Foul or inappropriate language is not allowed.
10. Yelling or loud voices are not permitted.
11. Horseplay or any other inappropriate physical contact is not permitted.
12. Eating or drinking on the bus is not permitted.
13. The bus must be free of litter; put all trash in trash cans on the bus.
14. Students may only enter or exit from or to their designated bus stops.

CONSEQUENCES:

1. Students violating any of the above guidelines may receive a verbal warning from the driver or a written conduct report. Conduct reports are given to the school office for potential disciplinary action pursuant to the Student Code of Conduct.

Students continuing to violate the bus transportation guidelines may lose bus transportation privileges.

APPENDIX C

BULLYING POLICY