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policy

BOARD OF EDUCATION
LAKE SHORE PUBLIC SCHOOLS

STUDENTS

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ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS

The Board of Education establishes the following policy for determining eligibility to attend the schools of this district:

- A. The Board will educate, tuition-free, students who are legal residents of the district. Proof of residency will be required for registration in the district. Legal residency means a student is residing with his/her parents, legal guardians, or a resident relative with Power of Attorney over the student. A student may attend school in this district tuition free if a parent or legal guardian is a legal resident of the district, regardless of whether the parent or legal guardian has actual custody of the student. Legal residency, when living with a relative, must be based on the need for a suitable home and not for educational purposes.
- B. Foreign students, participating in a bona fide foreign-exchange program and living with a resident host family, may be admitted with the approval of the Superintendent.
- C. The district shall provide a free education to those students who are considered by Federal law to be illegal aliens or considered to be homeless by State established criteria.
- D. Students whose parents or guardians do not reside within the district but who present evidence that they will move into the district within a short period of time may enroll in the schools of this district as tuition students for the time not in residence.
- E. Twelfth grade students who have begun their work toward graduation from the district's high school and whose parents no longer reside within the district may be permitted to complete their high school education at Lake Shore.
- F. A resident student, otherwise eligible to attend school in the district, may be denied admission if s/he has a record of behavior that the Superintendent believes would constitute a threat to the safety and/or well-being of staff and other students.
- G. Students whose parents or guardians move out of the district may, with the approval of the Superintendent, be permitted to complete their current semester. Students could remain for the rest of the school year provided their district grants a release.
- H. A student who is the child of a person who is employed by the district, including an adopted child or legal ward, subject to Administrative Guidelines as prepared by the Superintendent - attached.

ENTRANCE AGE

The Board of Education shall establish student entrance age requirements which are consistent with Michigan Law and sound educational practice and which ensure equitable treatment.

FOREIGN AND FOREIGN-EXCHANGE STUDENTS

The Board of Education recognizes the positive cultural benefits to the students, staff, and the community in meeting students from other countries and in having foreign students as members of the student body of this District.

The Board will permit the admission of foreign students and foreign-exchange students (from recognized and approved student exchange programs) who are residing in this District.

ASSIGNMENT WITHIN DISTRICT

The Board of Education directs that the assignment of students to schools within this District be consistent with the best interests of students and the best use of the resources of this District.

The Board shall determine periodically the school attendance areas of the District and shall expect the students within each area to attend the school so designated.

The Superintendent shall periodically review existing attendance areas and recommend to the Board such changes as may be justified.

No assignment to schools or attendance schedules shall discriminate against students on the basis of gender, race, religion, disability, or national origin.

The Superintendent may assign a student to a school other than that designated by the attendance area when such exception is justified by circumstances and is in the best interest of the student. Every effort shall be made to continue a student in the elementary school to which s/he is initially assigned. Wherever possible and advisable in the interests of the students, siblings shall be assigned to the same building. (See Schools of Choice - Policy 4121)

The principal shall assign students in his/her school to appropriate grades, classes, or groups. This action shall be based on consideration of the needs of the student as well as the administration of the school. (See also - Policy 4410)

SCHOOLS OF CHOICE

The Board of Education supports the concept of providing parents with the choice of which public school their child may attend.

Resident Transfer: Lake Shore Public Schools offer a choice among its elementary schools to parents of district students in kindergarten through 5th grade. Admittance is based on space available in the receiving school. Parents will be responsible for transporting their child to the receiving school. Once a student is assigned to another school under this plan, the receiving school becomes the permanent home school. One resident transfer will be offered (space available) per student. Exceptions to this may be made upon approval of the Superintendent or his/her designee. Resident transfers will be given priority over out of district School of Choice students when determining space available. If requests exceed availability, siblings of students already enrolled in the school will be given priority; others will be selected by lottery.

Out of District School of Choice: The Board shall annually determine whether or not it will accept applications for enrollment by nonresident applicants residing within the Macomb Intermediate School District for the next school year. The Board will also determine at that time which dates the district will open for this enrollment and close. If the Board determines to accept applications for enrollment of non-resident students, the district will follow the guidelines set forth by the State of Michigan for this purpose. The procedures to determine available space, application deadlines and review, and enrollment shall be set by the Superintendent. The nonresident students eligible to participate must be residents of Macomb County. Proof of residency will be requested before determination of acceptance is made.

WITHDRAWAL FROM SCHOOL

The Board of Education affirms that, while Michigan law requires attendance of each student until eighteen (18) years of age, it is in the best interests of both students and the community that they complete the educational program that will equip them with skills and increase their chances for a successful and fulfilling life beyond the schools.

The Board directs that whenever a student wishes to withdraw from school, efforts should be made to determine the underlying reason for such action and the resources of the District should be used, when and as appropriate, to assist the student in reaching his/her career goals.

ATTENDANCE

The Board of Education as an agency of the State is required to enforce the regular attendance of students. The Board recognizes that the presence in the classroom enables the student to participate in instruction, class discussions, and other related activities. As such, regular attendance and classroom participation are integral to instilling incentives for the student to excel.

Attendance shall be required of all District students, except those exempted under provisions of State law, during the days and hours that the school is in session, or during the attendance sessions to which s/he has been assigned.

The Superintendent shall require, from the parent of each student, or from an adult student who has been absent for any reason, a written statement and/or confirmation of the cause for such absence. The Board reserves the right to verify such statements and to investigate the cause of each.

- A. Single absence
- B. Prolonged absence
- C. Repeated unexplained absence and tardiness
- D. Patterned absences.

The Board may report to the Intermediate School District infractions of the law regarding the attendance of students below the age of (16). Repeated infractions of Board policy requiring the attendance of enrolled students may result in the suspension or expulsion of the student from the District program.

The Board considers the following factors to be reasonable excuses for time missed at school:

- A. Illness
- B. Recovery from accident
- C. Required court attendance
- D. Professional appointments
- E. Death in the immediate family
- F. Observation or celebration of a bona fide religious holiday
- G. Such other good cause as may be acceptable to the Superintendent

Attendance need not always be within the school facilities, but a student will be considered to be in attendance if present at any place where school is in session by authority of the Board.

RECORDS OF MISSING CHILDREN

Upon notification from a law enforcement agency that a student under the age of seventeen (17) is missing, the School District shall do the following:

- A. The District will tag or otherwise identify records for that student in a manner that will make it obvious to school personnel that the records belong to a student identified as missing.
- B. All records so tagged shall not be forwarded to any other school, institution, or individual.
- C. The appropriate law enforcement agency shall be immediately notified if the school is contacted regarding school records.

Any student record tagged according to this policy shall contain the following information:

- A. the name of the law enforcement agency and its officer who notified the District that the child was "missing"
- B. the date of notification from the law enforcement agency

The District will not disclose any personal identifiable information contained in "tagged" records to a law enforcement agency unless it is in accordance with the Family Educational Rights and Privacy Act. The status of a tagged record is changed (within seven (7) days) only upon notification of a law enforcement agency or by the "tagged" student turning eighteen (18) years of age.

RELEASE OF STUDENTS

It is necessary that a student be in attendance throughout the school day in order to benefit fully from the educational program of the District.

The Board of Education recognizes, however, that from time-to-time compelling circumstances require that a student be late to school or dismissed before the end of the school day.

If one parent has been awarded custody of the student by the courts, the parent of custody shall provide the school with a copy of the custody order and inform the school in writing of any limitations in the rights of the noncustodial parent. The custody order must specifically indicate any limitations as to the release of the student or access to records. Without such notice, the school will presume that the student may be released into the care of either parent.

No student who has a medical disability which may be incapacitating may be released without a person to accompany him/her.

No student shall be released to anyone who is not authorized such custody by the parents.

HEALTH SERVICES

In compliance with law, the Board of Education may require students to submit to periodic health examinations to:

- A. protect the school community from the spread of communicable disease;
- B. determine that each student's participation in health, safety, and physical education courses as well as interscholastic athletics and extra-curricular activities meets his/her individual needs;
- C. determine that the learning potential of each child is not lessened by a remediable, physical disability.

IMMUNIZATION

The Board of Education believes that immunization is one of the most cost-effective measures to protect children from vaccine-preventable diseases. Accordingly, the Board requires that all students be properly immunized at the time of registration or not later than the first day of school pursuant to the provisions of the State Health Department regulations.

Students who do not meet the immunization requirements on the opening day of school shall be admitted by the Superintendent in accordance with District administrative procedures and Department of Health regulations. Transfer students shall not be admitted without proof of immunization as established by State Administrative Code.

There are three (3) circumstances in which a required vaccine may be waived or delayed:

- A. A valid medical contraindication exists to receiving the vaccine. The child's physician must certify the contraindication on Form 5320 F2.
- B. The parents hold religious or philosophical beliefs against receiving a vaccination. The parents must submit Form 5320 F3 before a waiver is granted.
- C. The child has received at least one (1) dose of each immunizing agent and the next dose(s) are not due yet.

USE OF MEDICATIONS

Parents should be encouraged to administer needed medication to their children at home. However, when necessary, the administration of medications by school officials shall be in strict compliance with the following procedures.

- A. The diagnosis and treatment of illness and prescribing of drugs and medicines (including aspirin and other over-the-counter remedies) are not the responsibility of the public schools and are not to be practiced by any school personnel.
- B. Before any medication or treatment may be administered to any student during school hours, the Board shall require the written prescription from the child's physician accompanied by the written authorization of the parent. This document shall be kept on file in the administrative offices. No student is allowed to provide or sell any type of over-the-counter medication to another student.
- C. Medications, whether they be prescription or over-the-counter, shall not at any time be in the possession of students except as provided elsewhere in this policy (see "L"). Exceptions shall be made for adults attending classes in the Adult and Community Education Program.
- D. The student's parent or guardian must first submit a written request for the service, prior to the administration of any prescribed or over-the-counter medication by school personnel. The Lake Shore Public Schools Student Medication Parental Permission Form must be used.
- E. The medication must be delivered directly to the school by the parent, and shall be stored in a secure location as determined by the building principal. When medication is received in the office, it should be counted by the office staff and the amount noted on the medication record. Daily carrying of medication should be avoided.
- F. Staff members are to administer medication only in the presence of another adult except in the case of an emergency that threatens the life or health of the student. Medication will be administered only by such school personnel as are specifically designated and authorized by the building administrator.
- G. All staff authorized to administer medication or treatment will receive training on this policy and guidelines, as well as appropriate procedures for administering the medication or treatment. This training shall be provided by qualified individuals with both knowledge of the district's policy and procedures and the administration of medications or treatment. Where possible, this training should be provided by a licensed registered nurse, a licensed physician's assistant, or a licensed physician. A witness to the administering of medications need not be trained per this section.

- H. Accurate records shall be maintained in each building, identifying those students covered by these procedures, the specific medication involved, and the names of those staff members administering the medication.
- I. Medication shall be kept in a locked and secure place (i.e, medication cart, file cabinet, locked box, etc.) not accessible to students.
- J. Prescription and over-the-counter medications shall be kept in the original pharmaceutically filled container. Refill of prescription will be the responsibility of the parent.
- K. The student's parent/guardian is responsible for immediately informing the school, in writing, of any change in the child's health affecting the dispensation of medication or of any change in the medication, including discontinuation or modification of the medication.
- L. Students may possess and self-administer a metered dose or dry powder inhaler for relief of asthma, or before exercise to prevent onset of asthma symptoms, while at school, on school-sponsored transportation, or at any school-sponsored activity in accord with the Superintendent's guidelines, if the following conditions are met:
 - A. There is written approval from the student's physician or other health care provider and the student's parent/guardian to possess and use the inhaler.
 - B. the building administrator has received a copy of the written approvals from the physician and the parent/guardian.

and

Students with a need for emergency medication may also be allowed to self possess and self administer such medication, provided that they meet the same conditions established above.

- M. Certain "self-administering" medications, such as asthma inhalers, may be possessed by the student with proper medical documentation of student need and at the discretion of the building administrator.

STUDENT ACCIDENTS

The Board of Education believes that school personnel have certain responsibilities in case of accidents which occur in school. Said responsibilities extend to the administration of first aid by persons trained to do so, summoning of medical assistance, notification of administration personnel, notification of parents, and the filing of accident reports.

Employees should administer first aid within the limits of their knowledge of recommended practices. All employees should make an effort to increase their understanding of the proper steps to be taken in the event of an accident.

The Superintendent may provide for an in-service program on first aid and CPR procedures.

The administrator in charge must submit an accident report to the Superintendent on all accidents.

The administrator will as soon as possible, notify the Superintendent of any accident requiring hospitalization or EMR services.

EMERGENCY MEDICAL AUTHORIZATION

The District will distribute annually to parents or guardians of all students the Emergency Medical Authorization Form (Emergency Card). In the event emergency medical treatment for a student is necessary, the District will adhere to the instructions on the authorization form.

The Emergency Medical Authorization Form will be kept in a separate, easily accessible file in each school building during the school year.

Any time a student or a group of students is taken out of the District to participate in a school event, the staff in charge of the event must take the Emergency Medical Forms for those students. This includes, and is not limited to, students involved in music trips, athletic trips, field trips, and academic contests. This does not include student spectators at events.

PROMOTION, PLACEMENT, AND RETENTION

The Board of Education recognizes that the personal, social, physical, and educational growth of children will vary and that they should be placed in the educational setting most appropriate to their needs at the various stages of their growth.

It shall be the policy of the board that each student be moved forward in a continuous pattern of achievement and growth that is in harmony with his/her own development.

A student will be promoted to the succeeding grade level when s/he has, in the opinion of the professional staff, achieved the standards and benchmarks for the present grade and demonstrated the degree of social, emotional, and physical maturation necessary for a successful learning experience in the next grade.

Following sound principles of child guidance, the Board discourages the skipping of grades or the retention of students. The professional staff is authorized to make such decisions deemed to be in the best interest of the student.

The Superintendent shall develop administrative guidelines for promotion, placement, and retention of students which:

- (1) require that parents are informed in advance of the possibility of retention of a student at a grade level and involved in the decision process; and
- (2) assure that efforts are made to remediate the student's difficulties before s/he is retained; and
- (3) assign to the principal the final responsibility for determining the promotion, placement, or retention of each student.

GRADING

The Board of Education recognizes its responsibility for providing a system of grading student achievement that can help the student, teachers, and parents judge properly how well the student is achieving the goals of the District's program.

The Board believes that the District's grading system should be a reliable system and one that ensures each student's grades signify accurately his/her degree of accomplishment of those expected learning outcomes which are to be stated for each program at every grade level, kindergarten through twelfth.

The teacher responsible for a student's instruction in a particular course or program shall determine the student's grade. That grade may be changed in accordance with State law and the guidelines established by the Superintendent. (See Administrative Guidelines)

GRADE CHANGES

All teachers in the District may review a copy of the official transcript and/ or student records of each student the teacher taught.

In respect to requests from students and/or parents to change a student's grade:

- A. A student's grade may be changed if the teacher who gave the grade is informed of the reason(s) for the change and agrees to the grade change.
- B. If a student's grade change is not agreed to by the teacher, it may be changed by the majority of a review panel which shall consist of:
 - 1. one (1) teacher selected by the LSFT;
 - 2. one (1) Board of Education member;
 - 3. the Superintendent or his/her designee.
- C. The decision of the review panel may be appealed by the teacher or parent/student to the full Board of Education. A request for an appeal hearing must be made within five (5) working days of the decision made by the panel. The Board will schedule a hearing to review all material relating to the case and to consider arguments from the parties. A decision will be rendered, in writing, within twenty (20) working days.
- D. The student, parent(s), and teacher shall be informed in writing of any grade change.
- E. Any person in violation of the grade changing procedure is subject to progressive discipline up to and including termination.

The Board's review of grade change requests shall comply with the provisions of the Family Education Rights and Privacy Act of 1974 (FERPA).

GRADUATION REQUIREMENTS

It shall be the policy of the Board of Education to acknowledge each student's successful completion of the instructional program appropriate to the achievement of District goals and objectives as well as personal proficiency by the awarding of a diploma at fitting graduation ceremonies.

The Board shall award a regular high school diploma to every student enrolled in this District who meets the requirements of graduation established by this Board as provided by State law. If a student fulfills the requirements for a State-endorsed diploma, it shall be so indicated both on the student's diploma and his/her transcript.

The Board shall permit any person to take the required test for a State-endorsed diploma and, if the results indicate initial mastery of the subject matter, the District will have his/her high school diploma State-endorsed. The Superintendent shall establish the necessary procedures and determine an appropriate fee which is to be paid prior to taking the test.

No student who has completed the requirements for graduation shall be denied a diploma as a disciplinary measure. A student may be denied participation in the ceremony of graduation, however, when personal conduct so warrants. Such a decision will be made by the building principal.

Credits required for graduation through the Adult Education Program shall be established by separate Board action.

CREDIT/COURSE OPT OUT

Any high school student who wishes to receive credit in a course in which s/he is not enrolled may do so by taking the final examination for the course and receiving a grade of at least C+ or by demonstrating mastery of the subject matter as determined by the assessment used in lieu of a final examination. Credit for a course earned by a student through this process may be used to fulfill a course or course-sequence requirement but may not be counted toward the required number of credits needed for graduation nor be used to determine the student's GPA.

The student may not receive credit under this provision for a course in the same area but lower in the course sequence than that passed by the student.

A high school student shall be granted credit pursuant to this provision in any foreign language not offered by the District providing s/he meets the competency criteria established by the Superintendent. Such credits shall not count toward the total number of credits needed for graduation.

TESTING OUT OF COURSES

The Board of Education recognizes the need to provide alternative means by which students achieve the goals of the District.

Any high school student who wishes to test-out of a course in which *s/he* is not enrolled may do so by taking the final examination for the course and receiving a grade of at least C+; or by demonstrating mastery of the subject matter as determined by the assessment used in lieu of a final examination.

Credit for a course earned by a student through this process may be used to fulfill a course or course-sequence requirement, and may be counted toward the required number of credits needed for graduation. The grade on the assessment will not be used to determine the student's GPA.

CREDIT REQUIREMENTS FOR GRADUATION THROUGH THE ADULT EDUCATION PROGRAM

The Graduation Requirements as stated in Board Policy 4460 apply to the Adult Education Program with the exception of the number of credits that must be earned for graduation.

Students graduating from North Lake High School are required earn twenty-two (22) credits in order to be eligible for a diploma. Students must also adhere to the Michigan Merit Curriculum as dictated by Michigan law.

CREDITS FROM NONPUBLIC SCHOOLS

In recognizing its responsibility to uphold the minimum educational standards of the State of Michigan, the Board of Education establishes the following policy and criteria regarding the acceptance of credits from nonpublic schools whether they be State-approved, nonapproved, or home schools.

For credit or course-work to be accepted for courses taken in such schools, assurance of compliance with minimum requirements established by the State must be provided.

Recognition of credits or course-work shall be granted when the proper assurance and the student's transcript has been received. The District reserves the right to assess such transfer students in order to determine proper placement and to be assured the student can demonstrate the learnings which are prerequisite to a placement.

Although credits from nonpublic schools may be granted and placed on a student's transcript, no grades will be entered on the transcript or considered for class ranking. Only grades awarded for courses taken at the District or at a school approved by a State education agency shall be considered in class ranking and for entering on the transcript. The determination of which classes shall apply toward graduation requirements shall be at the sole discretion of the principal.

EARLY GRADUATION

The Board of Education acknowledges that some students are pursuing educational goals which include graduation from high school at an earlier date than their designated class.

Application for early graduation will be submitted to the high school principal in accordance with school regulations. The principal may honor this request if all conditions for graduation are met and the student fulfills the graduation requirements.

The student may participate in graduation ceremonies or other senior activities at the discretion of the principal.

STUDENT CONDUCT

Respect for law and for those persons in authority shall be expected of all students. This includes conformity to school rules as well as general provisions of law regarding minors. Respect for the rights of others, consideration of their privileges, and cooperative citizenship shall also be expected of all members of the school community.

Respect for real and personal property; pride in one's work; achievement within the range of one's ability; and exemplary personal standards of courtesy, decency, and honesty should be maintained in the schools of this District.

The Superintendent shall establish a student "Code of Conduct" to carry out Board policy and philosophy, and shall hold all school personnel, students, and parents responsible for the supervision of students in schools, on school vehicles, and at school-related events.

Student conduct shall be governed by the rules and provisions of the Student Code of Conduct. This Code of Conduct shall be reviewed periodically.

STUDENT CODE OF CONDUCT

Philosophy

The purpose of discipline is to help the individual acquire skills, habits, interests, and ideals which are designed for the well-being of self, others, and society as a whole. Discipline is defined as the self control of conduct by the individual or by external authority. It includes the entire program of adapting the individual student to life in society and involves three (3) major emphases:

- A. To guide the student to enhance the immediate efforts of teachers and other students in the learning situation, and, therefore, does not threaten either the classroom or the instruction which is taking place.
- B. To assist the student in becoming a responsible, productive and self-disciplined citizen within the school, and in preparation for assuming adult responsibilities. It is expected that the student will assume personal responsibility for his/her own behavior.
- C. To provide a safe environment for all students to learn and to interact/relate with peers and adults. See Appendix B, Violence and Safety in Schools.

Similarly, an effective educational program depends upon the establishment of the rights, responsibilities, and privileges for all members of the school community.

It is the responsibility of all students, parent(s) or legal guardians, teachers, administrators, and others concerned with the schools to cooperate in establishing and maintaining a safe and orderly learning environment for our students.

Students will be given due process (see page 5). Students also have the duty to recognize and not to infringe upon the rights of others.

Teachers and administrators also have rights, responsibilities, and duties. By law, the teachers are responsible for maintaining a suitable learning environment. Administrators have the responsibility for maintaining and supporting a safe and orderly learning environment for all students.

Administrators are authorized by law to suspend students from school. The teacher has the authority to separate students from class in keeping with established school procedures. Parents or legal guardians have primary rights in matters regarding the child, but they are also required by law to cooperate with school authorities. A safe school environment is established and maintained when parents support and cooperate with school officials.

policy

The following rules, guidelines, and due process procedures are designed to protect all members of the Lake Shore educational community and to provide the order necessary for the educational process.

Introduction

Every effort will be made by the staff to solve disciplinary problems within the school setting and without excluding a student from school. If this cannot be done, exclusion may be necessary. Exclusions may fall in the following categories:

- A. Short-Term Suspension - is defined as exclusion of a student from school for up to ten (10) school days, and/or from all extra-curricular activities. These may take the form of in-school or out-of-school suspension. Short-term suspensions may be rendered by building administrators. Course work will be provided.
- B. Extended Suspension - is defined as exclusion of a student from all classes and extra-curricular activities for more than ten (10) days. (In the case of a disabled student, an Individualized Educational Planning Committee must be convened.) Extended suspension may be rendered only by the Superintendent. Superintendent will determine course work to be provided.
- C. Expulsion - is defined as the permanent exclusion of a student from school. Expulsions will be enacted only by action of the Board of Education. Students who are permanently expelled may have the right to seek reinstatement after a suitable interval of time. (In the case of a disabled student, an Individualized Educational Planning Committee must be convened.) If expulsion is determined to be appropriate, and the student is under the age of seventeen (17), the District shall notify the juvenile division of the probate court.

The authority of the Board to authorize suspension or expulsion and to make reasonable rules and regulations regarding discipline is granted in Section 380.1311 of the School Code. The Board's duly approved policies and bylaws will also serve to establish authority and to provide detail as to how this code of conduct will be implemented.

Exercising the responsibility granted to it by law, the Board establishes the following categories of misconduct (while a student is under jurisdiction of the school) as those which may result in suspension, or expulsion from Lake Shore Schools. These categories are general and are not deemed to be all inclusive. In addition, the Board as approved penalties and procedures for infractions of the Student Conduct Code as contained in the student/parent handbook.

The parent(s) or legal guardian will be informed and involved in any case of a student exhibiting a history of unacceptable conduct. Records of such involvement shall be maintained in the principal's/assistant principal's office.

Misconduct Categories

- A. Matters relating to private and public property
 - 1. theft
 - 2. robbery
 - 3. destruction or defacing of property
 - 4. vandalism
 - 5. unauthorized presence in a building
 - 6. tampering or altering school computer records and/or files

- B. Matters pertaining to citizenship
 - 1. violation of State laws, local ordinances, safety and fire codes laws pertaining to civil disobedience
 - 2. profane, obscene language/gestures or degrading epithets
 - 3. racial, ethnic, religious slurs
 - 4. sexual harassment such as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or contact of a sexual nature
 - 5. insubordination
 - 6. disruptive behavior
 - 7. repeated violations of school rules
 - 8. selling, buying, possessing, giving, accepting, or using tobacco, alcoholic beverages, narcotics, controlled substances, or behavior-altering substances (drugs may be used only in acceptance with Board policy 4330) (alcoholic beverages shall include nonalcoholic malt beverages and "look-alikes").
 - 9. being under the influence of any controlled or behavior altering substance
 - 10. possession, or use, in violation of state law and applicable Board policy, of a pocket pager, cell phone, or other type of electronic communication device

11. plagiarism, forgery, or cheating on school assignments or tests
 12. gambling on school property
 13. hazing
- C. Matters pertaining to attendance.
1. violation of compulsory attendance laws
 2. skipping school and cutting classes
 3. failure to attend school regularly if above compulsory school age
 4. persistent tardiness
- D. Matters pertaining to the safety of others.
1. fighting
 2. physical attacks or threats to students or school personnel
 3. extortion
 4. disruptive bus conduct
 5. gang or gang related activities
 6. intimidation
 7. assaultive behavior; verbal, physical, and/or emotional towards students, teachers, or other staff – this includes bullying and/or cyber bullying
 8. possession of a weapon other than those dealt with under “H”
 9. possession or use of any substance that, when emitted, causes irritation or debilitation, including but not limited to, tear gas or pepper spray
- E. Persistent disobedience and/or breaking of school rules and regulations.

policy

- F. Gross misconduct/misbehavior - conduct detrimental to the functioning of the school or school activities. This includes, but is not limited to:
 - 1. membership in a fraternity, sorority, or secret society
 - 2. membership in a "gang" or any gang activity
- G. Student Dress
 - 1. Student dress should promote standards of cleanliness and modesty and not interfere with the educational programs of the schools.
 - 2. Dress that relates to/or promotes gang activity will be prohibited (see Board policy 4511).
 - 3. Specific applications of the dress code will vary between schools and will be dependent upon building environment, class requirements, and age characteristics of the student.
- H. Possession of a dangerous weapon or explosive in a school building or on school grounds, or commission of an arson or a rape, or other criminal sexual conduct, in a school building or on school grounds, (see State of Michigan General School Laws 380.1311 and 380.1313 in Appendix A)

Due Process

On the basis of school law, the principals of Lake Shore Public schools are delegated the authority to temporarily suspend a student from school. In such actions the following procedural due process shall be adhered to:

- A. Prior to any disciplinary action being taken, students will be fully informed of the charges brought against them including the rationale for the action and the conditions of time and termination.
- B. Prior to any disciplinary action being taken, the student will be provided an opportunity to present his/her view of the situation.
- C. The parents/guardians will be notified by phone or personal contact if the student is to be suspended from school. This will occur as soon as possible following disciplinary action. Written documentation of such contact shall be maintained. Verbal notification will be followed by written communication to the parent(s) or guardian stating the charges, reasons, and conditions of the suspension.

- D. The following appeal procedures are provided for students being disciplined:
1. Parents may request a conference with the principal. Such requests shall be made verbally or in writing and must occur within the period of suspension. The principal shall affirm or modify the terms of the action within two (2) school days from the date of the conference. Parents will be notified in writing of the principal's decision.
 2. Within five (5) school days from the principal's decision, the parents may appeal such decision to the Superintendent of School or designee. At this level the appeal must be in writing. The Superintendent shall affirm or modify the decision of the principal within two (2) school days from hearing the appeal. Parents will be notified in writing of the principal's decision.
 3. The Superintendent's decision may be appealed to the Board. Such an appeal must be made in writing within five (5) school days of such a decision.
 4. The Board shall schedule a hearing within ten (10) school days of receipt of the appeal and shall notify the parents that said hearing shall be conducted under the following rules and regulations:
 - a) Written notice shall be given of the time, date, and place of the hearing.
 - b) The student or parent may be represented by an attorney or other adviser of their choosing.
 - c) Witnesses may be present at the hearing and the student or representative may question witnesses testifying against the student. The student may present their own witnesses.
 - d) The hearing is not a court proceeding and court rules of evidence shall not be enforced at such hearing.
 - e) There may be present at the hearing any such resource persons as the President of the Board deems essential to the proper determination of the case.
 - f) The hearing before the Board may be in either open or closed session at the option of the student/parent.
 - g) The Board shall render a written opinion of its determination within two (2) school days from the date of the hearing. Such written opinion shall be forwarded to all parties concerned.

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5. If the student/parent/guardian does not elect to dispute an expulsion, the Board will review the recommendation of the Superintendent and make such determination as is appropriate. If the student/parent/guardian does not elect to appeal a long term suspension (or fails to meet the appeal deadline), the Superintendent will review the recommendation of the building administrator and make such determination as is appropriate.
- E. Recommendation for the expulsion of a student from school shall be made to the Board by the Superintendent. Such action is generally taken upon recommendation of the principal. The principal's recommendation shall be communicated to the Superintendent in writing, signed by the principal and accompanied by the student's cumulative file. Except in cases stemming from extreme overt behavior, it is expected that parental conferences would have been held at the building level prior to the expulsion recommendation. The following procedures shall be followed:
1. The student shall be under suspension pending the recommendation of the Superintendent to the Board and pending the Board's decision.
 2. The Superintendent's recommendation to the Board shall be in writing. It shall include the essential elements which form the basis of the charge. A copy of the recommendation shall be transmitted to the parent or guardian of the student being considered for expulsion.
 3. The Board shall set the date, time, and place of the hearing and shall transmit written notice of same to the parent or guardian at least five (5) school days before the date of the hearing. The hearing shall be in open session unless the student or parent(s) request a closed hearing.
 4. The hearing procedure shall follow that set forth in D-4 above of this document.
 5. Board action on recommendations for expulsion may be taken at either a regular or special meeting and will involve two (2) steps:
 - a. discussion in open or closed session, at the option of the student/parent
 - b. official action in open session

Search and Seizure

The Board has charged school authorities with the responsibility of safeguarding the safety and well-being of the students in their care. In the discharge of that responsibility, school authorities may search school property such as lockers used by students or the person or property, including vehicles, of a student in accordance with the following policy:

A. School Property

The Board acknowledges the need for in-school storage of student possessions and shall provide storage places, including desks and lockers, for that purpose. Where locks are provided for such places, students may lock them against incursion by other students, but in no such places shall students have such an expectation of privacy as to prevent examination by a school official. The Board directs the school principals to conduct a routine inspection at least annually of all such storage places. Other random searches may be conducted at the discretion of the building principal.

The Board also authorizes the use of canines, trained in detecting the presence of drugs or devices, when the Superintendent deems it in the best interest of the school. This means of detection shall be used to determine the presence of drugs in locker areas and other places in the school where such substances could be concealed. Canine detection must be conducted in collaboration with law enforcement authorities.

B. Student Person and Possessions

The Board recognizes that the privacy of students or his/her belongings may not be violated by unreasonable search and seizure and directs that no student be searched without reasonable suspicion or in an unreasonable manner. The extent of the search will be governed by the seriousness of the alleged infraction, the student's age, and the student's disciplinary history.

Except as provided below, a request for the search of a student or a student's possessions will be directed to the principal or designee. S/he shall attempt to obtain the freely-offered consent of the student to the inspection; however, provided there is reasonable suspicion, s/he may conduct the search without such consent. Whenever possible, a search will be conducted by the principal or other administrator in the presence of the student and a staff member other than the principal. A search prompted by the reasonable belief that health and safety are immediately threatened will be conducted with as much speed and dispatch as may be required to protect persons and property.

Search of a student's person or intimate personal belongings shall be conducted by a person of the student's gender, in the presence of another staff member of the same gender, and only in exceptional circumstances when the health or safety of the student or of others is immediately threatened. Such a search should be in an area close to the incident that protects the privacy of the student.

An administrator shall be responsible for the prompt recording in writing of each student search, including the reasons for the search, information received that established the need for the search, if any, the persons present when the search was conducted, any substances or objects found and the disposition made of them, and any subsequent action taken. The principal shall be responsible for the custody, control, and disposition of any illegal or dangerous substance or object taken from a student.

Expulsion for Possession of Dangerous Weapon, Arson, or Criminal Sexual Conduct

A. Definition

If a student possesses a dangerous weapon in a school building or on school grounds, or commits an arson in a school building or on school grounds, or commits criminal sexual conduct in a school building or on school grounds, the Board, or its designee, shall expel the student from the District permanently (subject to potential reinstatement as described below), unless the student can establish at least one (1) of the following in a clear and convincing manner to the Board or its designee:

1. The object or instrument possessed by the student was not possessed for use as a weapon, or for the direct or indirect delivery to another student for use as a weapon.
2. The weapon was not knowingly possessed by the student.
3. The student did not know or have reason to know that the object or instrument possessed by the student constituted a dangerous weapon.
4. The weapon was possessed by the student at the suggestion, request, or direction of, or with the express permission of school or police authorities.

For the purposes of this policy the following definitions shall apply:

1. ARSON - the term "arson" means setting fire to or doing any act that results in the starting of a fire, or aiding, counseling, inducing, persuading, or procuring another to do such acts, or to prepare to set a fire to:
 - a. a building;
 - b. the contents of a building or other real property or personal property exceeding fifty dollars (\$50.00) in value.

2. CRIMINAL SEXUAL CONDUCT - the term "criminal sexual conduct" means sexual penetration or sexual contact with a person under any one (1) or a combination of the following:
 - a. sexual penetration or contact with another person age fifteen (15) and under
 - b. sexual contact with another person ages thirteen (13) through fifteen (15) where the actor is five (5) or more years older than the other person
 - c. sexual penetration or contact with another person ages thirteen (13) through fifteen (15) where the actor has used a position of authority over the victim to coerce submission
 - d. sexual penetration or contact with a victim where the actor is aided and abetted by one (1) or more person(s) and the actor knows or should know that the victim is mentally incapable or physically helpless or the actor uses force or coercion to accomplish sexual penetration or contact with such a victim
 - e. sexual penetration or contact where the actor is armed with a weapon or any article used in a manner to lead the victim to reasonably believe it to be a weapon
 - f. sexual penetration or contact where the actor causes personal injury to the victim or force. Violence, or coercion is used to accomplish sexual penetration or contact

3. DANGEROUS WEAPON - the term "dangerous weapon" shall include, but not necessarily be limited to, all of the following: a firearm, dagger, dirk, stiletto, knife with a blade over three (3) inches in length, pocket knife opened by mechanical device, iron bar, brass knuckles, or explosive device. A dangerous weapon may also include any offensive or defensive instrument that is used, or may be used, to inflict pain or injury on others as determined by the Superintendent. Also, reasonable facsimiles of those weapons described above may also be classified as dangerous weapons.

B. Procedures

1. If a student is expelled pursuant to this policy, that fact shall be entered on the student's permanent education record. Within three (3) days of the expulsion of a student under this policy, the Board or its designee shall refer the student's name to the county department of social services or the county community mental health agency. The Board or its designee shall notify the student's parent(s) or legal guardian of the referral, or notify the student of the referral if the student is at least age eighteen (18) or is an emancipated minor.
2. If a student is expelled pursuant to this policy, the parent(s) or legal guardian of the student, or the student if at least eighteen (18) years of age or if an emancipated minor, may petition the Board for reinstatement to public education in the school district, but only in accordance with the terms of this subsection. (These reinstatement terms shall also apply to students expelled from another district for possession of a dangerous weapon, arson, or rape, and who may be seeking to be reinstated to public education in the schools.)
 - a. For a student who was enrolled in grade 5 or below at the time of expulsion, and the expulsion is for a reason other than a firearm or threat with a dangerous weapon, a petition for reinstatement may be initiated any time following the date to expulsion. Such a student shall not be reinstated before the expiration of ten (10) school days from the date of expulsion.
 - b. For a student who was enrolled in grade 5 or below at the time of expulsion, and the reason is related to a firearm or dangerous weapon, a petition for reinstatement may be initiated at any time after sixty (60) school days from the date of expulsion. Such a student shall not be reinstated before the expiration of ninety (90) school days from the date of expulsion.

- c. For a student who was enrolled in grade 6 or above at the time of expulsion, a petition for reinstatement may be initiated at any time after 150 school days from the date of expulsion. Such a student shall not be reinstated before the expiration of 180 school days from the date of expulsion.
- d. The District shall make a form for reinstatement available to the parent(s) or legal guardian of a student expelled under the policy, or to a student if at least eighteen (18) years of age or an emancipated minor. The Board or its designee is not required to assist in the preparation of any petition for reinstatement.
- e. Within ten (10) school days after the receipt of a petition for reinstatement under this subsection, the Board or its designee shall appoint a committee to review the petition and any supporting documentation. The committee shall be comprised of two (2) Board members, one (1) school administrator, one (1) teacher, and one (1) parent or legal guardian of a student enrolled in the District. The Superintendent or his/her designee may submit a recommendation to the committee for or against reinstatement, along with supporting documentation.
- f. Within ten (10) days following the appointment of the reinstatement committee, the committee shall review the petition for reinstatement, any support documentation, and any recommendation and supporting documentation submitted by the Superintendent or his/her designee on the issue of reinstatement, and shall submit a recommendation to the Board regarding reinstatement. The recommendation shall either be for unconditional reinstatement, for conditional reinstatement, or against reinstatement. The recommendation shall be based upon consideration of all of the following factors:
 - 1) The extent to which reinstatement of the individual would create a risk of harm to students or school personnel.
 - 2) The extent to which reinstatement of the individual would create a risk of District or individual liability for the Board or District personnel.
 - 3) The age and maturity of the individual.
 - 4) The individual's school record before the incident that caused the expulsion.

- 5) The individual's attitude concerning the incident that caused the expulsion.
 - 6) The individual's behavior since the expulsion and the prospects for remediation of the individual.
 - 7) If the petition was filed by a parent or legal guardian, the degree of cooperation and support that has been provided by the parent or legal guardian and that can be expected if the individual is reinstated, including, but not limited to, receptiveness toward possible conditions placed on the reinstatement.
- g. No later than the next regularly scheduled Board meeting following the receipt of the recommendation of a reinstatement committee, the Board shall render a decision either to reinstate an individual unconditionally, or reinstate an individual conditionally, or deny an individual reinstatement. The decision of the Board is final, and not subject to reconsideration or appeal.
- h. If the Board renders a decision to reinstate an individual conditionally, the Board may require an individual, or the parent or legal guardian if the petition was filed by the parent or legal guardian, or agree in writing to specific conditions before conditionally reinstating an individual to public education in the District. (Such proposed conditions may also be included in support of a petition for reinstatement.) The conditions may include, but are not limited to, any of the following:
- 1) agreement to a behavior contract, which may involve the student, a parent or legal guardian, or an outside agency.
 - 2) participation in a completion of an anger management program or other appropriate counseling
 - 3) periodic progress reviews
 - 4) specific immediate consequences for failure to conform to condition(s), including, but not limited to, immediate expulsion.

policy

3. A student expelled under this policy may, if deemed appropriate by the Superintendent, be enrolled in the District's alternative education program if permitted by law. This option shall be available so long as such a program is provided at separate facilities or at times separate from those used for general education students.
4. Nothing in the policy shall diminish or be in derogation of the due process rights accorded to students who have been determined to be eligible for special education services under Federal and State laws. (See Board policy 2461 and Appendix B.)

Home Study

A Home Study Program may be made available, if deemed appropriate by the Superintendent, for those students who have been suspended for more than ten (10) days. The request for such a program must be initiated by the parent or legal guardian to the principal.

- A. Arrangement for assignment will be made by the principal or through the Counseling Department.
- B. The appointed teacher(s) or counselor will provide the weekly assignments.
- C. The responsibility for the completion of the assignments must remain with the student.

Guidelines for Readmittance Following Expulsion for Misconduct Other Than Possession of Dangerous Weapons, Arson, or Criminal Sexual Conduct

All requests for readmission will be submitted to the Superintendent. The following guidelines should be followed before the student is readmitted to school:

- A. A petition for reinstatement may be initiated at any time after sixty (60) school days from the date of expulsion. Such a student shall not be reinstated before the expiration of ninety (90) school days from the date of expulsion.
- B. School officials should work with the policy, courts, parents(s) or legal guardian, and the student to determine the best course of action.
- C. Students are not to be readmitted until all concerned are satisfied that the student's readmission will not be injurious to self or other students or to the student requesting readmittance.
- D. School officials may require further professional opinions before arriving at a decision relative to readmittance (e.g. psychiatric evaluation, medical examination, etc.)

- E. The final decision must be based on what is best for the school community and the individual involved.

Lake Shore Public Schools Policies:

2461	Suspension/Expulsion of Disabled Students
3213	Student Supervision and Welfare
3362	Sexual and Other Forms of Harassment
3362.01	Threatening Behavior Toward Staff Members
4500	Student Conduct
4512	Use of Tobacco
4513	Care of District Property
4516	Student Hazing
4517	Student Harassment
4530	Drug Prevention
4600	Student Discipline

Lake Shore Public Schools Student/Parent Handbooks shall be approved annually by the Board of Education.

TEACHER INITIATED SUSPENSIONS

A teacher may remove and suspend a student from a class, subject, or activity for up to one (1) full school day, in accordance with MCL 380.1309, when the student engages in conduct prohibited by law, the Board of Education policy manual, Administrative Guidelines, or the Student Code of Conduct.

In order to remove and suspend a student from a class, subject or activity, it must be determined that the student's inappropriate behavior is specified within the Administrative Guidelines #4510.

Any student suspended pursuant to this policy shall not be allowed to return to the class, subject or activity from which he or she was suspended from, or participate in before or after school extracurricular activities, until the passage of one full school day from the time of the student's infraction, except with the mutual consent of the building principal and teacher.

Disabled students under IDEA or Section 504 shall be suspended/expelled only in accordance with Board Policy #2461 and Federal due process rights appropriate to these students.

DRESS AND GROOMING

The Board of Education recognizes that each student's mode of dress and grooming is a manifestation of personal style and individual preference. The Board will respect the rights of all students and their parents to make decisions regarding their appearance, except when their choices interfere with the educational program of the schools.

The purpose of this policy shall be to establish guidelines which promote self discipline, maintain order, secure the safety of students, and provide a healthy environment conducive to academic purposes. Such guidelines, in general, shall prohibit student dress or grooming practices which:

- A. present a hazard to the health or safety of the student himself/herself or to others in the school;
- B. interfere with school work, create disorder, or disrupt the educational program;
- C. prevent the student from achieving his/her own educational objectives because of blocked vision or restricted movement;
- D. relate to gang activity.

Such guidelines establish the dress requirements for members of the athletic teams, bands, and other school groups when representing the District at a public event.

The Superintendent shall designate the principal as the arbiter of student dress and grooming in his/her building and may waive all or portions of the policy or guidelines for specific events, locations, or other necessary conditions.

Administrative Guideline 4511 more specifically defines the standards associated with this policy. The Board of Education recognizes that these guidelines are illustrative and not limiting, to assure a healthy learning environment.

USE OF TOBACCO

The Board of Education strictly prohibits the use and/or possession of tobacco by students in school buildings, on school grounds, on school vehicles, and at school-related events.

For purposes of the policy, use of tobacco shall mean all uses of tobacco, including cigar, cigarette, pipe, snuff, or any other matter or substance that contains tobacco.

Students who violate this policy are subject to appropriate disciplinary actions by school administrators. As smoking on school grounds is also prohibited by PA 140 of 1993 (Tobacco Free Schools Act) the student is also subject to misdemeanor penalties as enforced by local law enforcement agencies.

The administration of each school building will take appropriate action in cases involving students who use tobacco in violation of this policy. See also policy 6434 - Use of Tobacco on School Premises.

CARE OF DISTRICT PROPERTY

Basic to the philosophy of the Board of Education is a respect for the rights of others. Students are urged to exercise this respect in regard to the belongings of others, including District property. Each student should realize that vandalism to District property is costly to repair and is directly related to increased school taxes.

Attempts should be made to teach students respect for property which can be done in connection with the care of text books and the use of District materials and equipment.

In accordance with law, students who cause damage to District property shall be subject to disciplinary measures and their parents shall be financially liable for such damage to the extent of the law, except that students over eighteen (18) years of age shall also be liable for damage they cause.

The Board authorizes the imposition of fines for the loss, damage, or destruction of District equipment, apparatus, musical instruments, library materials, textbooks, and for damage to District buildings.

The Superintendent may report to the appropriate authorities any student whose damage of District property has been serious or chronic in nature.

STUDENT USE OF MOTOR VEHICLES

The Board of Education regards the use of motor vehicles for travel to and from school by students as an assumption of responsibility on the part of those students -- a responsibility in the care of property, in the observation of safety rules, and in the display of courtesy and consideration toward others. Such use of a motor vehicle is considered to be a privilege and not a right. The District retains the right to approve or deny any such use.

The Board will permit the use of motor vehicles by students, in accordance with the rules of this District, provided that such students are licensed drivers and have been granted permission by the principal to drive a motor vehicle on school grounds. Students who use private vehicles assume the risk of reasonable search and seizure for drugs, alcohol, weapons, and other contraband.

The Board will not be responsible for motor vehicles which are lost, stolen, or damaged.

No student who does not possess a valid motorcycle safety education certificate and endorsement will be allowed to ride or park a motorcycle on school property.

ELECTRONIC COMMUNICATION DEVICES (ECDs) - STUDENTS

Students may be in possession of a cellular telephone, pager/beeper, or other electronic communication devices, subject to administrative procedures of the building and district.

Students in violation of the policy of the building and district may be subject to appropriate disciplinary action.

The District is not responsible for any loss, theft, damages or vandalism of ECD's brought onto school grounds.

STUDENT HAZING

The Board of Education believes that hazing activities of any type are inconsistent with the educational process and prohibits all such activities at any time in school facilities, on school property, and at any District-sponsored event.

Hazing shall be defined for purposes of this policy as performing any act or coercing another, including the victim, to perform any act of initiation into any class, group, or organization that causes or creates a risk of causing mental, emotional, or physical harm. Permission, consent, or assumption of risk by an individual subjected to hazing shall not lessen the prohibitions contained in this policy.

LAKE SHORE PUBLIC SCHOOLS
POLICY PROHIBITING STUDENT BULLYING, HARASSMENT AND DISCRIMINATION

I. Statement of Policy

It is the policy of the Lake Shore Public Schools to provide its students with a physically and psychologically safe environment in which to learn. Lake Shore Public Schools will not tolerate bullying, harassment of, or discrimination against a student based on gender, race, color, sexual orientation, national origin or ancestry, religion or disability, whether undertaken by District personnel or by other students, which denies or limits a student's ability to participate in or benefit from Lake Shore Public Schools programs. The Lake Shore Public Schools will investigate any complaint of conduct violating this policy. If a violation is found, the Lake Shore Public Schools will take prompt and appropriate action to end any bullying, harassment or discrimination and prevent it from occurring again.

For purposes of this policy, "District personnel" includes all Lake Shore Public Schools elected officials, administrators, employees, appointees, volunteers, parents, visitors, and all Lake Shore Public Schools suppliers, independent contractors, and their employees, officers and agents. This policy applies to all activities on school property and to all school-sponsored activities, whether on or off school property. It also applies to all interaction between District personnel and students, regardless of where it occurs. Intentionally false harassment reports, made to get someone in trouble, are also prohibited. Retaliation and intentionally false reports may result in disciplinary action.

This policy will be published on the District's website under Board of Education/Policies.

II. Definitions and Prohibitions

Discrimination by District personnel on the basis of a student's gender, race, color, sexual orientation, national origin or ancestry, religion or disability which denies or limits a student's ability to participate in or benefit from Lake Shore Public Schools programs may be a violation of Titles VI or IX of Federal law and is strictly prohibited. Such discrimination may include treating students differently, segregating students, developing limiting criteria, or making decisions about students on the basis of their gender, race, color, sexual orientation, national origin or ancestry, religion or disability.

Bullying or "harassment" is any gesture or written, verbal, graphic, or physical act (including electronically transmitted acts – i.e., cyberbullying, through the use of Internet, cell phone, personal digital assessment (pda), computer or wireless handled device currently in use or later developed and used by students) that is reasonably perceived as being motivated either by any actual or perceived characteristics, such as gender, race, color, sexual orientation, religion, ancestry, national origin, or mental, physical, or sensory disability impairment; or by any other distinguishing characteristics, or is based upon association with another person who has/is

perceived to have any distinguishing characteristic. Such behavior is considered bullying, or harassment provided that it is directed at one or more students and substantially interferes or adversely affects the student's ability to participate or benefit from Lake Shore Public Schools programs. Additionally, such behavior is considered bullying or harassment whether it takes place on or off school property, at any school-sponsored function, or in a school vehicle.

Harassment can take various forms:

- Conduct by District personnel which reasonably causes a student to believe he or she must submit to unwelcome sexual conduct in order to participate in a school program or activity, or that an educational decision will be made based on whether or not the student submits to unwelcome sexual conduct ("Quid pro quo harassment").
- Conduct undertaken by District personnel or students on the basis of a student's gender, race, color, sexual orientation, national origin or ancestry, religion or disability, which is so severe, persistent or pervasive that it affects a student's ability to participate in or benefit from an education program or activity, or creates an intimidating, threatening, or abusive educational environment which interferes with the student's ability to learn. ("Hostile environment harassment").

III. Non-retaliation

The Lake Shore Public Schools also strictly prohibits any retaliation against an individual who has registered a complaint under this policy, or who has cooperated in the investigation of a complaint made pursuant to this policy. Any individual who retaliates against another individual for utilizing the complaint procedure or cooperating in the investigation of a complaint will be subject to appropriate remedial action, up to and including termination of employment for employees, expulsion for students, exclusion for parents, guests, volunteers and contractors, removal for administrators and/or a request to resign for Board members. If an individual believes he or she has been retaliated against for exercising rights under this policy, the individual should use the complaint procedure set forth below.

IV. Reporting Procedure

A. Harassment or Bullying of Student by Another Student

Any student who believes he/she has been harassed, or bullied by another student of the District in violation of this policy shall report the harassment, or bullying to one of the following, at the student's option: the building principal or assistant principal, a teacher, counselor, school psychologist or social worker. Any such person who receives such a report shall inform the building principal.

Any District personnel who become aware of unwelcome behavior by a student towards another student regarding gender, sexuality, race, color, national origin or ancestry, religion or disability shall inform the building principal.

Students and District personnel are encouraged to report violations of this policy immediately. However, if an individual is unable to do so, such reports shall be made within thirty (30) days or as soon as practicable. At the complainant's option, the initial report may be made in writing on an authorized Lake Shore Public Schools' Complaint Form. It is essential that individuals report all incidents of offensive or inappropriate conduct under this policy, even if the individual is unsure whether the offending behavior is considered harassment.

Report of all verified incidents of harassment or bullying and resulting consequences will be reported to the Board of Education at the June Regular Board meeting each year.

B. Harassment of, or Discrimination Against, Student by District Personnel

Any student who believes he/she has been harassed or discriminated against by District personnel in violation of this Policy is expected to report such conduct to one of the following, at the student's option: the building principal or assistant principal, a teacher, counselor, school psychologist or social worker. Any such person who receives a report shall inform the building principal.

Any District personnel who become aware of conduct by District personnel towards student(s) which may violate this policy is required to report it to the building principal. In the event that the building principal is alleged to be personally involved in the facts forming the basis of the complaint, the District personnel shall report the incident to the Assistant Superintendent for Administrative Services.

Students and District personnel are encouraged to report violations of this policy immediately. However, if an individual is unable to do so, such reports shall be made within thirty (30) days or as soon as practicable. At the complainant's option, the initial report may be made in writing on an authorized Lake Shore Public Schools' Complaint Form. It is essential that individuals report all incidents of offensive or inappropriate conduct under this policy, even if the individual is unsure whether the offending behavior is considered harassment or discrimination

C. Reports to Title IX Coordinator

All reports received by a building principal under A and B above shall be reported promptly to the Assistant Superintendent for Administrative Services and Lake Shore Public Schools Title IX Coordinator, 28850 Harper, St. Clair Shores, MI 48081, (586) 285-8490.

V. Responses to reports

- A. Upon the receipt of a report under this policy, the Assistant Superintendent will investigate or designate an individual(s) to conduct an investigation promptly and as set forth below. It is expected that in most cases an investigation will be completed within five (5) school days. In the event that the Assistant Superintendent is alleged to be personally involved in the facts forming the basis for the complaint, the President of the Lake Shore Public Schools Board of Education will designate an individual(s) to conduct the investigation. In the event that the President of the Lake Shore Public Schools Board of Education is alleged to be personally involved in the facts forming the basis of the complaint, the Lake Shore Board of Education will designate an individual(s) to conduct the investigation.
1. Review the complaint, obtain a signed complaint form if the complainant has not already submitted one, interview the complainant and document the interview.
 - Obtain the names of witnesses who can substantiate the complainant's version of the events, interview the witnesses and document the interviews.
 2. Interview the person about whom the complaint was made and document the interview.
 - Review the Lake Shore Public Schools' Policy Prohibiting Harassment and Discrimination, including the prohibition against retaliation, with the person about whom the complaint was made.
 - Obtain the names of witnesses who can substantiate the version of events provided by the person about whom the complaint was made, interview the witnesses, remind them of the prohibition against retaliation, and document the interviews.
 - Review the records of the complainant and the person about whom the complaint was made.
 - Make a determination of the merits of the complaint.
 3. The individual(s) conducting the investigation will report the findings of the investigation to the Superintendent or President of the Lake Shore Public Schools Board of Education, who will make the final determination about the merits of the complaint. In the event that the Superintendent is alleged to be

personally involved in the fact forming the basis of the complaint, the President of the Lake Shore Public Schools Board of Education shall receive the findings and make the final determination about the merits of the complaint. In the event that the President of the Lake Shore Public Schools Board of Education is alleged to be personally involved in the facts forming the basis of the complaint, the Lake Shore Public Schools Board of Education shall receive the findings and make the final determination about the merits of the complaint.

4. If it is determined that the complaint is without merit, the following actions will be taken:
 - Document the findings and conclusions.
 - The findings and conclusions will be discussed individually with the complainant and the person about whom the complaint was made. In addition, individuals who need to know (in the opinion of the employer) will be advised of the findings and conclusions.
 - All references to the complaint will be removed from the records of the person about whom the complaint was made and the complainant.
 - All documentation regarding the complaint and investigation will be maintained in a separate file. This file will be discarded by the District three (3) years after the date of the findings and conclusions, unless litigation or charges have been brought relating to the complaint and investigation.

5. If it is determined that the complaint has merit, the following actions will be taken:
 - Document the findings and conclusions.
 - A determination will be made as to what action is necessary to resolve the complaint and prevent reoccurrence.
 - The offender and complainant will be advised of the findings and conclusions of the investigation.
 - Appropriate remedial action will be imposed where applicable, based upon the severity of the incident and the prior record of the offender. Action taken shall be up to and including termination for employees, expulsion for students, exclusion for parents, guests, volunteers and contractors, removal for administrators and/or a request to resign for

Board members. In the event that the penalty imposed is less than termination of employment, expulsion, exclusion, removal or a request to resign, the Lake Shore Public Schools' Policy Prohibiting Discrimination and Harassment will be reviewed with the offender.

- Consequences for a student who commits an act of harassment or bullying shall be unique to the individual incident and will vary in method and severity according to the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and performance, and must be consistent with the Board of Education's approved Code of Conduct.
- The findings and conclusions as well as the documented disciplinary action will be placed in the offender's personnel file or other applicable record.
- All documentation regarding the complaint and investigation will be maintained in a separate file. This file will be discarded by the District three (3) years after the date of the findings and conclusions, unless litigation or charges have been brought relating to the complaint and investigation.

HARASSMENT/ BULLYING/DISCRIMINATION COMPLAINT FORM

Date: _____

Name: _____

Location of incident(s): _____

Name, status (student, teacher, staff, etc.) and location of person against whom complaint is made: _____

What is your complaint? Please describe any specific incidents that show that you were discriminated against or harassed, or bullied, including exactly what occurred, when it happened, and who observed or heard it happen (attach additional pages if necessary):

Please read the above carefully. Does it fully describe your complaint?

Yes, this describes my complaint fully and accurately.

Date

Signature

BACK OF COMPLAINT FORM

The following are examples (not all-inclusive) of conduct which, if severe enough or repeated enough, may constitute or contribute to hostile environment harassment, or bullying:

- Unwelcome written or verbal remarks or jokes, explicit or suggestive graffiti or obscene, lewd, vulgar or indecent language regarding gender, sexuality, race, color, national origin or ancestry, religion or disability.
- Sexual comments about body parts.
- Teasing students about body development, either over-development or underdevelopment.
- Bragging about the size of body parts.
- Making unwanted or sexual comments regarding someone's body.
- Describing sexual fantasies.
- Using sexually-oriented slurs.
- Demanding sexual favors.
- Unwanted intentional touching such as patting, pinching, rubbing, bumping, or leaning.
- Displaying sexually suggestive objects or graphic pictures.
- Sexually suggestive comments, gestures, leering, or whistling.
- "Rating" other students on physical appearance/attributes.
- Teasing students about their sexual activity or lack of sexual activity.
- Forcing someone to kiss.
- Teasing students about gender, sexuality, race, color, national origin or ancestry, religion or disability.
- Spreading gossip or rumors regarding gender, sexuality, race, color, national origin or ancestry, religion or disability.
- Treating students differently or excluding them because of their gender, race, color, national origin or ancestry, sexual orientation, religion or disability.

DRUG PREVENTION

The Board of Education recognizes that the misuse of drugs is a serious problem with legal, physical, and social implications for the entire school community.

For purposes of this policy, "drugs" shall mean:

- A. all dangerous controlled substances as so designated and prohibited by Michigan statute;
- B. all chemicals which release toxic vapors;
- C. all alcoholic beverages;
- D. any prescription or patent drug, except those for which permission to use in school has been granted pursuant to Board policy;
- E. "look-a-likes";
- F. anabolic steroids;
- G. any other illegal substances so designated and prohibited by law.

The Board prohibits the use, possession, concealment, or distribution of any drug at any time on District property or at any District-related event. All school buildings and grounds shall be considered as "Drug Free School Zones". The Board authorizes the Superintendent to conduct drug and other contraband searches which include, but are not limited to, classrooms, lockers, and automobiles while on school property.

The Superintendent shall ensure that the warning notice concerning anabolic steroids is installed and properly maintained in each of the District's locker rooms or athletic dressing areas.

THE SCHOOLS AND GOVERNMENTAL AGENCIES

The Board of Education is committed to protect students from individuals not associated with the school system but also recognizes its responsibility to cooperate with law enforcement agencies and the Department of Social Services.

When such agencies request permission to interrogate a student at school, the principal shall attempt to inform the student's parents, when appropriate.

Whenever it has been determined that an agency has a legitimate purpose in interrogating a student within the confines of the District, the principal or representative may, whenever appropriate, be present throughout the proceedings.

When an agency requests permission to remove a student, the principal shall notify the Superintendent.

No student shall be released to an agency, other than a law enforcement or child protection agency, without proper warrant or written parental permission, except in the event of emergency or for the protection of life or property as determined by the principal.

STUDENT DISCIPLINE

The Board of Education acknowledges that conduct is closely related to learning and that an effective instructional program requires an orderly school environment, which is, in part, reflected in the behavior of students.

The Board believes that the best discipline is self-imposed and that students should learn to assume responsibility for their own behavior and the consequences of their actions.

The Board shall require each student of this District to adhere to the Code of Conduct promulgated by the administration and to submit to such disciplinary measures as are appropriately assigned for infraction of those rules. Such rules shall require that students:

- A. respect the person and property of others;
- B. preserve the degree of order necessary to the educational program in which they are engaged;
- C. respect the rights of others;
- D. obey constituted authority and respond to those who hold that authority.

The Board shall attempt to provide, as resources permit, alternative programs and activities for disruptive students as a means to prevent or reduce discipline problems. In planning such programs, the Superintendent shall include procedures which ensure cooperation with those community agencies and organizations which can provide assistance to such students.

The Superintendent shall publish to all students and their parents the rules of this District regarding student conduct, the sanctions which may be imposed for breach of those rules, and the due process procedures that will be followed in administering the Code of Conduct. The omission of any specific rule or prohibition shall not constitute permission for such an activity.

The principal shall have the authority to assign discipline to students, subject to District administrative guidelines and the student's due process right to notice, hearing, and appeal.

Teachers and other employees of this Board having authority over students shall have the authority to take such means as may be necessary to control the disorderly conduct of students in all situations and in all places where such students are within the jurisdiction of this Board.

Discipline of students while on District vehicles shall be the responsibility of the driver on regular bus runs. When District vehicles are used for field trips and other District activities, however, the teacher, coach, or advisor shall be responsible for student discipline. If a student becomes a serious discipline problem on the vehicle, the Superintendent may suspend the transportation privileges of the student providing such suspension conforms with due process.

PHYSICAL /VERBAL ASSAULT

The Board shall permanently expel a student in grade six or above if that student commits physical assault against a District employee, volunteer, or contractor.

If a student in grade six or above commits physical assault at school against another student, or commits a verbal assault against a District employee, volunteer, or contractor, or makes a bomb threat or similar threat directed at a school building, property, or a school-related activity, he/she shall be suspended or expelled for a period of time as determined in the discretion of the board or its designee.

Verbal assault is defined as: Any intentional threat or offer to do bodily injury to another (or school property) by force, or intimidation of another, whether oral or written, under circumstances which create a well-founded fear of actual harm, coupled with the apparent ability to carry out the act if not prevented.

The student may be enrolled, in lieu of expulsion, in the District's alternative educational program upon the Superintendent's recommendation. Students enrolled in a program operated for expelled students shall be physically separated at all times during the school day from the general student population.

Disabled students under IDEA or Section 504 shall be expelled only in accordance with Board Policy #2461 and Federal due process rights appropriate to these students.

The Superintendent shall ensure that the expulsion is duly noted in the student's record and that the student has been referred to the Family Independence Agency or Mental Health Department within three (3) school days after the expulsion and the parents informed of the referral. In compliance with Federal law, the Superintendent shall also refer any student expelled for the above infractions to the local criminal justice or juvenile delinquency agency serving the District.

A student who has been expelled under this policy is entitled to all the rights and due process procedures as outlined under Board Policy #4500.01 Expulsion for Possession of dangerous Weapon, Arson, or Criminal Sexual Conduct.

CORPORAL PUNISHMENT

While recognizing that students may require disciplinary action in various forms, the Board of Education cannot condone the use of unreasonable force and fear as an appropriate procedure in student discipline.

Professional staff should not find it necessary to resort to physical force or violence to compel obedience. If all other means fail, staff members may always resort to the removal of the student from the classroom or school through suspension or expulsion procedures.

Professional staff as well as support staff, within the scope of their employment, may use and apply reasonable force and restraint as necessary to maintain order and control in a school or school related setting for the purpose of providing an environment conducive to safety and learning. Such instances include:

- A. to remove a student who refuses to comply with a request to behave or report to the office;
- B. to quell a disturbance threatening physical injury to self or others;
- C. to obtain possession of weapons or other dangerous objects upon or within the control of the student;
- D. in self defense;
- E. for the protection of persons or property;
- F. to prevent a student from inflicting harm on himself/herself.

Corporal punishment does not include physical pain caused by reasonable physical activities associated with athletic training.

In accordance with State law, corporal punishment shall not be permitted. If any staff member, full-time, part-time, or substitute deliberately inflicts, or causes to be inflicted, physical pain by hitting, paddling, spanking, slapping, or makes use of any other kind of physical force as a means of disciplining a student, s/he may be subject to discipline by this Board and possibly criminal assault charges as well. This prohibition applies as well to volunteers and those with whom the District contracts for services.

SCHOOL SPONSORED PUBLICATIONS AND PRODUCTIONS

The Board of Education sponsors student publications and productions as means by which students learn, under adult direction/supervision, the rights and responsibilities inherent when engaging in the public expression of ideas and information in our democratic society.

For purposes of this policy, “school-sponsored student media” shall include both student publications and productions. “Student publications” shall include any written materials, (including, but not limited to, banners, flyers, posters, pamphlets, notices, newspapers, playbills, yearbooks, literary journals, books, t-shirts and other school-sponsored clothing), as well as material in electronic or on-line form (including, but not limited to, websites, web logs (“blogs”), video or audio clips, and newsletters or announcements transmitted by e-mail, wireless broadcast or other similar distribution/dissemination). “Student productions” shall include vocal and theatrical performances, impromptu dramatic presentations, or any electronic media (including, but not limited to, radio and television programs, podcasts, and other video or audio productions that are recorded for re-broadcast or broadcast in real time using any available broadcast technology). Further, the term “publication” shall include distribution and dissemination of a student publication; and the term “performance” shall include presentation and broadcast of a student production.

The following speech is unprotected and prohibited in all school-sponsored student publications and productions; speech that is defamatory, libelous, obscene or harmful to juveniles; speech that is reasonably likely to cause substantial disruption of or material interference with school activities or the educational process; speech that infringes upon the privacy or rights of others; speech that violates copyright law; speech that promotes activities, products or services that are unlawful (illegal) as to minors as defined by State or Federal law; and speech that otherwise violates school policy and/or State or Federal law. The Board authorizes the administration to engage in prior review and restraint of school-sponsored publications and productions to prevent the publication or performance of unprotected speech.

All school-sponsored student publications and productions are nonpublic forums. While students may address matters of interest or concern to their readers/viewers, as nonpublic forums, the style and content of the student publications and productions can be regulated for legitimate pedagogical, school-related reasons. School officials shall routinely and systematically review and, if necessary, restrict the style and/or content of all school-sponsored student publications and productions prior to publication/performance in a reasonable manner that is neutral as to the viewpoint of the speaker. Legitimate pedagogical concerns are not confined to academic issues, but include the teaching by example of the shared values of a civilized social order, which consists of not only independence of thought and frankness of expression, but also discipline, courtesy/civility, and respect for authority. School officials may prohibit speech that is grammatically incorrect, poorly written, inadequately researched, biased or prejudice, vulgar or profane, or unsuitable for immature audiences.

policy

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School-sponsored student media may not be published/performed outside the school community (i.e., publication/performance is limited to students, staff and parents/family members) except with the prior written approval of the building principal or Superintendent.

The Board reserves the right to designate and prohibit the use or advertisements that constitute a direct and substantial danger to the health of students; contains obscenity or material otherwise deemed to be harmful to impressionable students who may receive them; incite violence, advocate the use of force, or urge the violation of law or school regulations.

Ref: 484 U.S. 260 (1980)

EQUAL ACCESS FOR NONDISTRICT-SPONSORED STUDENT CLUBS AND ACTIVITIES

The Board of Education will not permit the use of school facilities by nondistrict-sponsored student clubs and activities during instructional hours, except as permitted by the Superintendent. During noninstructional time, however, no group of students, regardless of the size of the group, will be denied an opportunity to meet on the basis of the religious, political, philosophical, or other content of the activity.

An application for permission for nondistrict-sponsored, student clubs and activities to meet on school premises shall be made to the principal, who shall grant permission provided that s/he determines that:

- A. the activity has been initiated by students;
- B. attendance at the meeting is voluntary;
- C. no agent or employee of the District will promote, lead, or participate in the meeting;
- D. the meeting does not materially and substantially interfere with the orderly conduct of instructional activities in the school;
- E. nonschool persons do not direct, conduct, control, or regularly attend the activity;
- F. all student-sponsored activities will require adult supervision.

A student-initiated group granted permission to meet on school premises shall be provided the same rights and access and shall be subject to the same administrative guidelines that govern the meetings of student organizations sponsored by this Board except as provided by this policy. Participation in a student-initiated meeting must be available to all students who wish to attend and cannot be denied on the basis of a student's race, color, creed, sexual orientation, religion, gender, national origin, disability, or social or economic status.

The Board will not permit the organization of a fraternity, sorority, or secret society. A student-initiated meeting may be attended by no more than two (2) outside resource persons. The Superintendent may exclude nonstudents from directing, controlling, or attending any such meetings of students.

A professional staff member may be assigned to attend a student initiated meeting in a custodial capacity but shall not participate in the activity. No professional staff member shall be compelled to attend a student-initiated meeting if the content of the speech at the meeting is contrary to his/her beliefs.

The principal may take such actions as may be necessary to maintain order and discipline on school premises and to protect the safety and well-being of students and staff members. (See also policy 2430)

STUDENT FUND-RAISING

The Board of Education acknowledges that the solicitation of funds from students must be limited since compulsory attendance laws make the student a captive donor and may also disrupt the program of the schools.

For purposes of this policy "student fund-raising" shall include the solicitation and collection of money from students for any purpose and shall include the collection of money in exchange for tickets, papers, or any other goods or services for approved student activities.

The Board will permit student fund-raising by students in school, on school property, or at any school-sponsored event only when the profit therefrom is to be used for school purposes or for an activity connected with the schools. The Superintendent or building administrator may waive this provision.

Fund raising by approved school organizations, those whose funds are managed by the District, may be permitted in school by the principal. Such fund raising off school grounds may be permitted by the principal.

Fund raising by students on behalf of school-related organizations whose funds are not managed by the District may be permitted on school grounds by the principal.

All other fund raising shall be done in accordance with Board Policy 8700.