

**Student's Rights, Responsibilities and  
Code of Conduct  
2021-2022**



DPSCD does not discriminate on the basis of race, color, national origin, sex, sexual orientation, gender identity, disability, age, religion, height, weight, citizenship, marital or family status, military status, ancestry, genetic information, or any other legally protected category, in its educational programs and activities, including employment and admissions. Questions? Concerns? contact the Civil Rights Coordinator at (313) 240-4377 or [dpscd.compliance@detroitk12.org](mailto:dpscd.compliance@detroitk12.org) or 3011 West Grand Boulevard, 14<sup>th</sup> Floor, Detroit MI 48202.

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Students Rise. We All Rise.

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## English Language Assistance Service

Detroit Public Schools Community District provides language assistance (oral interpretation and written translation) services to parents and guardians with limited English proficiency. The District accepts a parent's or guardian's assertion that language assistance is needed in speaking, reading or writing English without requiring additional corroboration. For free help, please contact your child's school or the District's Translations Coordinator at (313) 870-3776 or (313) 212-4312.

### خدمات المساعدة

#### اللغوية – اللغة العربية

توفر منطقة مدارس ديترويت العامة المجتمعية خدمات المساعدة اللغوية (ترجمة شفوية وترجمة مكتوبة) للوالدين والأوصياء ذوي المهارة والكفاءة المحدودة في اللغة الإنجليزية. وتقبل المنطقة تأكيد أحد الوالدين أو الوصي الحاجة إلى مساعدة لغوية في التحدث أو القراءة أو الكتابة باللغة الإنجليزية دون اشتراط إثبات إضافي. للحصول على المساعدة المجانية، يرجى الاتصال بمنسق الترجمة بمدرسة طفلك أو المنطقة على الأرقام: (313) 870-3776 أو (313) 212-4312.

### Servicios Asistenciales de Traducción en Español

El Distrito Comunitario de las Escuelas Públicas de Detroit ofrece servicios de asistencia lingüística (interpretación oral y traducción escrita) a padres y tutores con dominio limitado del idioma inglés. El Distrito acepta las declaraciones de padres o tutores en las que expresan que necesitan ayuda con el idioma para hablar, leer o escribir en inglés, sin necesidad de una comprobación adicional. Para obtener ayuda gratuita, por favor comuníquese con la escuela de su hijo/a o el Coordinador de Traducciones del Distrito al (313) 870-3776 o (313) 212-4312.

### বাংলা ভাষা সংক্রান্ত সহায়তা সেবা

ইংরেজিতে সীমিত দক্ষতা রয়েছে এমন বাবামা ও অভিভাবকবৃন্দের জন্য Detroit Public Schools Community District ভাষা সংক্রান্ত সহায়তা (মৌখিক ব্যাখ্যা প্রদান ও লিখিত অনুবাদ) সেবা প্রদান করে। অতিরিক্ত প্রমাণের প্রয়োজন ছাড়াই ডিস্ট্রিক্ট বাবামা বা অভিভাবকের এই দাবি মেনে নিয়েছে যে, ইংরেজি বলা, পড়া ও লেখার জন্য ভাষা সংক্রান্ত সহায়তার প্রয়োজন রয়েছে। বিনামূল্যে সহায়তার জন্য অনুগ্রহ করে আপনার সন্তানের স্কুলের সাথে বা ডিস্ট্রিক্টস ট্রান্সলেশন্স কো-অর্ডিনেটরের সাথে (313) 870-3776 বা (313) 212-4312 নম্বরে যোগাযোগ করুন।

### Limba română – Servicii de asistență lingvistică

Detroit Public Schools Community District oferă părinților și tutorilor legali cu cunoștințe limitate de engleză servicii de asistență lingvistică (translație orală și traducere). Districtul aderă la principiul că asistența lingvistică vizând comunicarea verbală, citire și scriere în limba engleză este necesară și nu solicită coroborare suplimentară a acestuia. Pentru asistență gratuită, vă rugăm să contactați Coordonatorul Traduceri al Districtului, la numărul de telefon (313) 870-3776 / (313) 212-4312.

### Lus Hmoob – Kev Pab Cuam Txhais Lus

Detroit Public Schools Community District muab kev pab cuam lus (txhais ua lus thiab txhais ntawv) pab cuam rau cov niamtiv thiab cov tsom kwm uas paub lus Askiv tsis zoo. Tuam tsev kawm lees paub niam txiv thiab cov saib xyuas uas tsis paub lus zoo yuav tsum tau hais nyeem thiab sau ua lus Askiv uas tsis tag yuav nrhiav lwm tus neeg sab nrauv pab ntxiv. Hais txog pab dawb, thov hu rau koj tus menyuam lub tsev kawm ntawv lossis Tuam Tsev Kawm Ntawv tus neeg txuas lus fab kev txhais lus (313) 870-3776 / (313) 212-4312.



# BLUEPRINT 2021

## A One-Year Extension of Blueprint 2020

Blueprint 2021 ensures that the priorities and strategies for the 2020-2021 school year focus on advancing the District's ongoing work while attending to the unique academic, health, safety, and social-emotional needs brought forth by the pandemic.

### MISSION

We educate and empower every student, in every community, every day, to build a stronger Detroit.

### VISION

All students will have the knowledge, skills and confidence necessary to thrive in our city, our nation, our world.

### CORE VALUES

#### Students First

Make decisions that are in the best interest of students. Use every resource strategically so that we can meet students' individual needs.

#### Excellence

Be relentless in your pursuit of greatness. Be bold and innovate. Learn from your mistakes. Hold yourself and others to high standards.

#### Integrity

Do the right thing, even when no one is looking. Be honest. Be trustworthy. Be accountable.

#### Equity

Diversity is an asset that makes us stronger. Advocate for the needs of others. Ensure that all members of our community have access to the tools and resources they need to be successful.

#### Service

Listen. Empathize. Respond. Own problems and help to solve them.

#### Tenacity

Embrace hard work and persevere in the face of challenges. Follow through on your commitments and strive to do your best, no matter what.

### PRIORITIES



#### Transformative Culture

Build a school culture where everyone feels safe, engaged, valued, and connected.



#### Outstanding Achievement

Offer differentiated learning experiences that support academic improvement.



#### Whole Child Commitment

Provide students with opportunities and resources to meet their needs, explore their interests, and honor their identities.



#### Exceptional Talent

Build an excellent, effective team of dedicated staff to serve our students in a variety of settings.



#### Responsible Stewardship

Manage and deploy our resources sustainably, transparently, and equitably to support our students' and staff's safety and success.

Students Rise.  
We All Rise.

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## Letter from the Board of Education and Superintendent

In Detroit Public Schools Community District, everything we do is about making sure every student is thriving and prepared for college, career, and community. Fostering safe, supportive learning environments is part of that work and we cannot separate it from the everyday work of teaching and learning in our schools. Our positive behavior support approach is rooted in teaching and learning. We set clear, high expectations for students and we match that with high levels of support so that students can meet that high bar.

If our school environments are to thrive, and if all students are to achieve at high levels, we need to have an approach that reduces exclusionary practices and establishes a more progressive approach to discipline - one that helps students learn positive behaviors, repair harm when negative behavior occurs, and keep our students in classrooms where they can learn.

As a district, we believe in excellence with equity. We are grounded in a strong focus on engagement and learning. Whenever possible, we avoid exclusionary practices and support progressive discipline, not “zero tolerance.” We believe in teaching and intervention over consequences and punishment. We will use disaggregated data to identify disparities, monitor progress, and drive decisions. We support proactive problem-solving on behalf of students. We believe that strong school-family partnerships are important for all of this to be successful.

Our students are scholars who we must hold to high expectations academically and behaviorally. We believe that with the right support, our students can meet those high expectations both for how they act in school and how they meet their goals academically.

Over the past year, our “Expect Respect” campaign has included monthly themes and lessons for schools to focus on character traits and practice positive interactions with others. Through these school-wide lessons, activities, and assemblies, students have begun to build stronger relationships that foster a safe and civil school environment. For our schools to be the institutions of higher learning that we aspire for them to be, we must ensure that staff, students, and parents feel safe and respected at school.

Expect Respect will continue to be a universal theme in our district and evidenced through our core values. We must lead by example, teach and reteach students the value of making positive choices and help them understand there are consequences when behavior is not appropriate. At the same time, we are committed to the process of students learning and growing through their mistakes. The District will work hard to maintain the right balance between the two. We ask families to partner with the school and District staff to create a positive school culture.

Therefore, after you review the Code with your student and engage them through any concerns they may have, please sign the “Parent and Student Statement of Receipt” and have your child return it to school. If you have questions you want answered before signing, please take this time to engage with your student’s teachers and school staff. This is a great way to begin to build the important line of communication between you and your student’s school. Please keep a copy for your records once signed. Principals, teachers, and staff will also sign their own statement of receipt.

Thank you for entrusting your child to us and thank you for your continued support of Detroit Public Schools Community District.

Dr. Nikolai P. Vitti  
Superintendent  
Detroit Public Schools Community District

Board of Education  
Angelique Peterson-Mayberry, President  
Dr. Deborah Hunter-Harvill, Vice President  
Misha Stallworth, Secretary  
Sonya Mays, Treasurer  
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## Educate and Empower Every student, in Every community, Every day

The Detroit Public Schools Community District's Student Code of Conduct 2020-2021 was written in accordance with federal and state law, policies of the Detroit Board of Education, Superintendent administrative guidelines, as well as, applicable agency guidance. DPSCD students, in all their diversity, shall be educated in a safe and supportive environment that fosters academic success and healthy development. DPSCD is dedicated to creating this environment by cultivating student connectedness, establishing clear behavioral expectations, and employing preventative measures with constructive discipline that prioritizes keeping students in school through graduation. Aligned with the Michigan State Board of Education's mission, *all students graduate ready for careers, college, and community*, DPSCD prioritizes a vision that all students will have the knowledge, skills and confidence necessary to thrive in Detroit, our nation, and our world. The Code of Conduct shall ensure student ability to pursue their education by adopting practices that allow educators to address disciplinary matters as opportunities for learning instead of punishment.

The Code of Conduct focuses on ways to redirect behavior and teach students appropriate responses and behaviors by providing levels of disciplinary responses that corresponds to the severity of an incident. Disciplinary responses should promote positive relationships, student learning and responsibility, and the adoption of prevention and intervention support strategies. The use of suspensions and expulsions as disciplinary measures is a last resort and, when employed, should be implemented in a way that minimizes the time that students spend out of the classroom. All stakeholders, including students, school staff, families, and community partners, are entitled to a safe, supportive, positive, and orderly learning environment.

### **Transformative School Climate and Culture**

Detroit Public Schools Community District's schools are working to provide engaging, safe, and supportive environments that foster well-being and meet students' academic, social, emotional, and physical needs. When students feel safe and supported, are interested in what they are learning and find it purposeful, when their minds are engaged and they are motivated, achievement improves. The Board 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. School climate encompasses the elements in a school related to relationships, teaching and learning, physical environment, and safety. Positive relationships are critical to creating a transformative school climate. School leaders set the tone and expectations for the entire school community, and teachers are the facilitators of climate, paving the way for all members of that community to take simple yet meaningful steps to transform school climate and culture.

Through this Code and the work happening in our schools, we hope to build honest and open relationships with our students without fear of retribution, promote a safe culture within our building, and create an environment conducive to learning that refrains from interrupting the learning environment for students to the greatest extent possible.

All members of the school community, including students, families/ guardians, principals, school staff and the district office, have rights and responsibilities that support a strong school community. Disciplinary responses focus on promoting positive relationships, teaching positive behaviors, and implementing intervention strategies. Suspensions are a disciplinary measure of last resort.

To achieve transformative culture, the Student Code of Conduct shall undergo a sequence of annually phased, structural revisions. The phasing of structural revisions to the Code of Conduct shall achieve not only the goal of maintaining a positive school climate throughout the district, it also affords all stakeholders the ability to adjust to transformative expectations incrementally. It ensures that implementation of the Code, its expectations and established guidelines are done with fidelity and reinforces greater cooperation with all stakeholders.



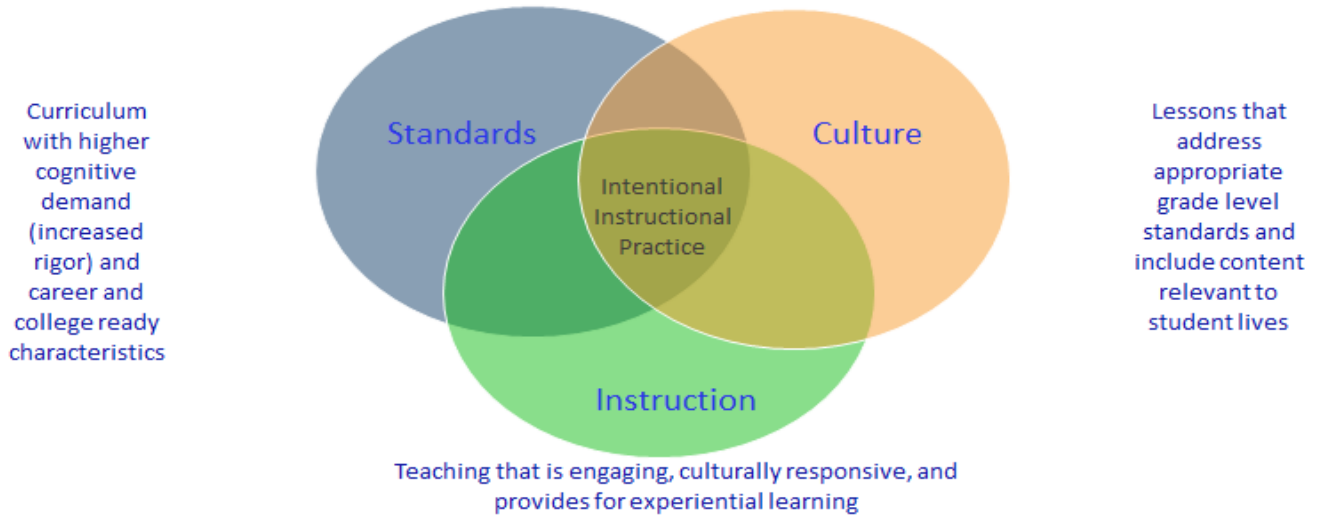
## COVID-19 Recommendations & Expectations

TOPIC	DESCRIPTION
<b>Overview</b>	<p>Detroit Public Schools Community District remains committed to mitigating the risks of COVID-19 and maintaining a safe school community and online environment for learning. As DPSCD begins the phase of returning to school, the health and safety of students and staff is the top priority. The Student Code of Conduct supports this goal by identifying shared expectations that keep our community safe and healthy.</p> <p>To provide a safe learning environment, all students and staff must understand and agree to comply with the following and potential additional health and safety requirements on district property. Students on campus or in a school related event off campus (on and off campus), are expected to abide by all federal, state, local, and DPSCD codes and guidelines to help mitigate the spread of COVID-19. <b>Failure to do so will result in the use of appropriate Interventions and Supports as outlined in the Student Code of Conduct.</b></p>
<b>Restrictions on Social Gatherings</b>	In order to decrease the number of people who could become infected with COVID-19, there are limits on the number of people who may congregate in one place. All students should adhere to the district guidelines based on their location on district property by limiting the number of people who may gather together
<b>Physical Distancing Guidelines</b>	The Centers for Disease Control and Prevention (CDC) recommends limiting close contact with other individuals. Specifically, you should maintain a 3-foot distance from others, in both indoor and outdoor spaces, to the greatest extent possible. It is important that you are respectful of the space of others and maintain the proper distance. Students are expected to follow the identified travel patterns in all district buildings/locations.
<b>Protective Face Mask/Coverings</b>	<p>The CDC has advised that wearing a face covering can slow the spread of COVID-19. All students are expected to wear a face covering while they are indoors (with the exception eating). Students are also expected to wear a face covering when outdoors if they cannot engage in appropriate physical distancing. Students are expected to follow the direction of school staff regarding the use of face coverings when on district property and participating in district activities. Anyone using a personal, reusable mask should follow CDC guidelines for maintaining and sanitizing, as necessary.</p> <p>The District will take into consideration the age of the student and the medical history of a student when requiring face masks/ coverings. Wearing a face covering may be challenging for younger students and can potentially be harmful to students with underlying medical conditions. Face coverings should be worn by students as feasible and are most essential in times when students are indoors or when physical distancing is not possible.</p>
<b>Respect for Health</b>	DPSCD students show positive regard and respect for each other and for the community. Behavior that violates this value includes but is not limited to: Intentional or reckless behavior causing harm; threat thereof or endangering the health or safety of any person (self or others); endangering the well-being of individual(s), including but not limited to attempting or threatening to cough/sneeze, false report of illness, removing your own or another's face mask, or refusing to comply with health guidelines. Failure to show positive regard and respect for the health and safety of others will result in the use of appropriate Interventions and Supports as outlined in the Student Code of Conduct

**School staff should also see Appendix A - COVID-19 Planning Checklist for additional guidance.**

# Multi-Tiered System of Supports

When **Standards**, **Instruction**, and **Culture** intersect, we'll see...



Students Rise. We All Rise.

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Detroit Public Schools Community District utilizes explicit frameworks to guide school district staff, students and families, and community partners in the shared work of ensuring positive school environments and improved student outcomes.

**Multi-Tiered System of Supports (MTSS)** is an integrated, multi-tiered system of instruction, assessment, and researched based strategies and interventions designed to meet the academic and non-academic needs of **ALL STUDENTS**.

### Tiered Delivery System

A responsive framework that provides instruction, interventions, and supports intended to meet the needs and assets of the whole child. Tiers are intended to be layered with intensification of supports as matched to student need. The framework of a multi-tiered approach provides efficient and effective allocation of resources within the educational system. When appropriately used, the tiers support each and every student to experience success by meeting their unique needs.

### Positive Behavior Interventions and Supports (PBIS)

A multi-tiered system used to promote positive behavior through interventions and supports. This proactive approach establishes systems by defining, teaching, and supporting appropriate behavior. Proper implementation of PBIS results in a safe, supportive, and positive learning environment where all students can achieve success academically, socially, and emotionally.

### Team-Based Leadership

An active, organized, knowledgeable and representative group to provide whole child supports, remove barriers, and coordinate and evaluate activities across the system. Teams (district, building, and grade-level/content area) that collaborate and communicate will contribute to the alignment and cohesion across the multiple levels of the system. The alignment and cohesion of leadership teams creates sustainable, scalable, and engaging school climates to support successful implementation of MTSS and student achievement.

Detroit Public Schools Community District recognizes that students are happier, more cooperative, and more likely to make positive changes in their behavior when those in positions of authority work with them rather than against them. The aim of the Code of Conduct is to develop community and to manage conflict and tensions by repairing harm and restoring relationships. 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.

**Restorative Practices** are intentional actions and interventions designed to build community, improve relationships, and address the harm caused by an incident. Restorative practices seek to achieve social discipline through participatory learning and decision making

The integration of multi-tiered systems of support and restorative approaches throughout the culture and practices of schools will help cultivate safe and positive educational environments that foster student learning and well-being while reducing the incidence of negative behaviors. (See Appendix for specific practices)

## Expect Respect

At the core of a positive school climate and culture is a teaching and learning plan designed to support every student in their social, emotional, and academic development. We know behavior education is complex work that happens in classrooms and cafeterias, on buses and playgrounds, and even offices and auditoriums. Whether you are a student, family member, community member, or staff member, we all have a responsibility to embody our beliefs, our expectations, and our commitments.

### WE EXPECT:

- Students, staff, and families to demonstrate respect to one another and hold high expectations for behavior
- Students, staff, and families to build and sustain ongoing positive and authentic relationships
- Students, staff, and families to contribute to a safe learning environment

### WE BELIEVE:

- In authentic relationships and a supportive community that fosters a sense of belonging
- In a thriving school environment where staff and students are physically and emotionally safe
- In the importance of student and staff voice in decision making
- Families and school staff must be collaborative partners in supporting every student

### WE WILL:

- Utilize innovative strategies and supports to create a positive school community where students, staff and families feel safe
- Provide schools with the necessary resources, professional development, and technical assistance to implement the Expect Respect plan

### Schools with positive culture have:

- Effective leadership that creates and communicates clear expectations, communicates openly and honestly, is accessible and supportive of school staff and professional learning, and supports students in acquiring and effectively applying the knowledge, attitudes, and skills necessary to understand and manage emotions, setting and achieving positive goals, feeling and showing empathy for others, establishing and maintaining positive relationships, and making responsible decisions.
- Positive relationships with all community members — students, parents, teachers/staff, school police, and community partners

- Training and resources that provide social, emotional, and academic support, and positive interventions designed to help students problem solve, develop appropriate school and classroom behaviors, and reduce the need for classroom removal or school police intervention.
- Supports for students who are experiencing emotional crisis, trauma, or serious challenges in their homes or communities
- Engaging academic and extracurricular activities for all students that meet developmental and academic needs
- A learning environment where students and staff feel physically and emotionally safe

Expect Respect is Detroit Public Schools Community District’s universal theme that reinforces that those in authority must lead by example, teach and reteach students the value of making positive choices, and help them own consequences when behavior is not appropriate. For DPSCD schools to be the institutions of learning and positive culture, the provision of clear expectations for all community members shall ensure that staff, students, and parents feel safe and respected at school.

In teaching our students the importance of respect for self and other, DPSCD outlines five principles to serve as an important foundation to guide behavior, both individually and in interpersonal relationships. If students abide by these principles, the learning environment will be strengthened.

1. My words, actions and attitudes demonstrate respect for myself and others at all times.
2. I seek to correct harm that I have caused to others in the school community.
3. I demonstrate pride in myself, in my future, and in my school by arriving on time, dressed appropriately, and prepared to focus on my studies.
4. I always seek the most peaceful means of resolving conflict, and obtain the assistance of teachers, administrators, or school staff when I am unable to resolve conflicts on my own.
5. I take pride in promoting a safe and clean learning environment at my school.

## DPSCD Police Department Role in Schools

In an effort to provide safe school environments, the Detroit Public Schools Community District created its own police department in 2004. This action was to allow for the efficient and effective response to issues within our school community. As we are an Anti-Racist District, we frame the work of our internal police department in support of community, and in support of the safety of our students. We do not support a police department that looks to criminalize our students and further perpetuate the school-to-prison pipeline. To that end, the Detroit Public Schools Community District Police Department partners with school leaders to:

- The DPSCD Police Department does not enforce nor implement the Code of Conduct.
- Develop comprehensive safety plans: best practices in safety measures for schools and coordination of safety drills to prepare for potential risks and threats to school community
- Use mediation to help address internal disputes to de-escalate tensions for school community members
- Deliver educational talks and lectures for both students and staff about in person and online safety, health, and behaviors that support health and respect for self and others
- Provide safety functions such as monitoring large events, conducting property searches when deemed necessary, and in the most extreme cases, detaining and arresting individuals involved in crimes

Our District police officers must have a number of professional and personal traits that allow them to integrate successfully into a school environment. In addition to the services they provide, these officers also must adhere to all District policies, model moral and ethical behavior for students, and help promote better relationships between the public and law enforcement officers by having a student -friendly, non-threatening attitude that puts school communities at ease.

By Board action, effective July 2020, an oversight taskforce comprised of community members will work with the Districts police department to ensure the most comprehensive and supportive measures are in place to foster safe school communities.

## Roles, Rights, Responsibilities, and Expectations

The jurisdiction of the Code of Conduct covers and applies to students, at while on Detroit Public Schools Community District physical and virtual property or District sponsored/sanctioned events. It covers behaviors that occur during school hours as well as before and after school hours, to include after-school events, student clubs, sporting events, on school buses or in other school vehicles, during school-sponsored field trips, when connected with school- related events and activities and when students are in route to or from school. Specific consideration will be given, when the incident involves the student's proximity to the school, the length of time elapsed since the student was on school premises, whether there is a connection to an on-premise altercation or confrontation and whether there is a disruption to the school environment or orderly operation of the school.

Detroit Public Schools Community District is required to take additional steps when considering disciplinary consequences involving students with special needs or disabilities. The Code of Conduct requires principals and school staff to follow federal and state laws and regulations, including procedures for determining manifestation, i.e., whether the behavior is linked to a student's disability, conducting Functional Behavioral Assessments and developing Behavioral Intervention Plans, Board of Education policies, Superintendent directives and, administrative guidelines, as well as, applicable agency directives. Board policy, and state and federal laws including procedures for determining manifestation, i.e., whether the behavior is linked to a student's disability, conducting Functional Behavioral Assessments, and developing Behavioral Intervention Plans. Detroit Public Schools Community District is committed to applying the Code of Conduct fairly and without discrimination based on a student's Individualized Education Program (IEP), 504 plan, race, ethnicity, national origin, gender, sexual orientation, or religion.

**Freedom from Discrimination, Harassment and Bullying:** DPSCD does not discriminate on the basis of race, color, national origin, sex, sexual orientation, transgender identity, disability, religion, height, weight, citizenship, marital or family status, ancestry, genetic information, or any other legally protected category in its educational programs and activities, including employment and admissions. Questions? Concerns? contact the Office of Equity, Advocacy and Civil Rights, [dpscd.compliance@detroitk12.org](mailto:dpscd.compliance@detroitk12.org), call the DPSCD Parent Hotline at (313) 240-4377, or in person at 3011 West Grand Boulevard, 14<sup>th</sup> Floor, Detroit, MI 48202.

**The Right to Due Process:** Due process safeguards must apply in instances where the behavior or rights of students are being evaluated. Students must be treated with fairness and in light of the total circumstances. Students have the right to be fully informed of the alleged breach of behavior and be provided an opportunity to respond to such charges. Any permanent record that results from the student's actions should clearly state whether the charges were or were not substantiated. The Code sets forth the procedural rules for student discipline.

**Make-up Work:** Students removed from school for any disciplinary action are entitled to make-up work. Make-up work will be provided to parents by the principal/designee within two (2) school days of the assigned discipline. Parents are responsible for picking up the assignments and returning the completed work for grading. Students are allowed the same of days to make-up the work as the days of absence for discipline.

**Effective Communication:** To ensure effective communication with our students' families or guardians who are disabled, including those who are limited in English language proficiency or deaf or hard of hearing, or blind, we provide appropriate auxiliary aids and services free of charge, such as qualified sign language and oral interpreters, audio recordings, readers, and braille.

# STUDENTS

## RIGHTS RESPONSIBILITIES & EXPECTATIONS

The Code of Conduct is your guide for expectations at school. Your principal, teachers, and other staff members will support your efforts to be successful in the personal, social and academic behaviors that are expected at school.

When you follow the expectations and norms in the Code of Conduct, you will be demonstrating good citizenship and character, helping to make your school a respectful, responsible and safe learning environment. The Code also describes specific behaviors that are unacceptable at school and explains the consequences, with the intent of providing opportunities for learning and growth.

### STUDENTS HAVE THE RIGHT TO:

- A free public-school education, equitable academic resources, and inclusive teaching and learning environments in all classrooms.
- A socially, emotionally, and physically safe and positive school climate.
- Be taught by effective teachers.
- Due process
- Be treated with respect and dignity by the school community.
- Positive school disciplinary policies and practices.
- Participate in decisions that affect their education.

### RESPONSIBILITIES:

- Attend school and receive a free and appropriate public education with equitable resources
- Meet the standards of behavior in the Code of Conduct and abide by it.
- Abide by and follow other school rules, regulations, and policies.
- Behave in a manner that contributes to a safe learning environment and which supports the rights of others to learn.
- Be truthful about and accountable for your actions. Make an effort to correct and improve unsafe behavior with the support of teachers and staff.
- Demonstrate pride in self and academic future by dressing appropriately for school and school functions.
- Show respect for school property and respect the property of others.
- Ensure the school is updated with accurate contact information including, but not limited to, home address, telephone number(s), and e-mail address.
- Respond in a timely manner to communications from school.

### EXPECTATIONS:

- Learn in a safe environment that is inclusive to all.
- Receive a written/electronic copy of district and school policies and procedures.
- Feel safe from retaliation when bringing complaints or concerns to the school Principal, staff, or district officials.
- Request or challenge in writing an explanation of anything in their education records.
- Be told, orally and in writing, the reason(s) for disciplinary decisions.
- Receive information about the procedures for appealing disciplinary decisions.
- Have family/guardian contacted to be present and for permission to be issued before any interview is conducted with police presence.
- Family/guardian will be notified of the nature of the investigation and other details as appropriate unless the situation involves child abuse or neglect.

## **Parents/Guardians/Caregivers/Families**

### **Rights Responsibilities & Expectations**

The Code of Conduct is your guide for understanding the personal, social, and academic behaviors that are expected of your child at school and how school principals, teachers and staff will work with you and your child to help them demonstrate positive behavior and enjoy academic success.

#### **PARENTS/GUARDIANS/CAREGIVERS/FAMILIES HAVE THE RIGHT TO:**

- A free public-school education for their child.
- Access information about their child.
- Be actively involved and engaged in the education of their child.
- File complaints and/or appeals regarding matters affecting their child's education.

#### **RESPONSIBILITIES:**

- Ensure regular, on time, daily attendance for the duration of the school year.
- Remain aware of child's performance by maintaining contact with the school through reviewing work, progress reports and other school notices, talking to the child about school, and meeting with school staff as requested.
- Be aware of the academic and behavior expectations outlined by District policies and this Code, as well as, the procedures of your child's individual school/classrooms, and help your child understand them.
- Partner and collaborate with the school to support expectations of academic achievement and appropriate behavior in school and the community.
- Be respectful and courteous to staff, other parents/guardians and students while on school premises, refraining from disruptive behavior.
- Support your child in ways that maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex.
- Inform school officials and/or staff of changes in the home situation that may affect student conduct or performance.
- Ensure the school is updated with accurate contact information including, but not limited to, home address, telephone number(s), and email address(es).
- Respond in a timely manner to communications from school.

#### **EXPECTATIONS:**

- To be treated courteously, fairly, and respectfully by all school staff.
- Receive information about the policies of the Board and procedures that relate to their children's education.
- Receive regular reports, written, oral or electronic, from school staff regarding their children's academic progress, behavior, and attendance including, but not limited to, report cards, behavior progress reports, and conferences.
- Receive information of inappropriate or disruptive behaviors by their child and any disciplinary actions taken by school staff.
- Receive information about due process procedures for disciplinary matters concerning their children, including information on conferences and appeals.
- Have access to and receive recommendations for support services (e.g., tutoring, after-school programs, academic programs, mental health services, etc.) within Detroit Public Schools Community District and the community.
- Receive information about services for students with disabilities and English language learners, when applicable.
- Receive language assistance services (including oral and written translations) in order to participate in District programs.



## **School Staff (Teachers, Support Staff, Administrators)**

### **Rights, Responsibilities & Expectations**

The Code of Conduct is your guide for supporting positive student behavior at school. It will help you prevent disciplinary problems through the use of effective strategies and systems. The Code provides guidance for intervening effectively and appropriately if students don't meet expected standards of behavior or violate the school rules and policies. Safety and school climate concerns should be brought to the attention of your school principal, so that you and your school administration can work together to maintain a safe and orderly learning and work environment.

The Code of Conduct is your guide for supporting schools in developing a positive school climate that ensures student and staff safety and order. When followed with fidelity, the Code will minimize unacceptable student behavior, and maximize students' personal and social efficacy. The Office of Climate and Culture is responsible for monitoring effective implementation of school wide expectations, rules, policies, systems, Positive Behavior Intervention Supports, and classroom management, as well as Expect Respect. The Office of Climate and Culture also assesses and reviews all disciplinary data and prepares recommendations for improving school climate, discipline, and student support.

#### **SCHOOL STAFF HAVE THE RIGHT TO:**

- Work in a positive environment for teaching and learning, safe, and free from verbal or physical threats.
- Be treated courteously, fairly and respectfully by students, parents or guardians and other school staff.
- Receive support, training, and assistance when applying interventions, supports, and discipline.
- Communicate concerns, suggestions and complaints to Detroit Public Schools Community District' district office and have them acknowledged without fear of retaliation.
- Receive supportive professional development and the necessary resources to deliver quality instruction.

#### **RESPONSIBILITIES:**

- Create a climate of mutual respect and dignity for all students by establishing expectations for student behavior and academic performance which strengthen students' self-concept.
- Treat students, parents/guardians, and other staff courteously, fairly, and respectfully.
- Know and adhere to school policies and rules, including the Code of Conduct, and apply them in a fair and consistent manner.
- Communicate regularly with students, parents and others informing them about student performance, behavior, and attendance.
- Protect the legal rights, health, safety, and welfare of all students.
- Address student misconduct with appropriate interventions, supports, disciplinary actions, reporting and follow-up in accordance with the Code of Conduct, applicable law and District policies.
- Provide alternative education and makeup work for students with lawful absences, including those students who are absent for disciplinary reasons.
- Maintain accurate records and report and document disciplinary actions in accordance with state law, as well as, District policy and procedures.
- Maintain and respect the confidentiality of students, parents, and school staff.

#### **EXPECTATIONS**

- Establish expectations for all students and staff that promote positive behavior, interventions and supports and discipline for inappropriate conduct when appropriate.
- Address any personal biases that may prevent equal treatment of students in the school or classroom setting.
- Support the development of and student participation in appropriate extracurricular activities.
- Refer students to the appropriate committees, departments, offices, divisions, agencies or organizations when outside support is necessary.

## K12 Online Learning Expectations

Online Learners are...	Entering Class	Teacher-Led Whole Group Instruction	One-on-One Instruction	Small Group Activities
<b>Respectful</b>	Video on based on teacher guidance  Audio off	Ask in chat if you need help  Use kind words and faces	Video on based on teacher guidance  Audio on  Listen attentively  Answer question out loud on cue	Video on based on teacher guidance  Audio on  Listen attentively  Answer question out loud on cue
<b>Responsible</b>	Be on time and ready to learn  Start class charged or plugged in  Have materials ready	Ask questions (voice or chat) when you have them  Be present / avoid multitasking	Ask questions out loud when you have them  Try your best  Be present / avoid multitasking	Encourage each other to stay on topic  Complete the work together  Use "Ask for Help" button if you have questions  Be present / avoid multitasking
<b>Safe</b>	Choose a distraction free space  Use equipment as intended  Use kind words and faces	Ask in chat if you need help  Use kind words and faces	Use kind words and faces	Use "Stop-Leave-Talk" when you hear disrespect  Encourage others to participate  Use kind words and faces

### On-Line Classroom Management Strategies for Students

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>• Promote and demonstrate regular positive behaviors for online instruction</li> <li>• Clearly state norms, goals, and objectives of the lesson for the day</li> <li>• Encourage growth and respectful learning</li> <li>• Utilize social-emotional supports for online learning</li> <li>• Promote self-regulation and better focus by providing activities and strategies encouraging appropriate engagement and concentration, considering lessons and based on most effective class or students learning styles.</li> </ul> | <ul style="list-style-type: none"> <li>• Model positive interactions and explicitly reinforce the importance of positive social connections</li> <li>• Support executive functioning and self-management skills by chunking and breaking work into smaller pieces.</li> <li>• Suggest ways students can adjust their environments to help them feel more settled (ex: improving lighting, reducing sounds and other distracting noises, and decreasing visual clutter)</li> <li>• Model and reinforce the behavior</li> <li>• Use rewards and offer verbal and emoji praise.</li> </ul> |
|--|---|

**Students are responsible for their behavior during online learning in accordance with federal and state law, District policies and rules, as well as, Superintendent's administrative guidance and the Code of Conduct. Always use District technology in a way that shows consideration and respect.**

- The definition of a removal from remote instruction is an exclusion from the distance learning environment for disciplinary reasons or a restriction from school related activities.
- For ESE students, during online learning, a BIP may need to be developed, reviewed, or revised as needed to support a student's behavior.

## **“On Time, Every Day, All Day”**

There is a strong relationship between regular school attendance and academic performance. Students who are in class and on time daily have the best chance for school success!

### **Attendance Expectations**

- Students are expected to attend all classes each day.
- Students are expected to be on time for each class during the school day.
- Students are to remain in school the entire school day.
- Students are expected to maintain a ninety-six percent (96%) attendance rate.
- The District complies with the Michigan Compulsory School Law, which states that all students between the ages of six (6) and eighteen (18) are to attend school during the entire school year.

### **Absences**

- Notify the school regarding your child’s absence.
- Send a note regarding the reason for the absence when your child returns to school.
- A note should be received within three (3) days of your child’s return to the school.
- Make sure that all make-up work is completed and returned to the teacher.
- Students are required to have an excused absence in order to participate in extra-curricular activities.

### **Tardiness**

- Students who arrive later than the beginning of the school day or after the start time of class without an excuse and/or pass are considered tardy.
- Excessive tardiness disrupts the learning process and negatively impacts the student’s academic achievement.

### **Truancy**

- Students who have missed at least 10% of the school year, for any reason, are considered chronically absent/truant.

### **Consequences for Irregular Attendance**

- Possible failure in class or grade level.
- Investigation by the Attendance Agent.
- Referral of student for Department of Health and Human Services (“DHHS”) action.
- Referral of parents to the Wayne County Prosecutor for prosecution.

With your support, we can make a difference in your child’s academic success.

## Attendance Policy

The law in Michigan governing compulsory attendance requires a parent, legal guardian, or other person having control or charge of a child age six (6) to eighteen (18) to send the child to school during the entire school year, except under very limited circumstances specified in MCL 380.1561.

The Board of Education ("Board") as an agency of the State of Michigan is required to enforce the regular attendance of students. The Board recognizes that presence in the classroom enables students to participate in instruction, class discussions, and other related activities. Educators shall encourage regular attendance of students, maintain accurate attendance records, and follow reporting procedures prescribed by the Superintendent or his/her designees. As such, regular and timely attendance, and classroom participation are integral to instilling incentives for the student to excel. The classroom experience is of unique value and it cannot be duplicated by make-up work. Student interaction and the development of ideas through discussion are lost when a student is absent, tardy, or is dropped off late or picked-up early by a parent/guardian. A student's enrollment in a course is his/her commitment to attend all class sessions. Therefore, it is the intent of this policy to disallow students from being absent from class unless a situation exists which makes their absence absolutely necessary. The purpose of this attendance policy is to foster responsibility and reliability on the part of District students to attend all classes. Students will acknowledge greater emphasis on attendance at school because credit in their classes will be contingent upon their presence.

### ATTENDANCE DEFINED

**School Attendance** - Students are to be counted in attendance only if they are actually present for any portion of the school day or engaged in a school-approved educational activity which constitutes a part of the instructional program for the student.

**Class Attendance** - Students are to be counted in attendance if they are physically present in class for at least half of the class period, have been excused by the teacher on a class-related assignment, or have been requested by a member of the school support staff for an approved school activity.

**Tardiness** - A student is considered tardy if they are not present at the moment the school bell rings for the class assigned. NOTE: If a student is not present when attendance is taken but is present later in the school day, that student must be considered in attendance, but tardy, and the absence should be changed. A student who is tardy should never remain on record as being absent.

**Early Sign-Outs** – Early release is discouraged within the final thirty (30) minutes of the school day.

Attendance is required of all enrolled students during the days and hours that the school is in session.

The Principal or his/her designees shall require, from the parent or legal guardian of each student or from an adult student who has been absent for any reason, a written statement confirmation of the cause for such absence for excused reasons. The student's parent or legal guardian shall inform the school when a student will be absent for excused reasons as soon as possible. Failure to report and explain the absence(s) shall result in unexcused absence(s). The Principal shall have the final authority to determine acceptability of the reason for the absence(s). The Superintendent and his/her designee(s) reserve the right to verify such statements and to investigate the cause of each:

- A. Single absence;
- B. Prolonged absence;
- C. Absence of more than two days duration;
- D. Repeated unexplained full and partial day absences and tardies;
- E. Repeated explained and unexplained early student pick-ups; and
- F. Repeated explained and unexplained late student drop-offs.

The Superintendent or his/her designees shall report infractions of the law regarding student attendance for students below the age of eighteen (18) to the proper internal and external authorities.

#### **EXCUSED ABSENCES:**

Brief illness, appointments, and family business are considered absences for purposes of meeting attendance policy requirements. An absence will be considered an "excused absence" if a parent/guardian contacts the provides a reason for the absence. The absence, as well as the reason for the absence, will then be documented in our attendance system. Excused absences may include, but are not limited to, the following:

- A. Personal illness of the student (medical evidence may be required by the Principal for absences exceeding five (5) consecutive days). The written statement must include all days the student has been absent from school. If a student is continually sick and repeatedly absent from school due to a specific medical condition, s/he must be under the supervision of a health care provider in order to receive excused absences from school;
- B. Medically verified chronic illnesses – statement signed by physician;
- C. Family emergency;
- D. Recovery from accident;
- E. Legally documented court subpoena, a required court appearance, or placement in detention at a juvenile center in which the student continues his/her education;
- F. Professional appointments;
- G. Death in the immediate family;
- H. Observation or celebration of a religious holiday or service when it is mandated for all members of a faith that such a holiday or service should be observed, or for pre-arranged religious instruction (documentation of the religious affiliation of the student may be required by school officials);
- I. Academic activity or school sponsored field trip directly related to the instructional outcomes of one (1) or more course;
- J. Approved student activities such as Student Council, National Honor Society, class meetings, and academic/athletic competitions;
- K. A short-term family commitment with prior notification of the absence being provided to the school administrator;
- L. College visits;
- M. Out of school suspension from school; and/or
- N. Other individual student absences beyond the control of the parent or student, as determined and approved by the Principal (requires support documentation).

Long-term absenteeism, including excused absences, may lead to the failure of a course, the necessity to repeat a course, the possibility of retention, and/or the filing of a truancy petition.

## **Chronic Absenteeism**

Chronic absenteeism and habitual truancy are important predictors of school performance, including high school graduation. Average daily attendance rates often mask the number of students who are chronically absent - which equates to missing at least ten percent of the school year or approximately eighteen (18) school days for any reason.

Chronic absenteeism can be determined by comparing the number of absences in relation to the number of school days. Chronic absenteeism can be defined as excused, unexcused, and suspension days. These categories correlate to the multi-tier systems of support and provide the recommended strategy to make positive impacts on chronic absenteeism.

Chronic absenteeism in the school district indicates the presence of a much larger salient issue. Thus, addressing chronic absenteeism will resolve other issues in the district as they relate to ensuring students have the resources to be successful, increasing student-family engagement, data driven resource interventions, and enabling college-career readiness.

## Levels of Chronic Absenteeism

1. Students who miss 5% (9 days) or less of total school days are considered to have **satisfactory attendance**.
2. Students who miss 5%-10% (between 9 to 18 days) of school days are at risk of becoming **chronically absent**.
3. Students who miss 10%-20% (between 18 to 36 days) of total school days are considered **chronically absent**.
4. Students who miss 20% (over 36 days) or more of total school days are considered **severely chronically absent**.

## Attendance Intervention Team

The Positive Behavioral Intervention Strategies (PBIS) Attendance Team will create a PBIS/Attendance Plan which will include strategies for improving school and individual student attendance metrics and monitoring the progress of individual students. This school-wide progress monitoring plan will assist in the tracking of student data and identification of early signs of attendance concerns. The PBIS/Attendance Team will develop school-wide incentives to recognize students for appropriate and improved attendance.

Procedures around parent notification of attendance concerns is key to decreasing the percentage of students who are chronically absent. Using a 3-6-9 approach, contact with the parent will be documented by the student's teacher upon the third absence. Within the District, attendance agents, are hired and assigned to schools to support students who struggle with attending school on a regular basis.

At day six of absence, the student will be referred to the attendance agent for intervention, which may include home visits, meeting with parents or daily and check-in monitoring with student. In most instances this level of intervention will provide the necessary wrap-around services to assist students with attending school. Once a student receives nine absences within a school year a truancy referral will be submitted to the Wayne County Juvenile Court's Truancy Intervention Program (TIP) for additional intervention and an Attendance Intervention Plan will be initiated and monitored at the school site by the attendance agent and school team. Once a month attendance data will be reviewed by the Assistant Principal responsible for attendance with the Executive Director of the Office of Climate and Culture to ensure necessary monitoring.

Unexcused Days Absent	Follow-Up Action Required
1-5 Days	Parent Contact by Teacher
6 Days	Intervention by Attendance Agent: Home Visit, Daily Check-In Monitoring, Meeting with parents
7-8 Days	Intervention by Attendance Agent: Home Visit, Daily Check-In Monitoring, Meeting with parents
9 Days	Intervention by Attendance Agent: Attendance Intervention Plan Developed and Implemented

## Progress Monitoring

District staff will use the Power School system daily to generate a report of teachers who have not taken attendance. This report will be provided to principals and principal leaders for appropriate follow up. Parents will receive an automated attendance call if students are not in class. Additional focus will be given at the school level to verify that attendance data has been accurately collected.

Weekly, attendance agents will receive a report of students who have been absent for at least 3 days, with a teacher contact log for parent notice. Through a weekly check-in process, attendance agents will contact students who have been designated as chronically absent and logs will be provided to the Office of Climate and Culture for review.

During monthly attendance agent meetings, staff will review individual school data and discuss strategies that are showing the greatest improvement. Attendance agent notes will be reviewed weekly through Power School and Attendance Intervention Plans will be submitted for additional monitoring. To further support the importance of attendance, principals will share attendance data through principal meetings, data chats, PTA and SAC meetings.

## Student Dress Code

Detroit Public Schools Community District expects that all students will dress in a way that aligns with a supporting learning environment for the school day or for any school-sponsored event. Student dress choices should contribute to the District's goal to sustain a community that is inclusive of a diverse range of identities. The school district is responsible for seeing that student attire does not interfere with the health or safety of any student, that student attire does not contribute to a hostile or intimidating atmosphere for any student, and that dress code enforcement does not reinforce or increase marginalization or oppression of any group based on race, sex, gender identity, gender expression, sexual orientation, ethnicity, religion, cultural observance, household income, or body type/size. Any restrictions to the way a student dresses must be necessary to support the overall educational goals of the school and must be explained within this dress code.

Detroit Public Schools Community District' student dress code supports equitable educational access and is written in a manner that does not reinforce stereotypes. To ensure effective and equitable enforcement of this dress code, school staff shall enforce the dress code consistently and in a manner that does not reinforce or increase marginalization or oppression of any group based on race, sex, gender identity, gender expression, sexual orientation, ethnicity, religion, cultural observance, household income or body type/size.

Our student dress code is designed to accomplish several goals:

- Maintain a safe learning environment in classes where protective or supportive clothing is needed, such as chemistry/biology (eye or body protection), dance (bare feet, tights/leotards), or PE (athletic attire/shoes).
- Allow students to wear religious attire without fear of discipline or discrimination.
- Prevent students from wearing clothing or accessories with offensive images or language, including profanity, hate speech, and pornography.
- Prevent students from wearing clothing or accessories that reasonably can be construed as being or including content that is racist, lewd, vulgar or obscene, or that reasonably can be construed as containing fighting words, speech that incites others to imminent lawless action, defamatory speech, or threats to others.
- Prevent students from wearing clothing or accessories that denote, suggest, display or reference alcohol, drugs, nicotine or related paraphernalia or other illegal conduct or activities.
- Prevent students from wearing clothing or accessories that will interfere with the operation of the school, disrupt the educational process, invade the rights of others, or create a reasonably foreseeable risk of such interference or invasion of rights.
- Ensure that all students are treated equitably regardless of race, sex, gender identity, gender expression, sexual orientation, ethnicity, religion, cultural observance, household income or body
- Ensure appropriate use and wear of Personal Protective Equipment (PPE) during the COVID-19 pandemic

The Student Dress Code purposes to promote an inclusive and positive school community, and as such, will apply to regular school days and summer school days, as well as, pm school premises, at any school-related events and course/club activities, such as graduation ceremonies, dances, prom, and athletic events. Students and parents/guardians who feel there has been discriminatory enforcement of the dress code should report the concern to school staff and/or the Office of Equity, Advocacy and Civil Rights.

## Dress Code Guidance: Students May Wear

All students will be in compliance with the District's dress code by wearing a uniform to school each day as described below. All students, including students exempt from the student dress code, are expected to exemplify the principles of the Dress Code in a manner that projects a positive, equitable image for the student, school, and District.

The District shall not require specific brands of clothing. All clothing items must be of an approved color from the common color selections presented in this dress code policy.

### Slacks and Pants:

- Color: All slacks and pants must be a solid color: Khaki, navy blue, or black
- Style: Slacks and pants can be pleated or flat front, full length and appropriately fastened at the waist
- Belts: Pants should be worn at waistline and/or accompanied with a belt to hold them in place.

### Tops:

- Shirts and blouses must have buttoned down or straight collars; turtlenecks and polo styles are permitted; All tops must be worn tucked inside pants, slacks, shorts or skirts
- Color: All students shall wear approved colors required by the school
- Style: Long and short sleeves with a collar required. School approved turtlenecks and polo styles permitted
- Logos: Manufacturer trademarks, if any, must be one inch or less. DPSCD school logos are permitted and are not limited in size

### Skirts, Shorts, and Jumpers/Skorts:

- Color: Khaki, navy blue, or black, in a solid, single color
- Style: Shorts and Skorts must have a 9-inch inseam and/or be no more than 2 inches above the knee.

### Jackets, Cardigans, and Sweaters:

- Color: Should match an accepted uniform color
- Style: All must be worn over a collared shirt, turtleneck or polo style top
- Hooded Jacket: Hoods are not be worn (on the head) during the school day.

### Footwear:

- Athletic shoes, laced shoes and/or other shoe boots, loafers, dress shoes, or other closed toed/closed heel shoes. Students are also prohibited from wearing steel-toed boots/shoes to school

### Personal Protective Equipment (PPE):

- Mask or appropriate face covering while participating in class or any school related event. Masks may be optional during athletic practices when social distancing is possible

## Dress Code Guidance: Students May NOT Wear

<ul style="list-style-type: none"><li>• Ripped, torn, shredded, distressed or otherwise modified clothing is not acceptable.</li><li>• Clothing that is either revealing or provocative, showing abdomen region or cleavage. T-shirts or halter-tops, biker pants, or pants allowed to sag below the waistline or are excessively tight</li><li>• Bedtime attire such as pajamas, undershirts, or undergarments as outerwear</li><li>• Students' clothing or tattoos may not display statements or pictures that are related to the use of drugs, alcohol, tobacco products, or sex, or that promote hate and/or violence or signify gang affiliations</li></ul>	<ul style="list-style-type: none"><li>• Attire that may be considered weapons, including but not limited to chain belts or wallet chains</li><li>• Jewelry or similar artifacts that are obscene or may cause disruptions to the educational environment</li><li>• Hats, caps, bandanas, or do-rags, hair rollers, hair curlers, plastic hair bags, hairnets, hair bonnets and sweat bands except headwear worn for legitimate religious and cultural purposes</li><li>• Flip-flops, house slippers, steel-toe-shoes or boots, or any other type of footwear that could constitute a safety hazard</li></ul>
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## Positive Behavioral Interventions and Supports (PBIS)

To promote positive behavior, schools provide a range of prevention and intervention support services for students during and/or after school hours throughout the school year. When a student engages in misconduct, the list of interventions should be considered based on the type of behavior the student exhibited. Schools are required to provide and document support services at all stages of the disciplinary process, including during suspension. When used consistently and appropriately, interventions help improve student behavior, lower the incidence of repeated misbehavior, and contribute to a more positive school environment. Support services may include any of the interventions listed below or a combination of services that best meet the needs of the individual student.

<b>Supports and Interventions<sup>1</sup></b>	
<p><b>Parent Outreach</b> School staff should keep parents informed of their child’s behavior and enlist parents as partners in addressing areas of concern. Outreach to parents can include, but is not limited to, a phone call and/or written communication.</p>	<p><b>Progress Reports</b> Teachers and/or principals may send daily or weekly behavioral progress reports to parents on a regular basis until they feel that the student is in control of his/her behavior and working in the classroom successfully.</p>
<p><b>Guidance Conference</b> Principals and teachers may request a guidance conference with the student and, where appropriate, with the parent. The purpose of the conference is to review the behavior, find solutions to the problem and address academic, personal, and social issues that might have caused or contributed to the behavior.</p>	<p><b>Individual Behavior Agreement</b> The student meets with teachers to create a written contract that includes objectives and the specific performance tasks that the student will accomplish to meet those objectives. The contract is signed by the student, teacher, and parent/guardian.</p>
<p><b>Counseling, social work or other agency referral</b> Where available, school-based counseling personnel and/or school-based mental health programs offer a wide range of comprehensive and confidential mental health services and interventions including, but not limited to: assessments, individual, group and family counseling and/or therapy, teacher consultations, and educational strategies for parents and staff. For schools that do not have a school social worker on-site, schools should partner with outside organizations to ensure that students have access to mental health professionals to assist them with social emotional needs, (i.e. anger management, trauma, substance abuse).</p>	<p><b>Problem Solving Team</b> Usually consists of teachers, school administrators, social workers, nurses, mental health clinicians, psychologists, external agency representatives who help develop prevention and intervention techniques and alternative strategies that ultimately lead to student success. When student behavior requires intervention, parents, school staff and the principal may request that the student support team develop a plan to address the behavior. If the behavior does not improve after implementation, timely review and revision of the plan, the student support team may initiate a more extensive evaluation.</p>
<p><b>Restorative Practices</b> Intentional actions and interventions designed to build community, improve relationships, and/or address and correct harm caused by an incident. Using restorative practices to foster positive interpersonal and intergroup relations and to address inappropriate behavior when it occurs is a cornerstone of a progressive approach to discipline. Restorative practices include affective statements, affective questions, circles, impromptu conferencing, and formal conferencing.</p>	<p><b>Mentoring Program</b> A mentoring program matches a mentor who may be a counselor, teacher, student, and/or administrator with a student in need of additional support.  The object of this relationship is to help the student in his/her personal development. Each child would be matched with an adult in the building.</p>

<sup>1</sup> Adapted from PBIS.org.

<p><b>Functional Behavioral Assessment</b></p> <p>Involves gathering information about students' inappropriate or disruptive behavior to understand the student's motivation behind the behavior. When we understand a student's motivation, we can develop plans to help the student meet their needs in a positive way. Functional Behavioral Assessment data is used to develop a Behavioral Intervention Plan for the student.</p>	<p><b>Behavioral Intervention Plan</b></p> <p>An approach to correcting inappropriate or disruptive student behavior through a plan designed by school staff to teach positive behavioral interventions, strategies and supports. This plan is appropriate for students with and without disabilities.</p>
<p><b>Individualized Education Program (IEP) teams</b></p> <p>Includes groups of individuals who are responsible for identifying and evaluating students with disabilities; developing, reviewing and revising IEPs for students with disabilities, Functional Behavioral Assessments and Behavioral Intervention Plans; and determining the placement of students with disabilities in a least restrictive environment.</p>	<p><b>Classroom Strategies</b></p> <p>There are a variety of evidence-based classroom strategies designed to proactively establish positive relationships within the classroom and strategies to restore the positive relationships when behavior problems occur.</p>
<p><b>Community Service</b></p> <p>Allows students to participate in some sort of activity to serve and benefit the community. Examples include working at a soup kitchen, cleaning up public spaces, helping at a facility for the aged, etc.</p>	<p><b>Conference</b></p> <p>The purpose of the conference is for the person who caused the harm and the harmed person to understand each other's perspective and come to a mutual agreement that will repair the harm. This conference can involve students, parents, guardians, teachers, school staff and principals in discussion about student conduct and potential solutions that address social, academic, and personal issues related to the behavior.</p>
<p><b>Support Staff Administrative Interventions</b></p> <p>These interventions can involve the school administration and aim to correct behavior by educating the student on the seriousness of the behavior with the goal of keeping the student in school.</p>	<p><b>Alternative Placement Setting</b></p> <p>These interventions involve the removal of a student from the school environment because of the impact on the student and the community. They may involve the placement of the student in a safe environment that provides additional support to promote positive behavior. These interventions focus on maintaining the safety of the school community and to encourage and re-engage the student in positive community participation. Removal should remain a consequence of last resort and provide a plan for reentry for the student. A recommendation for alternative placement at DPSCD's Legacy Academy constitutes an alternative to expulsion.</p>

## Restorative Practices

Restorative practices are used to foster positive interpersonal and intergroup relations and to address inappropriate behavior when it occurs. Restorative practices emphasize repairing harm to individuals and restoring the school community. The district shall implement restorative practices as prevention, as an alternative or in addition to suspension or expulsion.

Restorative practices should be the first consideration to remediate offenses such as interpersonal conflicts, bullying, verbal and physical conflicts, theft, damage to property, class disruption, harassment, and cyberbullying. If the District suspends or expels a student, the District shall use restorative practices in addition to suspension or expulsion. If the District decides not to suspend or expel a student, the District shall use restorative practices to address the issue.

The selected consequences shall be incorporated into an agreement that sets time limits for completion of the consequences and is signed by all parties.

A restorative approach to discipline changes the foundational questions that are asked when an incident occurs. Instead of asking who is to blame and how those engaged in the misbehavior will be punished, a restorative approach asks four key questions:

1. What happened;
2. Who was harmed or affected by the behavior;
3. What needs to be done to make things right;
4. How can people behave differently in the future?

### Types of Restorative Practices<sup>2</sup>

**Circle Process:** The circle process enables a group to build relationships and establish understanding and trust, create a sense of community, learn how to make decisions together, develop agreements for the mutual good, resolve difficult issues, and address other issues as they arise.

**Collaborative Negotiation:** Collaborative negotiation process enables an individual to talk through an issue or conflict directly with the person with whom s/he disagrees to arrive at a mutually satisfactory resolution. Training in collaborative negotiation includes learning active listening and other conflict resolution communication skills.

**Peer Mediation:** An impartial, third party mediator (in a school, a student who has been trained to serve as a peer mediator) facilitates the negotiation process between conflicting parties so they can come to a mutually satisfactory resolution.

**Formal Restorative Conference:** A conference is facilitated by an individual who has received specific training in bringing together individuals who have acknowledged causing harm with those who have been harmed. Regardless of the circumstances, the mental and physical health, safety, and welfare of the individual who was harmed are of paramount importance when considering this option in a school setting.

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<sup>2</sup> Adapted from PBIS.org

## Interventions, Supports and Disciplinary Actions

These interventions often involve support staff, both school-based and within the broader community, and aim to engage the student’s support system to ensure successful learning and consistency of interventions, and to change the conditions that contribute to the student’s inappropriate or disruptive behavior.

<b>LEVEL 1 Interventions</b> (Classroom Strategies)	
<ul style="list-style-type: none"> <li>• Acknowledge feelings by using Affective Statements</li> <li>• Avoid making assumptions, ask students their perspective on a situation by using Affective Questions</li> <li>• Use Signals and Nonverbal Cues to redirect students</li> <li>• Create safe spaces within the classroom                             <ul style="list-style-type: none"> <li>➤ Provide area for student to work with minimal stimulus (distractions)</li> <li>➤ Create a safe place for a time out</li> <li>➤ Create a “Calming Area” where students can go to de-escalate</li> </ul> </li> <li>• Create a diversion – send a student on an errand when you notice they are getting agitated</li> <li>• Calm Classroom</li> <li>• Expect Respect</li> </ul>	<ul style="list-style-type: none"> <li>• Daily progress sheet on behavior and verbal correction</li> <li>• Reminders and redirection (e.g., role play) Establish buddy teacher system</li> <li>• Think/Reflection Sheet</li> <li>• Evaluation of privileges in class Citizenship Feedback</li> <li>• Seat change</li> <li>• Given family or guardian notification and pursue their participation Community Service to school</li> <li>• PBIS Check-In Check-Out School</li> <li>• Mentoring program Peer mediation</li> <li>• Parent Outreach</li> <li>• Conference</li> <li>• Conflict Resolution</li> <li>• CHAMPS</li> </ul>

In addition to Level 1 interventions, Level 2 interventions can involve the school administration and aim to correct behavior by educating the student on the seriousness of the behavior with the goal of keeping the student in school.

<b>LEVEL 2 Interventions</b> (Support Staff and Administrative Responses)		
<ul style="list-style-type: none"> <li>• Short Impromptu Conference</li> <li>• Structured Breaks</li> <li>• Counselor Referral</li> <li>• School Beautification</li> <li>• Daily/Weekly Progress Report</li> <li>• Self-Monitoring Plan</li> <li>• Social Emotional Learning (SEL) mini lessons</li> <li>• Expect Respect mini lessons</li> <li>• Check In/Check Out</li> <li>• Small group counseling</li> <li>• Restorative Agreement</li> </ul>	<ul style="list-style-type: none"> <li>• Restitution (monetary or service-based)</li> <li>• Detention (before or after school) with parent or guardian consent</li> <li>• Calm Classroom Conflict resolution</li> <li>• Peer mediation</li> <li>• In-school suspension</li> <li>• Parent Outreach</li> <li>• Referral to Problem Solving Team</li> <li>• Mentor based programs</li> </ul>	<ul style="list-style-type: none"> <li>• In-school/After school program</li> <li>• Restorative practices (i.e., small impromptu conversations, circle processes, restorative questions, peer mediation, collaborative/negotiation, restorative conferences)</li> <li>• In school alternative placements for reflection and reteaching when allowable</li> <li>• Change in schedule or class</li> <li>• Conference</li> <li>• Loss of privileges</li> </ul>

In addition to Levels 1 and 2 interventions, Level 3 interventions may involve time away from the school community, because of the impact the behavior has had on the community. Removal should remain a consequence of last resorts and provide a plan for reentry for the student.

<b>LEVEL 3 Interventions</b> (Suspension and Referral Responses)	
<ul style="list-style-type: none"> <li>• Restorative Agreement</li> <li>• Student Safety Plans</li> <li>• Parent Outreach</li> <li>• Conference</li> <li>• Conflict Resolution</li> <li>• Suspension</li> <li>• Restorative practices, including formal conferencing, conflict solution, and/or community reintegration planning</li> </ul>	<ul style="list-style-type: none"> <li>• Development of or revision to problem solving team plan</li> <li>• Referral to counseling/or an appropriate community organization</li> <li>• Refer student to Problem Solving Team (PST)</li> <li>• Formal Conference</li> <li>• Alternative educational placement or alternative educational setting</li> </ul>

In addition to Levels 1, 2 and 3 interventions, Level 4 interventions may involve the removal of a student from the school environment because of the impact on the student and the community. They may involve the placement of the student in a safe environment that provides additional support to promote positive behavior. These interventions focus on maintaining the safety of the school community and to encourage and re-engage the student in positive community participation. Removal should remain a consequence of last resort and provide a plan for reentry for the student.

<b>LEVEL 4 Interventions</b> (Alternative Placement or Expulsion Responses)	
<ul style="list-style-type: none"> <li>• Parent Outreach</li> <li>• Formal Conference</li> <li>• Transition Planning</li> <li>• Suspension</li> <li>• Development of or revision to PBIS plan</li> </ul>	<ul style="list-style-type: none"> <li>• Referral to counseling/or appropriate community organization Permanent expulsion for certain offenses, as specified in Board policy</li> <li>• Alternative educational placement or alternative educational setting</li> </ul>

## Implementation of Interventions, Supports, and Disciplinary Action

When intervention or disciplinary action is appropriate, it shall at all times:

- Depend upon the substantiation of the allegations or charges;
- Involve a reasonable and logical relationship between the seriousness of the act and the severity of the discipline;
- Be constructive in intent;
- Take into account such factors as age, intent of the student and his/her past records;
- Take into account the use of positive support strategies and the use of the school's student support resources; and
- Adhere to District policies ensuring appropriate due process, especially when considering exclusions. (See Policy 5611 Due Process)

When intervention strategies or disciplinary actions are used, teachers and administrators must follow appropriate procedures, including providing written documentation or statements in support of the action taken as soon as possible. Administrators must make every reasonable attempt to notify the parent/guardian by phone. If telephone contact cannot be made, written notice will be sent home with the student or placed in the U.S. Mail within 24 hours of the disciplinary issue.

The student will take responsibility for notifying his/her parent or guardian including delivering the written notification provided by the school.

**Note:** Staff should consider student age and grade when assigning consequences. Avoid assigning any form of suspension to K-2 students. Use a variety of interventions and supports outlined within the Code of Conduct. When assigning consequences for 3<sup>rd</sup>-5<sup>th</sup> grade students use interventions and supports outlined in the Code of Conduct and limit suspensions.

## Due Process Rights of Students and Parents in Disciplinary Cases

1. Students will be afforded due process with regard to disciplinary hearings. Due process will be less or more formal based on exclusion being considered.
2. School officials will inform the student of the charges against him/her, including the basis (evidence) for such charges.
3. A student is entitled to receive make-up work for missed assignments that occurred as a result of suspension.
4. Students are entitled to take required examinations when an incident occurs that requires disciplinary action. Parents must contact the principal to make arrangements for testing.
5. When a student is suspended, a disciplinary hearing will be held at the school before the suspension begins. A re-entry hearing may also be held.
6. If the parent/guardian cancels the appointment, the school principal must reschedule the hearing date one time.
7. Parents/guardians may be represented by an advisor of their choice.
8. While parents/guardians and advisors do not have the right to question witnesses, they may request for school officials to present questions, on their behalf, to witnesses.
9. At the disciplinary hearing, the student will be afforded the opportunity to address the alleged behavior or charges presenting his/her side.
10. If the charges are substantiated at the school level hearing, the parent/guardian has the right to appeal the charges for a suspension to the Student Code of Conduct Office consistent with Board Policy 5611 – Due Process.
11. A parent/guardian or student may not appeal a decision of the principal to suspend a student pending an Expulsion Review.
12. Students have a right to have hearings conducted in a timely manner. Unreasonable delays or multiple postponements in scheduling hearings will not be permitted.
13. Parents may petition for readmission after expulsion.
14. If a student with a disability is suspended beyond the initial total of 10 days, the school must follow procedures for Students with Disabilities and determine if the behavior is a manifestation of the student's disability.
15. The Code of Conduct Office may expunge a student's disciplinary infractions determined to be unsubstantiated (e.g., resulting from a due process violation, based on insufficient evidence, or the student was not guilty of the infraction) that has been placed on the District's database.
16. If a student believes any student rights set forth in the Code have been violated, the student, and/or parent or guardian, may submit a complaint in writing, see Student Grievance, to school administration and/or the Superintendent's Office.
17. Students have a right to review the evidence upon which the charges are based prior to an expulsion hearing

## Classification of Infractions

Infractions of the Student Code of Conduct are grouped into four levels:

Level 1: Minor (1 point)

Level 2: Moderate (2 points)

Level 3: Major (3 points)

Level 4: Severe (Referral to Hearing Officer)

Each classification of an infraction is followed by disciplinary procedures to be implemented by the administrator or designee. The detail in the document is to ensure consistency among administrators with administering discipline for infractions. When disciplinary actions are used, teachers and administrators must follow appropriate procedures, including receiving and documenting the students' statements and additional witness statements, when applicable, in support of the action taken. Consequences should be delivered based on the charts included in the Code. Each time discipline is administered, a written or verbal contact should be made to the parent/guardian by an administrator and a restorative practice should occur. Restorative practices that are engaged must also be documented in accordance to established procedures. To further support disciplinary expectations, level infractions will be provided a point value. Once students reach sixteen (16) or more points, in any combination, during one school year, students may be referred to the Hearing Officer for possible placement in an alternative school or program. As the District supports PBIS initiatives, students will be given an opportunity to have points removed for improved behavior, as noted by building administration. The Code serves as a recommended guideline and disciplinary actions may be modified based on the outcome of investigations at the principals' discretion. Any modification must be approved by the Superintendent or his designee.

### NOTES TO CONSIDER FOR ALL INFRACTIONS:

- Staff should consider student age and grade when assigning consequences.
- Avoid assigning any form of suspension to K-2 students. Use a variety of interventions and supports outlined within the Code of Conduct.
- When assigning consequences for 3<sup>rd</sup>-5<sup>th</sup> grade students use interventions and supports outlined in the Code of Conduct and limit suspensions.



## Level 1 Infractions

To ensure students are provided opportunities to function in an environment conducive to learning, it is necessary that Level 1 infractions are addressed through classroom management expectations. Therefore, prior to the first referral, schools shall ensure there is written warning documentation for each infraction. The warning documentation shall include but not be limited to:

1. One on one documented conference with the student, parent (via phone if necessary), Guidance Counselor/Social Worker, and teacher.
2. One on one documented communication between the parent, Guidance Counselor/Social Worker, and teacher.
3. Occurrence 3 shall require the infraction be written as the first referral to administration accompanied by written documentation of the previous occurrences and intervention strategies attempted.

### **A01 FAILURE TO FOLLOW INSTRUCTIONS/INSUBORDINATION**

Refusal or failure to comply with directions or instructions (including COVID-19 safety protocols) given by district personnel and/or volunteers that hinder safety and or the learning of peers.

### **A02 REFUSAL TO IDENTIFY SELF**

Refusing to show or wear an identification card and/or give correct name when requested by school personnel or using another person's name or identity.

### **A03 USE OF ELECTRONIC COMMUNICATION DEVICES ("ECD") SMART PHONES, CELLULAR PHONES OR OTHER DEVICES THAT CAUSE DISRUPTION WHILE ON SCHOOL PROPERTY**

Smart phones, cell phones, personal communication devices or other ECDs while on campus must be off and out of sight. Use of these devices for educational purposes must be approved by the principal and teacher and are otherwise prohibited during the school day. The District is not responsible for the loss, theft, damage, or vandalism to student cell phones or ECDs or any other student property.

### **A04 UNAUTHORIZED USE OF SCHOOL MATERIALS/EQUIPMENT**

A student may only use school equipment, technology or materials when prior approval is given by an administrator or teacher.

### **A05 CHEATING/ACADEMIC MISCONDUCT**

A student will not plagiarize, cheat, or tamper with educational materials.

### **A06 INAPPROPRIATE DISPLAYS OF AFFECTION**

Students will not engage in inappropriate displays of affection, such as kissing, touching or rubbing.

### **A07 LOITERING/TRESPASSING**

A student will not enter upon the premises of the school district, other than the location to which the student is assigned, without authorization from proper school authorities. If removed, suspended, or expelled from school, a student will not return to the school premises without permission of the proper school authorities.

### **A08 SKIPPING/CUTTING CLASS**

A student must be in his or her place of instruction at the assigned time without valid excuse.

### **A09 INAPPROPRIATE DRESS/GROOMING**

A student will adhere to the District's approved dress code policy including the appropriate use of face masks and other required PPE

### **A10 TEASING, DISRESPECTFUL OR OTHER UNKIND BEHAVIOR**

Disrespectful, unkind and/or mean language or actions towards another student that includes name calling, sarcastic/crude jokes, teasing or other behavior use to distract, disturb, offend, sadden, anger, bother, irritate, or annoy.

### **A11 ROUGH PLAY**

Students who engage in rough, or boisterous play, including contact such as hitting, shoving, spitting or kicking

## Level 1 Disciplinary Actions Per Occurrence

Level 1 Infractions	1 <sup>st</sup> Referral	2 <sup>nd</sup> Referral	3 <sup>rd</sup> Referral	4 <sup>th</sup> Referral
<b>A01 FAILURE TO FOLLOW INSTRUCTIONS / INSUBORDINATION</b>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Affective Statements/ Questions</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Small Impromptu Conference</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ RP: Circle</li> <li>▪ 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Formal Conference</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 2 Days ISS</li> </ul>
<b>A02 REFUSAL TO IDENTIFY SELF</b>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Affective Statements/ Questions</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ RP: Small Impromptu Conference</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ RP: Circle</li> <li>▪ 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Formal Conference</li> <li>▪ 2 Days ISS</li> </ul>
<b>A03 USE OF ELECTRONIC COMMUNICATION DEVICES OR OTHER DEVICES THAT CAUSE DISRUPTION WHILE ON SCHOOL PROPERTY</b>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Affective Statements/ Questions</li> <li>▪ Confiscation of device and returned to student</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Confiscation of device and return only to parent</li> <li>▪ Small Impromptu Conference</li> <li>▪ 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Confiscation of device and return only to parent</li> <li>▪ Circle</li> <li>▪ 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Confiscation of device and return only to parent</li> <li>▪ Restorative Practice</li> <li>▪ 2 Days ISS</li> </ul>
<b>A04 UNAUTHORIZED USE OF SCHOOL MATERIALS/ EQUIPMENT</b>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Affective Statements/ Questions</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Small Impromptu Conference</li> <li>▪ 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ 2 Days ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Formal Conference</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 2 Days ISS</li> </ul>
<b>A05 CHEATING/ ACADEMIC MISCONDUCT</b>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Affective Statements/ Questions</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Small Impromptu Conference</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ 2 Days ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Formal Conference</li> <li>▪ 3 Days ISS</li> </ul>
<b>A06 INAPPROPRIATE DISPLAYS OF AFFECTION</b>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Affective Statements/ Questions</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Small Impromptu Conference</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ Counseling Referral</li> <li>▪ 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Formal Conference</li> <li>▪ Counseling Referral</li> <li>▪ 2 Days ISS</li> </ul>
<b>A07 LOITERING/TRESPASSING</b>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Affective Statements/ Questions</li> <li>▪ 1-2 Days ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Small Impromptu Conference</li> <li>▪ 1-2 Days ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ Counseling Referral</li> <li>▪ 2-3 Days ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Formal Conference</li> <li>▪ Counseling Referral</li> <li>▪ 3-4 Days ISS</li> </ul>
<b>A08 SKIPPING/CUTTING CLASS</b>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Affective Statements/ Questions</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Small Impromptu Conference</li> <li>▪ Problem Solving Team Referral</li> <li>▪ 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 2-days ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Formal Conference</li> <li>▪ Referral to PBIS Attendance Team</li> <li>▪ 2 Days ISS</li> </ul>
<b>A09 INAPPROPRIATE DRESS/GROOMNG</b>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Affective Statements/ Questions</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Small Impromptu Conference</li> <li>▪ 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ Counseling Referral</li> <li>▪ 2 days ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Restorative Behavior Agreement</li> <li>▪ Formal Conference</li> <li>▪ 2 Days ISS</li> </ul>
<b>A10 TEASING, DISRESPECTFUL OR OTHER UNKIND BEHAVIOR</b>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Small Impromptu Conference</li> <li>▪ 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ Counseling Referral/ Intervention</li> <li>▪ 2 Days ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Restorative Behavior Agreement</li> <li>▪ Formal Conference</li> <li>▪ 3 Days ISS</li> </ul>	
<b>A11 ROUGH PLAY</b>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Affective Statements / Questions</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Small Impromptu Conference</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Formal Conference</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 2 Days ISS</li> </ul>

Refer to page 24 for information on Assigning Interventions & Administering Discipline. Glossary of Terms can be found on page 60

## Level 2 Infractions

**Note:** Staff should consider student age and grade when assigning consequences. Avoid assigning any form of suspension to K-2 students. Use a variety of interventions and supports outlined within the Code of Conduct. When assigning consequences for 3<sup>rd</sup>-5<sup>th</sup> grade students use interventions and supports outlined in the Code of Conduct and limit suspensions.

### **B01 PROFANITY/OBSCENITY TOWARD STUDENTS**

Written, verbal or electronic communication with photographs or drawings directing profanity or insulting obscene gestures toward any other student.

### **B02 PROFANITY/OBSCENITY TOWARDS STAFF**

Written, verbal or electronic communication with photographs or drawings directing profanity or insulting, obscene gestures towards any District staff member, contractors, adult volunteers or adults on District property.

### **B03 POSSESSION OF DANGEROUS OBJECTS**

Possession of an object or which has the capacity to cause injury other than those listed in infractions C01, D01, D02, and D03, for example firecrackers, lighter/matches, mace/pepper spray, and other irritant sprays.

### **B04 THEFT OR RECEIPT OF STOLEN PROPERTY (less than \$100)**

Taking, conspiring to take, without permission of the owner or custodian, or receiving or possessing property known to be stolen valued at less than \$100.00.

### **B05 EXTORTION, COERCION OR BLACKMAIL**

Obtaining money or property or anything of value from an unwilling person or forcing an individual to either act or refrain from acting by use of either physical force or intimidation.

### **B06 DEFAACEMENT OF PROPERTY**

A student will not willfully deface or cause damage to property belonging to the school or belonging to school personnel or persons in attendance at the school. Actions such as writing in school textbooks or library books, writing on desks or walls, carving into woodwork, desks, or tables and spray-painting surfaces are acts of defacement.

### **B07 \*INTERFERENCE WITH OR INTIMIDATION OF SCHOOL PERSONNEL**

Preventing or attempting to prevent school personnel from engaging in their lawful duties through threats of violence, harassment, or intimidation.

### **B08 INTERFERENCE WITH THE MOVEMENT OF PUPILS IN AND OUT OF SCHOOLS, BETWEEN SCHOOLS, OR BETWEEN HOME AND AN ASSIGNED SCHOOL**

Any action that prevents or delays scheduled transportation of pupils to and from an assigned school that prevents pupils from entering or leaving schools at scheduled hours, or that causes fear or jeopardy to students while walking to and from an assigned school.

### **B09 HARASSMENT (Student)**

An instance or a course of conduct which annoys, threatens, intimidates, alarms, or puts a person in fear of his/her safety. Also, unwanted, unwelcomed and uninvited behavior that demeans, threatens or offends the victim and results in a hostile environment for the person harmed and bystanders.

#### Harassment

- is reasonably perceived as being dehumanizing, intimidating, hostile, humiliating, threatening, or otherwise likely to evoke fear of physical harm or emotional distress;
- is directed at one or more pupils;
- is conveyed through physical, verbal, written, technological, or emotional means;
- substantially interferes with educational opportunities, benefits, or programs of one or more pupils;
- adversely affects the ability of a pupil to participate in or benefit from the school district's educational programs or activities because the conduct, as reasonably perceived by the pupil, is so severe, pervasive, and objectively offensive as to have this effect

- B10 GAMBLING**  
Participating in games of chance or skill for money or profit.
- B11 VERBAL ABUSE**  
Name-calling, racial or ethnic slurs or derogatory statements directed at, and offensive to, another person.
- B12 FORGERY/GIVING FALSE INFORMATION OR IDENTIFICATION**  
Intentionally misrepresenting information to school district personnel, such as giving false information, false identification or signing another person's name to a document.
- B13 ABUSE OF TECHNOLOGY**  
The act of tampering with or unauthorized use of computer hardware or software, including loading unauthorized software, making unauthorized copies of software, tampering with the hard drive, infection of computers with viruses, unauthorized internet access, unauthorized access to another's files, computers, or computer systems, and computer network "hacking." The use of the internet or Detroit Public Schools Community District technology, equipment or materials, including networks and servers to commit any offense is a violation under the Student Code of Conduct.
- B14 \*FIGHTING – MUTUAL COMBAT, MUTUAL ALTERCATION**  
A physical altercation between one or more students that does not cause serious injury but requires physical restraint.
- B15 \*INITIATING A FIGHT**  
Intentionally initiating a fight between others or with another student that results in a physical altercation
- B16 \*RESPONSE TO A PHYSICAL ATTACK**  
Any action of responding to a physical attack in a combative response that is not defined as self-defense. Self-defense is described as an action to block an attack by another person or to shield yourself from being hit by another person. If the retaliation meets this definition, then there will be no consequence. Retaliating by hitting a person back is not self-defense and consequences outlined in the Code should be followed
- \*NOTE: In the instance of a physical or verbal altercation that would result in ISS for both parties, the Principal or his/her designee will determine whether it is appropriate to place both students in ISS or to stagger the time spent in ISS in accordance with the Code of Conduct. This also applies to C-level code infractions of similar type with equivalent consequences.
- B17 SEXUALLY SUGGESTIVE AND/OR DISCRIMINATORY ACTIONS**  
The use of words, pictures, objects, gestures, or other actions relating to sexual activity or a person's gender that may cause embarrassment, discomfort, or a reluctance to participate in school activities. Students may be charged with this infraction for transmitting materials that are construed as harassment or disparagement of others based upon sex, gender, or sexual orientation.
- B18 FAILURE TO SERVE PREVIOUSLY ASSIGNED DISCIPLINE**  
A student will serve out his/her discipline sentence. A student and/or parents/guardian will be previously notified of any discipline sentence.
- B19 LEAVING SCHOOL PREMISES WITHOUT PERMISSION**  
A student will not leave the school building, classroom, cafeteria, assigned area, or campus without permission from authorized school personnel.
- B20 HAZING**  
Any intentional, knowing, or reckless activity which endangers the physical safety, causes mental distress, embarrassment, humiliation or ridicule of a student done for the purpose of being initiated into, affiliated with, participating in or becoming a member of any organization, team, group, club, school activity, regardless of whether the activity is done with or without the consent of the person(s) being hazed

## Level 2 Disciplinary Actions Per Occurrence

Level 2 Infractions	1 <sup>st</sup> Referral	2 <sup>nd</sup> Referral	3 <sup>rd</sup> Referral	4 <sup>th</sup> Referral
<b>B01 PROFANITY/OBSCENITY TOWARD STUDENTS</b>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Small Impromptu Conference</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Formal Conference</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 2 Days ISS</li> </ul>
<b>B02 PROFANITY/OBSCENITY TOWARD STAFF</b>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Small impromptu conference w/ teacher and student</li> <li>▪ 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle with Dean, Student, and Teacher</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ 2-Days ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Formal Conference</li> <li>▪ 1 Day OSS</li> </ul>
<b>B03 POSSESSION OF DANGEROUS OBJECTS</b>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Small impromptu conference</li> <li>▪ 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 2 Days ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ 1-Day OSS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Formal Conference</li> <li>▪ 2 Days OSS</li> </ul>
<b>B04 THEFT OR RECEIPT OF STOLEN PROPERTY (Less than \$100)</b>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Small impromptu conference</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Formal Conference</li> <li>▪ 2 Days ISS</li> </ul>
<b>B05 EXTORTION, COERCION OR BLACKMAIL</b>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Small impromptu conference</li> <li>▪ 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ Counseling Referral</li> <li>▪ 2 Days ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 1 Day OSS and 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Formal Conference</li> <li>▪ 2 Days OSS</li> </ul>
<b>B06 DEFACEMENT OF PROPERTY (Restitution Required)</b>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Small impromptu conference</li> <li>▪ 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ Counseling Referral</li> <li>▪ 2 Days ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 2 Days ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Formal Conference</li> <li>▪ 1 Day OSS</li> </ul>
<b>*B07 INTERFERENCE WITH OR INTIMIDATION OF SCHOOL PERSONNEL</b>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Small impromptu conference</li> <li>▪ 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 2 Days ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ Problem Solving Team Referral</li> <li>▪ 1 Day OSS and 2 Days ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Formal Conference</li> <li>▪ 2 Days OSS</li> </ul>
<b>B08 INTERFERENCE WITH THE MOVEMENT OF PUPILS IN AND OUT OF SCHOOLS, BETWEEN SCHOOLS, OR BETWEEN HOME AND AN ASSIGNED SCHOOL</b>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Small impromptu conference</li> <li>▪ 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ Problem Solving Team Referral</li> <li>▪ 2 Days ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ 3-day ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Formal Conference</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 1 Day OSS</li> </ul>
<b>B09 HARASSMENT (Student)</b>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Small Impromptu Conference</li> <li>▪ Counseling Referral</li> <li>▪ 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ Problem Solving Team Referral</li> <li>▪ 2 Days ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 3 Days ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Formal Conference</li> <li>▪ 1 Day OSS and 1-day ISS</li> </ul>

Level 2 Infractions	1 <sup>st</sup> Referral	2 <sup>nd</sup> Referral	3 <sup>rd</sup> Referral	4 <sup>th</sup> Referral
<b>B10 GAMBLING</b>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Small Impromptu Conference</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ Counseling Referral</li> <li>▪ 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Formal Conference</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 2 Days ISS</li> </ul>
<b>B11 VERBAL ABUSE</b>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Small Impromptu Conference</li> <li>▪ 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ Counseling Referral</li> <li>▪ 2 Days ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ Problem Solving Team Referral</li> <li>▪ 3 Days ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Formal Conference</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 1 Day OSS and 1 Day ISS</li> </ul>
<b>B12 FORGERY/GIVING FALSE INFORMATION OR IDENTIFICATION</b>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Small Impromptu Conference</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ Problem Solving Team Referral</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Formal Conference</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 2 Days ISS</li> </ul>
<b>B13 ABUSE OF TECHNOLOGY</b>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Small Impromptu Conference</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ Problem Solving Team Referral</li> <li>▪ 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Formal Conference</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 2 Days ISS</li> </ul>
<b>*B14 FIGHTING – MUTUAL COMBAT, MUTUAL ALTERCATION</b>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Formal Conference</li> <li>▪ Circle</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 1 Day OSS and 2 Days ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ 10 Days OSS</li> <li>▪ Referral to Hearing Officer</li> </ul> <p>Incident – Day Zero Investigation – Days 1-4 Parent Conference – Days 1-4 Submit Case to Code Office – Day 5</p>	
<b>*B15 INITIATING A FIGHT</b>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ 2 Days ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 1 Day OSS and 2 Days ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ 10 Days OSS</li> <li>▪ Referral to Hearing Officer</li> </ul> <p>Incident – Day Zero Investigation – Days 1-4 Parent Conference – Days 1-4 Submit Case to Code Office – Day 5</p>	
<b>*B16 RESPONSE TO A PHYSICAL ATTACK</b>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ Problem Solving Team Referral</li> <li>▪ 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 1 Day OSS and 2 Days ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ 10 Days OSS</li> <li>▪ Referral to Hearing Officer</li> </ul> <p>Incident – Day Zero Investigation – Days 1-4 Parent Conference – Days 1-4 Submit Case to Code Office – Day 5</p>
<b>B17 SEXUALLY SUGGESTIVE AND/OR DISCRIMANTORY ACTIONS</b>	<p>Report to Title IX Coordinator</p> <p>DO NOT PROCEED WITH ANY OTHER STEPS UNTIL DIRECTED BY THE OFFICE OF EQUITY, ADVOCACY and CIVIL RIGHTS</p>	<p>Report to Title IX Coordinator</p> <p>DO NOT PROCEED WITH ANY OTHER STEPS UNTIL DIRECTED BY THE OFFICE OF EQUITY, ADVOCACY and CIVIL RIGHTS</p>	<p>Report to Title IX Coordinator</p> <p>DO NOT PROCEED WITH ANY OTHER STEPS UNTIL DIRECTED BY THE OFFICE OF EQUITY, ADVOCACY and CIVIL RIGHTS</p>	<p>Report to Title IX Coordinator</p> <p>DO NOT PROCEED WITH ANY OTHER STEPS UNTIL DIRECTED BY THE OFFICE OF EQUITY, ADVOCACY and CIVIL RIGHTS</p>
<b>B18 FAILURE TO SERVE PREVIOUSLY ASSIGNED DISCIPLINE</b>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Small Impromptu Conference</li> <li>▪ 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ Problem Solving Team Referral</li> <li>▪ 2 Days ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 2 Days ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ 10 Days OSS</li> <li>▪ Referral to Hearing Officer</li> </ul> <p>Incident – Day Zero Investigation – Days 1-4 Parent Conference – Days 1-4 Submit Case to Code Office – Day 5</p>

Level 2 Infractions	1 <sup>st</sup> Referral	2 <sup>nd</sup> Referral	3 <sup>rd</sup> Referral	4 <sup>th</sup> Referral
<b>B19 LEAVING SCHOOL WITHOUT PERMISSION</b>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Small Impromptu Conference</li> <li>▪ 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ Problem Solving Team Referral</li> <li>▪ 2 Days ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 2 Days ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ 10 Days OSS</li> <li>▪ Referral to Hearing Officer</li> </ul> <p>Incident – Day Zero Investigation – Days 1-4 Parent Conference – Days 1-4 Submit Case to Code Office – Day 5</p>
<b>B20 HAZING</b>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Small Impromptu Conference</li> <li>▪ 1Days ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ Problem Solving Team Referral</li> <li>▪ 2 Days ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 2 Days ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ 10 Days OSS</li> <li>▪ Referral to Hearing Officer</li> </ul> <p>Incident – Day Zero Investigation – Days 1-4 Parent Conference – Days 1-4 Submit Case to Code Office – Day 5</p>

\*Student should be recommended for counseling support at the 2<sup>nd</sup> occurrence  
Refer to page 24 for information on Assigning Interventions & Administering Discipline.  
Glossary of Terms can be found on page 60

## Level 3 Infractions

**Note:** Staff should consider student age and grade when assigning consequences. Avoid assigning any form of suspension to K-2 students. Use a variety of interventions and supports outlined within the Code of Conduct. When assigning consequences for 3<sup>rd</sup>-5<sup>th</sup> grade students use interventions and supports outlined in the Code of Conduct and limit suspensions.

### **C01 POSSESSION OF A KNIFE**

Any knife regardless of blade length or total size, straight razor, box cutter with razor or any instrument which has been altered to be used as a weapon in a manner similar to a knife such as a letter opener or file. Refer to D02 if the blade length is 3-inches or greater.

### **C02 DESTRUCTION OF PROPERTY**

Acts that result in a substantial threat of or actual destruction of property of \$100.00 or more, which significantly necessitates altering a school's operation and activities. Specifically included are acts which result in:

- Significant damage to the physical plant or property;
- Conditions that require the evacuation of students; or
- The inability of a school to perform its functions.

### **C03 THEFT OR RECEIPT OF STOLEN PROPERTY**

Taking or conspiring to take without permission of the owner or custodian, receiving or possessing property known to be stolen valued at \$100.00 or more.

### **C04 SEXUAL MISCONDUCT**

A student shall not engage in intimate physical sexual contact with another person, including, but not limited to: consensual sexual intercourse, oral sex or intentional touching of the other person's genitals, groin, inner thigh, buttock or breast or the clothing covering those areas, other inappropriate behavior of a sexual nature including displays of sexual parts.

### **C05 SEXTING**

Forwarding, sending, using, sharing, viewing or possessing a sexually explicit image via text message, email, social networking websites and/or other electronic means using school property (computers, devices, networks, or servers) on school grounds or at school sponsored activities/events. Acts that occur off school grounds, outside of school-sponsored activities or on student owned devices that result in disruption to the orderly operation of school environment are punishable under this provision.

### **C06 FORGERY/FRAUD**

Signing the name of another person for the purpose of defrauding school personnel of DPSCD or causing or deceiving another by false or misleading information in order to obtain anything of value.

### **C07 BULLYING/CYBERBULLYING**

Written, verbal, physical conduct or any electronic communication that is intended to place one or more students or other persons in fear of harm or cause substantial emotional distress by directly or indirectly doing the following:

- Substantially interfering with educational opportunities;
- Adversely affecting the ability of a student(s) to participate in or benefit from school programs;
- Having an actual and substantial detrimental effect on a student's physical or mental health; or
- Causing a substantial disruption of the orderly operation of school.

The use of any electronic communication (i.e. internet, personal digital assistant (PDA), smart phone, or wireless handheld device), network or technology, including social media (e.g. Facebook, Twitter, Tumblr, Instagram, etc.), to bully is cyber-bullying. Bullying and cyber-bullying are prohibited against all students, educators, employees, parent/guardians, contractors, agents, or volunteers.

**NOTE:** Victims and those suspected of bullying will be automatically referred for counseling and the parent will be notified.



**C08 POSSESSION OF PROHIBITED SUBSTANCE or OBJECTS**

Possession of any blade not considered to be a weapon (includes common pocketknife, plastic knife, or blunt-bladed table knife), martial arts weapons, taser, bullets, syringes, BB guns, paint guns, air strike guns, over-the-counter drugs, or devices including, but not limited to, mace or pepper spray (2 oz. or less), firearm facsimile or any other object that may puncture, wound, or otherwise injure another person.

**C09 USE OR POSSESSION OF ILLEGAL OR CONTROLLED SUBSTANCES OR MATERIALS**

Illegal or controlled substances include tobacco, alcohol, narcotics, drugs prohibited by law, over the counter medicines and prescription medications not prescribed for use by the student in possession of them. This includes e-cigarettes, vape-pen, “edibles” and any other substance prohibited by law and/or the District. In the event intervention is provided to a student, DPSCD will not be prevented from suspending or expelling the student. (For possession or use of tobacco, discipline may be reduced if the student actively participates in a smoking cessation program.) Marijuana, in any form, is not allowed on any school property or sanctioned event.

**C10 GANG ACTIVITY**

Participating in gang, gang-like activity or group violence are also punishable under this provision. Gang or gang-like activity includes an ongoing organization, association or group of two or more individuals who display one or more of the following:

- Wear or display common clothing, jewelry, insignia, signs that intentionally identify the student as a member of the group;
- Have a high rate of interaction among themselves to the exclusion of others; or Are frequently involved in anti-social, delinquent or criminal activity.

**C11 ADMITTANCE OF UNAUTHORIZED INDIVIDUALS INTO SCHOOL BUILDINGS**

The act of knowingly and intentionally admitting or allowing an unauthorized person(s) or student into any school building, without expressed permission from any authorized person, through any unopened door or unmonitored point of entry in a manner that breaches any method of established security.

**C12 FALSE ALARM**

Activating a fire alarm system in any school building on school property and/or reporting a fire or bomb when none exists.

**C13 OTHER ILLEGAL CONDUCT**

Other acts, not specifically listed, which constitute an offense under city ordinances, state or federal laws.

**C14 SEXUAL HARASSMENT**

Any type of unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school’s educational program or activity.

(See Title IX definitions located in the appendix for the comprehensive definition of sexual harassment)

**C15 VERBAL ASSAULT**

Communicating threats against an employee, student or volunteer of the school district or making a bomb threat or similar threat at a school building, other school property, or a school-related event.

**C16 OTHER EGREGIOUS CONDUCT AS DETERMINED BY DISTRICT LEVEL STAFF**

Other conduct, not previously listed, that substantially and negatively impacts the learning environment and dramatically contradicts the District’s core values that are not specifically defined in the Code. The application of Infraction C16 must be approved by the Superintendent or his/her designee and may lead to placement in an alternative school/program or expulsion.

## Level 3 Disciplinary Actions Per Occurrence

Level 3 Infractions	1 <sup>st</sup> Referral	2 <sup>nd</sup> Referral	3 <sup>rd</sup> Referral	4 <sup>th</sup> Referral
<b>C01 POSSESSION OF A KNIFE</b>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Small Impromptu Conference</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 1 Day OSS and 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ 10 Days OSS</li> <li>▪ Referral to Hearing Officer</li> </ul> <p>Incident – Day Zero Investigation – Days 1-4 Parent Conference – Days 1-4 Submit Case to Code Office – Day 5</p>		
<b>C02 DESTRUCTION OF PROPERTY</b>  (Restitution Required)	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Small Impromptu Conference</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 1 Day OSS and 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Small Impromptu Conference</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 2 Days OSS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 3 Days OSS</li> </ul>	<ul style="list-style-type: none"> <li>▪ 10 Days OSS</li> <li>▪ Referral to Hearing Officer</li> </ul> <p>Incident – Day Zero Investigation – Days 1-4 Parent Conference – Days 1-4 Submit Case to Code Office – Day 5</p>
<b>C03 THEFT OR RECEIPT OF STOLEN PROPERTY</b>  (Restitution Required)	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Small Impromptu Conference</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 1 Day OSS and 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Small Impromptu Conference</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 2 Days OSS and 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 3 Days OSS</li> </ul>	<ul style="list-style-type: none"> <li>▪ 10 Days OSS</li> <li>▪ Referral to Hearing Officer</li> </ul> <p>Incident – Day Zero Investigation – Days 1-4 Parent Conference – Days 1-4 Submit Case to Code Office – Day 5</p>
<b>C04 SEXUAL MISCONDUCT</b>	<p>Report to Title IX Coordinator</p> <p>DO NOT PROCEED WITH ANY OTHER STEPS UNTIL DIRECTED BY THE OFFICE OF EQUITY, ADVOCACY and CIVIL RIGHTS</p>	<p>Report to Title IX Coordinator</p> <p>DO NOT PROCEED WITH ANY OTHER STEPS UNTIL DIRECTED BY THE OFFICE OF EQUITY, ADVOCACY and CIVIL RIGHTS</p>	<p>Report to Title IX Coordinator</p> <p>DO NOT PROCEED WITH ANY OTHER STEPS UNTIL DIRECTED BY THE OFFICE OF EQUITY, ADVOCACY and CIVIL RIGHTS</p>	
<b>*C05 SEXTING</b>	<p>Report to Title IX Coordinator</p> <p>DO NOT PROCEED WITH ANY OTHER STEPS UNTIL DIRECTED BY THE OFFICE OF EQUITY, ADVOCACY and CIVIL RIGHTS</p>	<p>Report to Title IX Coordinator</p> <p>DO NOT PROCEED WITH ANY OTHER STEPS UNTIL DIRECTED BY THE OFFICE OF EQUITY, ADVOCACY and CIVIL RIGHTS</p>	<p>Report to Title IX Coordinator</p> <p>DO NOT PROCEED WITH ANY OTHER STEPS UNTIL DIRECTED BY THE OFFICE OF EQUITY, ADVOCACY and CIVIL RIGHTS</p>	<p>Report to Title IX Coordinator</p> <p>DO NOT PROCEED WITH ANY OTHER STEPS UNTIL DIRECTED BY THE OFFICE OF EQUITY, ADVOCACY and CIVIL RIGHTS</p>
<b>C06 FORGERY/FRAUD</b>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Small Impromptu Conference</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 2 Days ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Small Impromptu Conference</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 3 Days ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 2 Days OSS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Formal Conference</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 3 Days OSS</li> </ul> <p>(Multiple repeated occurrences may result in referral to Hearing Officer for additional assignment of days or alternative intervention)</p>
<b>C07 BULLYING /CYBERBULLYING</b>  NOTE: Victims of bullying will be automatically referred for counseling and the parent will be notified	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Small Impromptu Conference</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 1 Day OSS and 1 Days ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Small Impromptu Conference</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 2 Days OSS and 1 Days ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 3 Days OSS</li> </ul>	<ul style="list-style-type: none"> <li>▪ 10 Days OSS</li> <li>▪ Referral to Hearing Officer</li> </ul> <p>Incident – Day Zero Investigation – Days 1-4 Parent Conference – Days 1-4 Submit Case to Code Office – Day 5</p>

Level 3 Infractions	1 <sup>st</sup> Referral	2 <sup>nd</sup> Referral	3 <sup>rd</sup> Referral	4 <sup>th</sup> Referral
<b>C08 POSSESSION OF PROHIBITED SUBSTANCE or OBJECTS</b>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Small Impromptu Conference</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 3 Days OSS and 2 Days ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 2 Days OSS and 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ 10 Days OSS</li> <li>▪ Referral to Hearing Officer</li> </ul>	<p>Incident – Day Zero Investigation – Days 1-4 Parent Conference – Days 1-4 Submit Case to Code Office – Day 5</p>
<b>C09 USE OR POSSESSION OF ILLEGAL OR CONTROLLED SUBSTANCES OR MATERIALS</b>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Small Impromptu Conference</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 2 Days OSS and 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ 10 Days OSS</li> <li>▪ Referral to Hearing Officer</li> </ul>	<p>Incident – Day Zero Investigation – Days 1-4 Parent Conference – Days 1-4 Submit Case to Code Office – Day 5</p>	
<b>C10 GANG ACTIVITY</b>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 5 Days OSS</li> </ul>	<ul style="list-style-type: none"> <li>▪ 7 Days OSS</li> <li>▪ Formal Conference</li> <li>▪ Restorative Behavior Agreement</li> </ul> <p style="text-align: center;"><b>OR</b></p> <p>Principal may at his/her discretion refer student to Hearing Officer</p>		
<b>C11 ADMITTANCE OF STUDENT, UNAUTHORIZED INDIVIDUALS INTO SCHOOL BUILDINGS</b>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Small Impromptu Conference</li> <li>▪ Restorative Behavior Agreement</li> <li>5 Days OSS</li> </ul>	<ul style="list-style-type: none"> <li>▪ 7 Days OSS</li> <li>▪ Parent Conference</li> </ul> <p style="text-align: center;"><b>OR</b></p> <p>Principal may at his/her discretion refer student to Hearing Officer</p>		
<b>C12 FALSE ALARM</b>	<ul style="list-style-type: none"> <li>▪ 10 Days OSS</li> <li>▪ Referral to Hearing Officer</li> </ul> <p>Incident – Day Zero Investigation – Days 1-4 Parent Conference – Days 1-4 Submit Case to Code Office – Day 5</p>			
<b>C13 OTHER ILLEGAL CONDUCT</b>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Small Impromptu Conference</li> <li>▪ 2 Days OSS and 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>▪ 5 Days OSS</li> <li>▪ Parent Conference</li> <li>▪ Restorative Behavior Agreement</li> </ul> <p style="text-align: center;"><b>OR</b></p> <p>Principal may at his/her discretion refer student to Hearing Officer</p>		
<b>*C14 SEXUAL HARASSMENT</b>	<p>Report to Title IX Coordinator</p> <p>DO NOT PROCEED WITH ANY OTHER STEPS UNTIL DIRECTED BY THE OFFICE OF EQUITY, ADVOCACY and CIVIL RIGHTS</p>	<p>Report to Title IX Coordinator</p> <p>DO NOT PROCEED WITH ANY OTHER STEPS UNTIL DIRECTED BY THE OFFICE OF EQUITY, ADVOCACY and CIVIL RIGHTS</p>		
<b>C15 VERBAL ASSAULT</b>	<ul style="list-style-type: none"> <li>▪ Parent Conference</li> <li>▪ Circle</li> <li>▪ Restorative Behavior Agreement</li> <li>▪ 5 Days OSS</li> </ul>	<ul style="list-style-type: none"> <li>▪ 7 Days OSS</li> <li>▪ Formal Conference</li> <li>▪ Restorative Behavior Agreement</li> </ul> <p style="text-align: center;"><b>OR</b></p> <p>Principal may at his/her discretion refer student to Hearing Officer</p>		

<p><b>C16</b>  <b>OTHER EGREGIOUS</b>  <b>CONDUCT AS</b>  <b>DETERMINED by</b>  <b>DISTRICT LEVEL STAFF</b></p>	<ul style="list-style-type: none"> <li>▪ 5 Days OSS</li> <li>▪ Parent Conference</li> <li>▪ Restorative Behavior Agreement</li> </ul> <p style="text-align: center;"><b>OR</b></p> <p>Principal may at his/her discretion refer student to Hearing Officer with Assistant Superintendents approval</p>
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\*Title IX Coordinator may recommend additional discipline and/or corrective measures consistent with this Code  
Refer to page 24 for information on Assigning Interventions & Administering Discipline.  
Glossary of Terms can be found on page 60

## Level 4 Infractions

Michigan law and community safety may require removal of students who possess a dangerous weapon, commit arson, or engage in criminal sexual conduct (Gun Free Schools Act, 1994; MCL 380.1311), make bomb threats or engage in verbal assault (MCL 380.1311a), and/or commit physical assault against another or at a school-related event (MCL 380.1310, 380.1311, 380.1311a, 380.1312), in compliance with MCL 380.1310(c)(d), as revised.

### Seven Factors for Consideration

The District in accordance with state law shall consider these seven (7) factors, including lesser interventions, for all suspensions and expulsions, except those involving students knowingly in possession of a gun with the intent to use. In all other cases, it is presumed that removals over ten (10) days are not justified unless the District can demonstrate that they considered the seven (7) factors, including lesser interventions.

The seven (7) factors are as follows:

1. Student's age
2. Student's disciplinary history
3. Whether the student is a student with a disability
4. The seriousness of the violation or behavior committed by the student
5. Whether the violation or behavior committed by the student threatened the safety of any student or staff member
6. Whether restorative practices will be used to address the violation or behavior committed by the student
7. Whether a lesser intervention would properly address the violation or behavior committed by the student

In exercising discretion with regard to suspension of more than ten (10) days or an expulsion, there is a rebuttable presumption that the suspension or expulsion is not justified unless the District can demonstrate that the seven (7) factors were considered. For a suspension of ten (10) or fewer days, there is no rebuttable presumption; but the District shall consider each of the factors.

This section does not apply to a student being expelled under MCL 380.1311(2) for possessing a firearm in a weapon free school zone.

In considering student's suspension or expulsion, the District shall consider using restorative practices as an alternative or in addition to suspension or expulsion. If the District suspends or expels a student, in accordance with applicable law, the District shall consider using restorative practices in addition to suspension or expulsion. If the District decides not to suspend or expel a student, the District shall consider using restorative practices to address the issue. See section entitled Restorative Practices for requirements and description of types of restorative practices which follows.

**Note:** Staff should consider student age and grade when assigning consequences. Avoid assigning any form of suspension to K-2 students. Use a variety of interventions and supports outlined within the Code of Conduct. When assigning consequences for 3<sup>rd</sup>-5<sup>th</sup> grade students use interventions and supports outlined in the Code of Conduct and limit suspensions.

**D01 POSSESSION OF A FIREARM**

Firearm means: (a) any weapon (including a pistol, rifle, starter gun, gun, zip gun, pellet gun, and BB gun (metal bullets) or any other type of gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (c) the frame or receiver of any such weapon; (c) any firearm muffler or firearm silencer; or (d) any destructive device, such as any explosive, incendiary device, bomb, grenade, poison gas or rocket. Students found guilty of this offense are subject to mandatory expulsion.

**D02 POSSESSION OF DANGEROUS WEAPONS**

Possession of weapons and objects (other than guns) such as brass knuckles, explosives, M-80 or similar firecrackers and clubs, daggers, dirks, stilettos, knives with a blade over 3 inches, pocket knife opened by a mechanical device, iron bar, brass knuckles or other devices which have the capacity to cause serious injury or death.

Possession is defined to include:

- Carrying the item;
- Storing the item in a space used by or assigned to a student such as a locker or a desk;
- Having the item under one's control such as hiding a weapon in the building or on school grounds; or
- Voluntarily permitting another person to store the item in an assigned school space without reporting it to staff members.

**D03 USE OF A WEAPON OR AN OBJECT AS A WEAPON**

Use of a weapon or dangerous object is defined to include:

- Using a weapon or dangerous object in a physical altercation with staff or other students;
- Having a weapon in one's possession during a physical altercation;
- Threatening a person with a weapon or dangerous object;
- Using a weapon or dangerous object while committing robbery;
- Extorting or coercing through threat or actual use of a weapon or dangerous object; or
- Discharging of a firearm.

**D04 PHYSICAL ASSAULT OF AN EMPLOYEE, VOLUNTEER OR CONTRACTOR**

Intentionally causing, or attempting to cause physical harm to an employee, volunteer or contractor through force or violence.

**D05 PHYSICAL ASSAULT OF ANOTHER STUDENT CAUSING GREAT BODILY HARM**

Intentionally causing or attempting to cause physical harm to a student through force or violence. Acts that result in permanent injury or disfigurement.

**D06 BOMB or SIMILAR THREATS**

Communicating terroristic threats, including bomb threats, or committing terroristic acts directed at any student, employee, volunteer, contractor, physical plant or property.

**D07 ARSON**

The willful and malicious burning or attempt to burn any part of property that belongs to, or is under contract with the school district, or property of persons employed by the District or on school property or the setting of fires on school property. Students found guilty of this offense are subject to mandatory expulsion.

**D08 SALE/DISTRIBUTION OF CONTROLLED SUBSTANCES OR ILLEGAL MATERIALS**

To attempt, conspire to sell, sell or distribute any illegal or controlled substance or a substance represented to another person as illegal or controlled. Students will be charged under this section if they are in possession of an illegal or controlled substance that is packaged for sale.

**D09 CRIMINAL SEXUAL CONDUCT**

Means a violation as set forth in the Michigan Penal Code. (MCL 750.520b to MCL 750.520g). It includes sexual penetration or sexual contact that occurs:

- with another person under 13 years of age;
- with another person at least 13 but less than 16 years of age under certain circumstances;
- when the actor knows the victim is mentally or physically incapable or is aided and abetted by 1 or more person;
- when a weapon is used or an item fashioned into a weapon;
- when concealment or the element of surprise is used to overcome the victim; or
- when force is used to accomplish the sexual penetration or contact, or the actor causes personal injury and force or coercion is used.

It is sexual contact with another person at least 13 but less than 16 years of age AND the other person is 5 or more years older.

Sexual contact is the intentional touching of the intimate parts of the body of another person for a sexual purpose, for revenge, to inflict humiliation or out of anger

## Level 4 Disciplinary Actions per Occurrence

Level 4 Infractions 1 <sup>st</sup> Referral	
<p style="text-align: center;"><b>D01 - POSSESSION OF A FIREARM</b> (Mandatory Expulsion)</p> <ul style="list-style-type: none"> <li>▪ 10 Days OSS</li> <li>▪ Referral to Hearing Officer</li> </ul> <p>Incident – Day Zero Investigation – Days 1-4 Parent Conference – Days 1-4 Submit Case to Code Office – Day 5</p>	<p style="text-align: center;"><b>D06 - BOMB or SIMILAR THREATS</b></p> <ul style="list-style-type: none"> <li>▪ 10 Days OSS</li> <li>▪ Referral to Hearing Officer</li> </ul> <p>Incident – Day Zero Investigation – Days 1-4 Parent Conference – Days 1-4 Submit Case to Code Office – Day 5</p>
<p style="text-align: center;"><b>D02 - POSSESSION OF DANGEROUS WEAPONS</b> (Mandatory Expulsion)</p> <ul style="list-style-type: none"> <li>▪ 10 Days OSS</li> <li>▪ Referral to Hearing Officer</li> </ul> <p>Incident – Day Zero Investigation – Days 1-4 Parent Conference – Days 1-4 Submit Case to Code Office – Day 5</p>	<p style="text-align: center;"><b>D07 – ARSON</b> (Mandatory Expulsion)</p> <ul style="list-style-type: none"> <li>▪ 10 Days OSS</li> <li>▪ Referral to Hearing Officer</li> </ul> <p>Incident – Day Zero Investigation – Days 1-4 Parent Conference – Days 1-4 Submit Case to Code Office – Day 5</p>
<p style="text-align: center;"><b>D03 - USE OF A WEAPON OR AN OBJECT AS A WEAPON</b> (Mandatory Expulsion)</p> <ul style="list-style-type: none"> <li>▪ 10 Days OSS</li> <li>▪ Referral to Hearing Officer</li> </ul> <p>Incident – Day Zero Investigation – Days 1-4 Parent Conference – Days 1-4 Submit Case to Code Office – Day 5</p>	<p style="text-align: center;"><b>D08 – SALE / DISTRIBUTION</b></p> <ul style="list-style-type: none"> <li>▪ 10 Days OSS</li> <li>▪ Referral to Hearing Officer</li> </ul> <p>Incident – Day Zero Investigation – Days 1-4 Parent Conference – Days 1-4 Submit Case to Code Office – Day 5</p>
<p style="text-align: center;"><b>D04 - PHYSICAL ASSAULT OF STAFF</b></p> <ul style="list-style-type: none"> <li>▪ 10 Days OSS</li> <li>▪ Referral to Hearing Officer</li> </ul> <p>Incident – Day Zero Investigation – Days 1-4 Parent Conference – Days 1-4 Submit Case to Code Office – Day 5</p>	<p style="text-align: center;"><b>D09- CRIMINAL SEXUAL CONDUCT</b> (Mandatory Expulsion)</p> <ul style="list-style-type: none"> <li>▪ 10 Days OSS</li> <li>▪ Referral to Hearing Officer</li> </ul> <p>Incident – Day Zero Investigation – Days 1-4 Parent Conference – Days 1-4 Submit Case to Code Office – Day 5</p>
<p style="text-align: center;"><b>D05 - PHYSICAL ASSAULT OF ANOTHER STUDENT</b></p> <ul style="list-style-type: none"> <li>▪ 10 Days OSS</li> <li>▪ Referral to Hearing Officer</li> </ul> <p>Incident – Day Zero Investigation – Days 1-4 Parent Conference – Days 1-4 Submit Case to Code Office – Day 5</p>	

Refer to page 24 for information on Assigning Interventions & Administering Discipline.  
Glossary of Terms can be found on page 60



## Alternative Disciplinary Options

The following are examples of formal disciplinary actions that may be used in each school. Students and parents/guardians who desire to have further information about the disciplinary actions used in specific schools should contact officials at that school. **If the principal or designee believe a situation is causing an unsafe learning environment and requests to administer discipline not in compliance with the infraction guidance, the principal or designee must first get approval from the Superintendent or his designee.** Should their child attend the school another administrator or their immediate supervisor, should be designated to provide discipline.

- **Before/After School Detention**– Assignment to a designated area on campus at the beginning or end of the regular school day for a specified period of time when applicable.
- **Extra-Curricular Participation** – Students not adhering to district and school-wide expectations, will not be able to participate in after-school events.
- **Network/Internet Suspension** – Certain technology-based infractions may result in a suspension of network and/or Internet access. Alternative instructional materials may be provided.
- **School Bus Suspension or Revocation** – Bus code infractions may result in the suspension of bus privileges. A student may be suspended or expelled from riding the bus at any point in the discipline process. A bus suspension is separate from a school suspension and applies only to the loss of bus riding privileges unless subject to other disciplinary actions, such as out-of-school suspension. Students are required to attend school. Bus suspension does not affect or excuse school attendance. Check with the office of equity regarding legality/applicability.

**NOTE:** A student who has been suspended (OSS) or expelled from the school bus who boards, rides, or attempts to ride a school bus, without being authorized to do so, is considered to be trespassing and is subject to arrest. **This also includes Extra-Curricular Activities.**

- **Restitution** – If the student is involved in defacing or destruction of school property, the student/family will be held responsible for payment to replace or repair the equipment/items.
- **School Beautification** – Assist with the clean-up of a location without the use of chemicals.

**NOTE:** A student who has been suspended or expelled from school and returns to any District property without being authorized to do so is considered trespassing and is subject to appropriate escalation.

## Discipline of Students with Disabilities

The standards of conduct contained within this Code apply to all students, including those students identified as special education or Section 504 and those suspected of having a disability. However, due to the unique needs of students with disabilities, appropriate disciplinary action and implementation of the Student Code of Conduct will vary in accordance with applicable local, state and federal laws.

### Students with a Disability

“Student with a disability” means a person who: (I) is determined by an individualized education program team (IEPT), or a hearing officer to have one (1) or more of the impairments that necessitates special education or related services, or both; (II) who is not more than 25 years of age as of September 1 of the school year of enrollment; (III) who has not completed a normal course of study; and (IV) who has not graduated from high school. A student who reaches the age of 26 years after September 1 is a “student with a disability” and entitled to continue a special education program or service until the end of that school year.<sup>3</sup> These students are commonly referred to by local, state, federal and education agencies as students who are included in the Individuals with Disabilities Education Act (“IDEA”), or IDEA students.

### Section 504

This designation refers to section 504 of the Rehabilitation Act of 1973, which is designed to eliminate discrimination on the basis of handicap in any program or activity receiving federal financial assistance. Under federal law, a “handicapped person” is defined as one who has a physical or mental impairment which substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment.<sup>4</sup> These students have a 504 Evaluation and Educational Plan developed by a 504 team.

### Disciplinary Actions for IDEA and Section 504 Students

When an administrator is considering disciplinary action involving removal of an IDEA or 504 student, the student’s records shall be reviewed to determine the total number of days during the current school year that the student has missed due to disciplinary action. Once this determination has been made, the following procedures must be followed:

1. If the student has not accumulated more than 10 (ten) days of disciplinary removal for the school year, then utilize procedures as outlined for non-disabled students.
2. If the pending suspension is in excess of ten (10) consecutive days (including proposed expulsions) **OR** if the suspension is less than ten (10) days but would result in 10 cumulative days for one school year and a pattern of removals has been determined, this constitutes a change in placement. Before implementing a suspension or expulsion that constitutes a change in placement, the student must have an IEP/504 meeting to determine whether the behavior issue is a manifestation of the student’s disability (a “manifestation determination” review). This meeting must take place within ten (10) school days of the decision to change the placement from school.

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<sup>3</sup> Michigan Administrative Rules for Special Education, Rule 340.1702

<sup>4</sup> 34 C.F.R. §104.1

## Exception

In cases where the offense involves the current use of drugs/alcohol, the Section 504 meeting is not necessary. The student may be disciplined in the same manner as non-disabled students. Note, if the offense is centered on possession alone, not use, a manifestation hearing is still required.<sup>5</sup>

If the IEP/504 team determines that the behavior is a manifestation of the student's disability, the student is NOT subject to further disciplinary action. However, the evaluation continues to determine whether the student's current educational placement is appropriate. The student MUST return to his/her original placement UNLESS the parent agrees otherwise through the IEP/504 process.

### EXCEPTION:

If the offense involves any of the following, school personnel may remove the student to an interim alternative educational setting for not more than forty-five (45) days:

- Carrying or possessing a weapon at school or at a school function
- Knowingly possessing or using illegal drugs
- Selling or soliciting the sale of a controlled substance while at school or at a school function
- Inflicting serious bodily injury upon another person

If the IEP/504 team determines that the behavior is NOT a manifestation of the student's disability, the student may be removed in the same manner as any non-disabled student.<sup>6</sup>

The school must continue to provide IDEA student's services so that the student progresses towards IEP goals, even if the child is no longer served in the same school environment. Section 504 students are not entitled to a continuation of specialized services.

The IEP team decides what services will be provided and the location where the services will be rendered.

When a change in placement occurs, the student is entitled to the procedural protections of Section 504/IDEA, including, an expedited due process hearing (appeal). When an appeal is pending, the student's placement will remain in the disciplinary removal setting until a decision is reached or the expiration of the removal issued by the District, whichever comes first.

Students with disabilities, even if expelled, must be provided with an appropriate education in an alternative educational setting.

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<sup>5</sup> A student with a disability who is not currently engaged in the illegal use of drugs or alcohol who commits a OCR defines "current use of drugs" as illegal use of drugs that occurred recently enough to justify a reasonable belief that a person's drug use is current or that continuing use is a real and ongoing problem" OCR Staff Memorandum, 19 EDELR 859 (OCR 1992).

<sup>6</sup> IDEA students must be provided services as indicated in 3a and b. Section 504 students are not entitled to a continuation of services but are treated the same as non-disabled students.

## Students Suspected of Having a Disability

Students suspected of having a disability have the right to assert any of the disciplinary protections available to students with disabilities, if prior to the behavior subject to disciplinary action, one or more of the following exist:

1. The parent/guardian(s) have expressed specific concerns in writing to supervisory or administrative personnel of the District, or a teacher of the student, that the student is in need of special education and related services.
2. The parent/guardians(s) has requested or consented in writing to a special education evaluation.
3. The student's teacher, or other school personnel, expressed specific concerns about a pattern of behavior demonstrated by the student, directly to the appropriate supervisor or director of special education for the District.
4. The District shall not be deemed to have knowledge that the student is a student with a disability if the parent of the student has previously refused to consent to an evaluation of the student, or has refused special education and related services, or the student was found ineligible for special education.

If a request is made for an evaluation of a student during the time period in which the student is subjected to disciplinary measures, the student remains in the disciplinary removal setting and the evaluation shall be conducted in an expedited manner. If the student is found to be a student with a disability, the District shall provide special education and related services as appropriate.

Where a student presents an immediate threat to the safety of others, school officials may promptly adjust the placement or suspend the child for up to ten (10) school days, in accordance with procedures applied to non-disabled students.

## Early Elementary Students with Suspected Disabilities

In instances where a student who may be in the early stages of exposure to the education environment (Kindergarten – Grade 2) has displayed three or more instances of erratic and potentially dangerous behavior that poses an immediate risk to the life, safety, and/or welfare of staff and/or the student's peers, to the extent the District suspects a disability under the IDEA or Section 504, the District staff will convene a review of existing evaluation data or other evaluation planning meeting information and will expedite any evaluation that may be appropriate with the consent of the Parent or Guardian.

The District staff will expedite the evaluation and, during such time, the District staff will attempt to work with the Parent or Guardian to identify an educational placement and supports (either in school or in another interim setting) that will address the safety concerns, while also educating the student and conducting assessments for the student. The Superintendent or his/her designee will be kept informed of the situation and setting where the student will be educated and assessed by the staff. If the Parent or Guardian refuses to consent to evaluations and / or services or supports under IDEA and / or Section 504, the District may treat the student as a general education student and may apply the appropriate consequences under the discipline sections of the Code of Conduct, up to and including expulsion of the student.

## Student Grievance

The Board recognizes that, as citizens, students have the right to request redress of grievances. Further, the Board believes that the inculcation of respect for lawful procedures is an important part of the educational process.

Accordingly, individual and group grievances should be provided for and appropriate grievance procedures implemented.

A student grievance shall be any such that arises out of actions, procedures, and policies of this Board or its employees or the lack of such policy or procedure. The grievance will be responded to within ten (10) days of receipt.

The Board or its employees will hear the complaints and grievances of the students of the District provided that such complaints and grievances are made according to procedures established by the Superintendent.

An aggrieved student may request resolution of the grievance by initiating the following formal procedure:

A formal grievance is a complaint in writing from the student/parent to the principal or designee. (In the event that the grievance is against the principal, designee or other administrative staff, the written grievance goes directly to the Superintendent of schools or designee.) The written grievance should be filed within five (5) school days of the event to which it refers and should include the following, as appropriate:

- a) Statement of the allegation.
- b) Description of the alleged facts.
- c) Summary of steps he/she already has taken in attempt to resolve the problem.
- d) Name/s of the person/s thought to be responsible for the alleged events.
- e) Other facts considered to be pertinent to the case.
- f) Signature of the person initiating the grievance.

## Disciplinary Hearings and Expulsion Review

Any disciplinary action that may result in a student being referred for placement in an alternative program or expelled, must begin with a hearing at the school **within three (3) school days of the date of the infraction for grades K-5 and within five (5) school days of the date of the infraction for grades 6-12.**

Parent/guardian (or authorized designee) and student are expected to attend all disciplinary hearings. The school administrator or designee must hold a hearing even though a parent/guardian is unable to or chooses not to attend. The school administrator must document all attempts to reach the parent/guardian. Parents may be represented by an advisor of their choice, who may or may not be an attorney. Parental authorization for an advisor to appear on behalf of the student must be on file in writing with the principal at the time of or before the time of the hearing. Only the parent/guardian or the advisor may speak for the child at the hearing. The selected speaker will be determined before the hearing starts.

**IF THE SCHOOL ADMINISTRATOR OR DESIGNEE IS THE TARGET OF THE ALLEGED BEHAVIOR, ANOTHER ADMINISTRATOR WILL CONDUCT THE HEARING, ADVISE THE STUDENT OF THE CHARGES AND MAKE THE DISCIPLINARY DECISION.**

At the hearing, the student and the parents must first be fully informed about the alleged breach in behavior and then be afforded the opportunity to present their side of the case. At the beginning of the hearing, student and parent should be given a copy of the Rights of Students and Parents in Disciplinary Hearings. (See *Attachment D*) If allegations of unacceptable behavior are substantiated, the school administrator or designee will determine the disciplinary action to administer.

At the conclusion of the hearing, the administrator or designee will inform the parent and student of the charge and the disciplinary action to be taken.

The Expulsion Review Panel will review cases for students recommended for expulsion for the purpose of referring the case back to the principal, assigning to an alternative education program or referring the case for an Expulsion Hearing.

Expulsion Hearings are conducted by the Hearing Officer as a designee for the Superintendent. Parent/guardian (or authorized designee) and student must attend. Once the Code Office receives the case, deems it appropriate for review, and notifies the parent by phone/ and writing, an Expulsion Hearing will be scheduled within 10 days of the inappropriate incident. The Code Office will document all attempts to reach the parent/guardian and the student will remain out of school until the hearing is attended. Parents may be represented by an advisor of their choice, who may or may not be an attorney. Parental authorization for an advisor to appear on behalf of the student must be on file in writing at the Code Office at or before the time of the hearing. Only the parent/guardian or the advisor may speak for the student unless a selected speaker is designated.

At the hearing, the students and parents/guardians are fully informed of the charges and recommendation of the Expulsion Review Panel. The student is afforded the opportunity to address the allegations and present their side. At the conclusion of the hearing, the hearing officer will advise the student of his/her recommendation for discipline. The adoption or rejection of the hearing officer's recommendation for discipline by the Superintendent or his/her designee is final.

## Appeals

### Short-Term Suspension

A student may appeal a short-term suspension, those suspensions assigned by a Principal/school level administration. An appeal of the short-term suspension should be made in writing and addressed to the Code of Conduct Office.

### Long-Term Suspension

A student may appeal a long-term suspension decision made by the Hearing Officer. The Board designates the Superintendent or his/her designee as its representative at any hearings regarding the appeal of a long-term suspension.

Appeals can be for procedural violations or substantive violations. Appeals on procedural grounds (i.e. timelines, notice, etc.) should only be granted if the violation had a significant impact on the outcome. A minor delay beyond prescribed timelines if it had no impact, should not be grounds for appeal. An appeal on substantive grounds challenges the facts and decision. The appeal decision maker shall consider whether the student's rights were violated, including whether:

- All prescribed timelines were met;
- All notifications were timely and accurate;
- The student was afforded the right to be accompanied by a representative of their choosing;
- The original decision maker was neutral;
- The facts presented at the hearing were fairly and fully considered;
- The school tried non-exclusionary alternatives to address the student's behavior before proposing exclusion and how well those alternatives were implemented;
- Other factors outside the student's control caused the behavior, including whether the student has or might have a disability or need treatment for mental health concerns;
- New facts have been uncovered that are exculpatory;
- The reasons set forth by the school describing why alternative, non-exclusionary forms of discipline were not appropriate have changed in a positive way for the student; and
- Any other relevant factors or procedures

If any of the above factors are established on appeal, a documentation review may occur by the Deputy Superintendent of Schools. The request for appeal must be received by mail or email to the Deputy Superintendent of Schools' office within 5 business days of the hearing.

Appeal decisions will be rendered within ten (10) business days after submission of the appeal. Students pending an appeal will not have a change in placement during the appeals process, i.e, if the student is in school, he/she would remain in school. Likewise, if student is out of school, he/she should remain out of school.

The hearing officer's recommendation for mandatory/permanent exclusion shall be final.

## Policy 5611 - Due Process Rights

The Board of Education recognizes the importance of safeguarding a student's constitutional rights, particularly when subject to the District's disciplinary procedures.

To better ensure appropriate due process is provided to a student, the Board establishes the following guidelines:

A. Students subject to short-term suspension:

Except when emergency removal is warranted, a student must be given oral or written notice of the charges against him/her and the opportunity to respond **prior to the implementation** of a suspension. When emergency removal has been implemented, notice and opportunity to respond shall occur as soon as reasonably possible. Before deciding to institute a short-term suspension, the principal or other designated administrator shall provide the student with an opportunity to be heard and shall be responsible for making the suspension decision. An appeal of the short-term suspension may be addressed to the Code of Conduct Office. The principal's decision will not be delayed during this process.

B. Students subject to long-term suspension and expulsion:

**A student and his/her parent or guardian must be given written notice of the intention to suspend or expel and the reasons.** In the case of expulsion, a student and his/her parent or guardian must be given the opportunity to appear before the Superintendent or his/her designee, to address charges. The student and/or his/her guardian must also be provided a brief description of the student's rights and of the hearing procedure. The Board designates the Superintendent or designee as its representative at any hearings regarding the appeal of a long-term suspension. The Board shall act on any appeal received within fifteen (15) calendar days of notice, which must be submitted in writing, to an expulsion, to a request for reinstatement, or to a request for admission after being permanently expelled from another district.

## Permanent Expulsion (MCL 380.1311)

Michigan law requires the permanent expulsion of a student, subject to possible future reinstatement, for certain acts. These include possession of a dangerous weapon, commission of arson or criminal sexual conduct in a school building or on school grounds or pleads to, is convicted of, or is adjudicated for criminal sexual conduct against another student enrolled in the same school district; and, for students' grade 6 and above, commission of physical assault at school against an employee, volunteer or contractor.

The District is not required to expel for possession of a dangerous weapon if the student can establish in a clear and convincing manner at least one of the following:

1. The object or instrument possessed by the student was not possessed for use as a weapon, or for direct or indirect delivery to another person 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.

There is a rebuttable presumption that expulsion for possession of a dangerous weapon is not justified if both the following are met:

1. The District determines in writing that at least one (1) of the factors listed above (1 – 4) has been established in a clear and convincing manner; and;
2. The student has no history of suspension or expulsion.

### Reinstatement After Permanent Expulsion

A student who is permanently expelled must attend a reinstatement hearing with the Board of Education in order to return to DPSCD.

A petition requesting reinstatement must be completed by the student/parent/guardian and sent to the Office of the Board of Education. The petition and any supporting information will be reviewed by the Board of Education's Reinstatement Review Panel (the "Panel"). The student, parent and/or guardian will have an opportunity to appear and address the Panel.

The Panel may recommend unconditional reinstatement, conditional reinstatement or against reinstatement. If the recommendation is for conditional reinstatement, it must include any recommended conditions. The recommendation shall be based on consideration of all of the following factors:

- a. The extent to which reinstatement of the individual would create a risk of harm to pupils or school personnel.
- b. The extent to which reinstatement of the individual would create a risk of school district liability or individual liability for the school board or school district personnel.
- c. The age and maturity of the individual.
- d. The individual's school record before the incident that caused the expulsion.
- e. The individual's attitude concerning the incident that caused the expulsion.
- f. The individual's behavior since the expulsion and the prospects for remediation of the individual.
- g. 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.



The Panel's written recommendation must be submitted to the full Board for a decision at its next scheduled regular Board meeting. If reinstatement of the student is approved, the Board may require the student and/or his/her parent or guardian to agree to specific conditions before reinstating, including but not limited to, agreement to a behavior contract which could include an outside agency, participation in anger management program or other counseling; periodic progress reviews, and specified, immediate consequences for failure to abide by a condition. The decision of the Board is final.

## **Readmission Guidelines and Hearings**

A petition requesting readmission must be sent to the Code Office. The Readmission Review Panel shall review the petition for readmission when a student has been expelled for a non-permanent expulsion offense. The student must meet criteria set by DPSCD before readmission will be considered and/or approved.

A Readmission Hearing will be held during which time the Hearing Officer will hear from the student, review the petition and any additional information, review the evidence presented by the Readmission Review Panel and make a decision. If the decision is to readmit the student, the student may be readmitted immediately provided the period of time for expulsion has expired. A contractual agreement and action plan regarding expected behavior, attendance, and academic progress and consequences for violations thereof may be required to be signed by the student, parent/guardian, and the Hearing Officer, as a condition of readmission.

### **Readmission after Non-Permanent Expulsion**

DPSCD has established conditions under which the student/parent/guardian or student eighteen (18) years or above may petition for readmission.

## Appendix A - COVID-19 Planning Checklist

The checklist that follows provides steps you can take as school leaders to plan for a possible disease outbreak.

Share and implement precautionary measures called for by your state and local health departments and communicate them to staff, students, and families. The CDC recommends the following:

- Avoid close contact with people who are sick.
- Avoid touching your eyes, nose, and mouth.
- Stay home when you are sick.
- Cover your cough or sneeze with a tissue, then throw the tissue in the trash.
- Clean and disinfect frequently touched objects and surfaces using a regular household cleaning spray or wipe.
- Follow the CDC's recommendations for using a facemask.
- Avoid sharing items and unnecessary touching.
- Wash your hands often with soap and water for at least 20 seconds, especially after going to the bathroom; before eating; and after blowing your nose, coughing, or sneezing. If soap and water are not readily available, use an alcohol-based hand sanitizer with at least 60 percent alcohol. Always wash hands with soap and water if hands are visibly dirty.

### Sensory and Cognitive Expectations

#### Mask wearing

- Sensory and/or behavioral issues
- Specially designed face coverings/masks
- Clear masks for DHH-Lip readers and signage

#### Following direction

- Cognitive understanding and comprehension
- Floor marking and visuals with picture communication/sign
- Orientation and Mobility for configuration needs

#### Hand washing, sanitation, etc.

- Spray sanitizer vs traditional (for wheelchair bound and students with physical impairments)
- Learning and teaching aids for safe participation

### Factors to consider prior to removal for students with disabilities

- Be Clear: Use concrete language when talking about the virus and why a mask is a protective boundary.
- Use of visual and auditory reminders for fidelity checking of COVID-19 health and safety measures (e.g., 5-minute timer regarding hand washing)
- Creation of new schedule (written or drawn) for student development of expectation in uncomfortable environment (include pictures of face mask/covering)
- Use of Social Stories with description and pictures along with schedule to explain alignment with COVID-19 and safety/health parameters
- Use of Positive behavior intervention techniques and other supports aligned with face covering
- Use and employ 7 factors chart related to school discipline
- Refer to IEP for behavioral strategies and supports

## Appendix B - Interrogations and Searches

Any search initiated or requested by the Detroit Public Schools Community District Police Department (“DPSCD PD”), Detroit Police Department or any other police department shall be governed by applicable legal standards.

### Types of Searches:

#### **1. Individualized Student Searches**

School officials possess the authority to search individual students and their personal effects (including but not limited to clothing, book packs, book bags, purses, vehicles that are parked on property owned or leased by the Board of Education, and similar items). The search will only be conducted if school officials have a reasonable suspicion that:

- A. there has been a criminal infraction or that there is a violation of a school policy or rule governing student behavior or discipline, AND
- B. the individual who is the subject of the search participated in the infraction or violation, AND
- C. evidence of the infraction or violation, or the proceeds there from, is in the possession of the student in the location to be searched.

Reasonable suspicion can be based on direct observations of the student by school officials (including but not limited to seeing a gun shaped bulge in clothing, hearing the sound of a pager or cell phone, or smelling the aroma of marijuana). Reasonable suspicion may also be based on information provided to school officials by others (including school staff, students, volunteers, and visitors) indicating that the student in question has contraband in his or her possession. A mere hunch or generalized suspicion does not constitute reasonable suspicion, nor do they provide a sufficient basis for searching an individual student.

Once a school official or a member of the DPSCD PD unit has determined that a student should be searched for contraband based upon a reasonable suspicion, the following guidelines apply. A search should be no more intrusive than is necessary. If a search demand more than a “pat down” or the emptying of pockets and the removal of coats, jackets, shoes and/or socks, school officials should contact the Office of General Counsel immediately.

Individual searches should always be conducted by a school official of the same sex as the student being searched and to the extent practicable in the presence of another same sex school official who can act as a witness. The search may be done outside the view of any person who is not directly involved in the search. Such searches shall be conducted by DPSCD PD, DPSCD security contractors/agents, school officials or school staff. A written report shall be prepared regarding any individualized student search and forwarded to the Public Safety Department.

#### **2. Locker and Desk Searches**

Desks and lockers are the property of the Board of Education. Students are allowed to use this property; but at all times, desks and lockers remain under the control and ownership of the Board of Education. As a condition of their use of Board property, students assume full responsibility for the security of the locker and/or desk assigned to them.

The Board of Education reserves the right to conduct random searches of desks, lockers and personal items (such as purses, book bags, coats, etc.). These searches may be conducted at any time for any reason, without notice, without student consent and without reasonable suspicion or a search warrant.

The following should be used as guidelines for the search of lockers and/or desks:

- A. Locker and desk searches are best performed when students are not present, such as prior to the opening of the school, after school or on the weekend.
- B. Locker and desk searches may include the use of trained dogs or other trained animals.
- C. Students should be alerted through their student handbooks or by other written materials that at any time their lockers and desks can be searched.

D. Locker and desk searches may be conducted by school officials, with or without the assistance of DPSCD PD employees.

### 3. Metal Detector Screenings

#### A. Introduction

The purpose of a metal-detector scan is to prevent weapons and/or contraband from entering the schools. DPSCD reserves the right to use, but it is not limited to stationary walk through metal detectors, hand-held “wand” metal detectors, portable walk through metal-detectors, and x-ray machines. All persons who enter into District buildings used for academic instruction are subject to a metal detector scan. The Board has authorized several types of metal-detector screenings.

1. “As needed” Screenings: The Superintendent, his/her designee, or school official may also authorize metal-detector screenings on days on which special events such as athletic events or visits by dignitaries are held. As needed screenings may also be conducted to address safety concerns.
2. Daily Screenings: The Superintendent, his/her designee, or school officials may also authorize daily metal-detector screenings of students to ensure the safety and security of students, staff, volunteers and visitors.

#### B. Public Notice

Each entrance of District property shall have a sign stating the equivalent of the following statement: “Any person entering this building may be subject to search.” However, the removal of the sign through vandalism or any other means shall not waive the District’s ability to conduct any subject searches contained in this policy.

#### C. Scanning Procedures

1. All entrances that are that are not used during a metal-detector screening should be locked in such a way that they will prevent entry from the outside. The entrances should remain operable from the inside of the building and must comply with fire code regulations.
2. Prior to passing through a metal-detector, individuals should be instructed to place their metal possessions into a separate container. Those conducting the metal-detector screenings may also ask individuals to remove any other personal items (coats, book bags, purses, etc.) so they can be scanned by a hand-held metal-detector.
3. If the alarm of a metal-detector sounds, that shall be construed as reasonable suspicion for an individual pat-down search or for the search of the individual’s separate possessions (such as book bag, purse, coat, etc.). If a pat-down search is necessary, male DPSCD Public Safety officers should administer pat-down searches for male students, and female DPSCD Public Safety officers should administer pat-down searches for female students. Once that search is accomplished, another metal-detector screening should be made. If the alarm of a metal-detector sounds again, the individual should be taken to a private place for a more thorough screening and search.
4. An individual should never be allowed to enter a school building until he/she can walk through a metal-detector without sounding the alarm or until some form of secondary search can identify the item causing the alarm.
5. Screenings should be done as expeditiously as possible.

#### D. Refusal to Cooperate:

Persons who refuse to cooperate with school officials during a search authorized by this policy should be referred to the principal of the respective school. Students who refuse to be searched will have their parents contacted by school officials. At no time should a student be allowed into the school unless they are willing to be scanned and searched. Any absence that occurs as a result of refusing a search authorized by this policy should be counted as an unexcused absence.

**Attachments to Policy:** None

**Legal References:** Raina Mcburrows et. al v DPSCD  
Case No. 2:09-cv-14863 - Consent Judgment **MCLA** §380.1308

## Appendix C - Index of Reportable Incidents

Michigan school safety law requires that the following incidents be reported to a local law enforcement agency: (MCL 380.1308)

Armed Student or Hostage

Suspected Armed Student

Weapons on School Property

Death or Homicide

Drive-By-Shooting

Physical Assault (Fights)

Bomb Threat

Drug Possession or Destruction of Property

Vandalism or Destruction of Property

Minor in Possession of Alcohol

Bus Incident or Accident

Robbery or Extortion

Unauthorized Removal of Student

Threat of Suicide

Suicide Attempt

Larceny (Theft)

Intruders (Trespassing)

Illegal Drug Use or Overdose

Explosion

Arson

Sexual Assault

## Appendix D - Title IX Definitions

**Actual Knowledge** - Notice to the school of an allegation of Sexual Harassment. A school has actual knowledge when it has notice that a person may have been victimized. Schools are put on notice when any person reports Sexual Harassment to a school employee or if school personnel witnesses Sexual Harassment.

**Complainant** – A student, parent/guardian, employee of the District, or third party who submits a complaint alleging Sexual Harassment prohibited by Title IX.

**Respondent** – The person alleged to be responsible for the prohibited conduct alleged in a complaint.

**Sexual Harassment** – Conduct on the basis of sex that meets one or more of the following descriptions:

1. A school employee conditioning an educational benefit or service on an individual's participation in unwelcome sexual conduct;
2. Any type of unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's educational program or activity;

**Sexual Assault defined as:**

Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or their temporary or permanent mental incapacity

Incest: Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape: non-forcible sexual intercourse with a person who is under the statutory age of consent.

**Stalking** - Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

1. fear for the person's safety or the safety of others; or
2. suffers substantial distress

For the purpose of this definition:

- a. Course of conduct means two or more acts, including but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- b. Reasonable person means a reasonable person under similar circumstances with similar identities to the victim.
- c. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

**Dating Violence** - Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

For the purpose of this definition:

- a. Dating violence includes, but is not limited to sexual or physical abuse or the threat of such abuse
- b. Dating violence does not include act covered under the definition of domestic violence.

**Domestic Violence** - A felony or misdemeanor crime of violence committed

1. By a current or former spouse or intimate partner of the victim
2. By a person with whom the victim shares a child in common
3. By a person who is cohabitating with, or has cohabitated with the victim as a spouse or intimate partner
4. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or
5. By any other person against an adult or youth victim who is protected from that person's act under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Office of Equity, Advocacy & Civil Rights** – The department within the District charged with overseeing Title IX investigations.

**Formal Title IX Complaint** – A complaint filed with the Title IX Coordinator or the Office of Equity, Advocacy & Civil Rights that triggers the below grievance procedures.

**Complaint Submission Date** – The date on which a Formal Title IX Complaint was submitted to the Title IX Coordinator or the Office of Equity, Advocacy, & Civil Rights.

**Supportive Measures** – Individualized services offered as appropriate to either or both the complainant and respondent involved in an alleged incident of Sexual Harassment prior to or during an investigation. Supportive measures may include counseling, extensions of time or other course-related adjustments, modifications of class schedules, mutual restriction on contact between the parties, changes in policies or procedures, and other similar accommodations. A Formal Title IX Complaint does not need to be filed for appropriate Supportive Measures to be implemented.

**Preponderance of the Evidence** – The evidence standard used to determine whether an alleged incident of Sexual Harassment occurred. The standard weighs the evidence to determine if an alleged incident more likely than not occurred.

## Appendix E - Glossary of Terms

<b>Appeal</b>	To resort to a superior administrative level to review the decision of a lesser administrative level.
<b>Arson</b>	To unlawfully and intentionally burn or attempt to burn, any real or personal property by fire or incendiary device.
<b>Bullying</b>	Conduct intended to place a person in fear of harm or cause substantial distress
<b>Breaking and Entering</b>	Unlawful entry into a school building or other school structure.
<b>Cyber Bullying</b>	The use of electronic communication, network, social media or technology to intimidate, harass, bully or threaten.
<b>Due Process</b>	Orderly procedures where a person is served notice, has an opportunity to be heard and enforce/protect rights.
<b>Expunge</b>	To permanently remove from a student's discipline record.
<b>False Alarms</b>	The act of initiating a fire alarm or initiating a report warning of a fire or an impending bombing or other catastrophe without just cause.
<b>Fighting</b>	Physical altercation between one or more students that does not cause serious injury.
<b>Free and Appropriate Public Education</b>	Section 504, The Individuals with Disabilities Education Act (IDEA) and Michigan Revised Administrative Rules that all students with a disability, aged birth through 25 have a right to receive a free appropriate education. Free means that the educational and related services are provided without cost to the parent, except for those fees that are imposed on students without disabilities.
<b>Functional Behavior Assessment</b>	An assessment of the factors that affect a student's behavior, typically including a review of the environment and the student's needs.
<b>Gang Activity</b>	An ongoing organization, association group of two or more individuals who use a common identifying name, sign or symbol, have a high rate of interaction among themselves to the exclusion of others and are frequently involved in anti-social, delinquent or criminal activity.
<b>Gang-Like Activity</b>	Activity that is associated with or similar to gang activity
<b>Group Violence</b>	Three or more persons inflicting physical harm upon a victim or victims.
<b>Illegal Activity</b>	Conduct that is in violation of state and/or federal law.
<b>Incendiary Device</b>	Any material/object which causes a fire or explosion.
<b>Individualized Education Program (IEP)</b>	A specially designed instruction program developed by the IEP team, which describes the student's eligibility, the student's present level of performance, annual goals and short-term objectives, specific educational and related services, amount of time spent in general education, the least restrictive environment, the reasons why the IEP is accepted or rejected, transition services, and the dates and frequency of services. The IEP shall be reviewed annually or more often as needed.
<b>Intimidation</b>	Conduct intended to place a person in fear of harm less than bullying.
<b>Insubordination</b>	Refusal to obey the reasonable and lawful directions of authorized school personnel.



<b>In-School Suspension Program (ISSP)</b>	School wide strategy for creating and sustaining a positive nurturing school climate based on respectful relationships between teachers and students, teachers and teachers, students and students.
<b>Jurisdiction</b>	The power to hear and determine a school matter.
<b>Loitering</b>	The act of being in or about school district premises or in a specifically restricted area of a school district building at unauthorized times or without the specific authorization of school personnel.
<b>Out of School Suspension (OSS)</b>	A temporary removal from school and activities
<b>Petition</b>	A formal written request.
<b>Physical Assault</b>	Intentionally or attempting to cause physical harm to a student/adult through force or violence.
<b>Problem Solving Team</b>	A school-based problem-solving group that works collaboratively with parents, staff and community members to address issues that affect student learning.
<b>Refusal to Identify Self</b>	Refusing to show an identification card and/or give a correct name when requested to do so by school personnel.
<b>Restitution</b>	A restorative justice disciplinary action that allows students the opportunity to pay back for their misbehavior. When determining an amount, the fair market value of the property will be used.
<b>Sexual Harassment</b>	Any type of unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's educational program or activity.
<b>Tardy</b>	Arriving in school or class after specified start time without an excuse or pass as outlined in the District's attendance policy.
<b>Title IX Coordinator</b>	The Title IX Coordinator oversees the Office of Equity, Advocacy & Civil Rights, and is responsible for coordinating the District's response to complaints of sex discrimination.
<b>Trespassing</b>	To enter into or remain on school district premises without authorization and with no lawful purpose for entry.
<b>Terroristic Acts</b>	To threaten or cause violence to any person or property with intent to cause a reaction of any type by an official or institution or agency authorized to deal with emergencies; prevent or interrupt the occupation or use of an area, building or room or to cause interruption of public communication, water, gas or power supply.
<b>Truancy</b>	Students who have missed at least 10% of the school year with unexcused absences are considered chronically absent/truant. (Not including excused absences and suspensions)

*(Retain this copy for your records)*

**PARENT AND STUDENT STATEMENT OF UNDERSTANDING, RECEIPT AND REVIEW OF STUDENTS' RIGHTS, RESPONSIBILITIES AND CODE OF CONDUCT**

**TO THE PRINCIPAL:**

We, the undersigned, join the Detroit Public Schools Community District in an effort to “successfully create a clean, safe and healthy environment to promote positive student behavior and achievement.”

Therefore, **we, the undersigned, agree to:**

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**FOR THE STUDENT**

- Read and follow the rules and regulations outlined in the Student Code of Conduct.
- Not engage in bullying and report bullying when I see it.
- Not bring a weapon or anything that may endanger others to school or to a school event.
- Notify school staff if I see a weapon or dangerous situation in school or at a school event.
- Seek school staff assistance when conflicts arise involving me or my peers.

**STUDENT'S SIGNATURE** \_\_\_\_\_ **DATE** \_\_\_\_\_

**SCHOOL** \_\_\_\_\_

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**FOR THE PARENT/GUARDIAN**

- Read the rules and regulations outlined in the Student Code of Conduct.
- Teach and encourage my children to follow school guidelines
- Respect school staff and adhere to school policies and procedures.
- Notify school officials when conflicts arise involving students.

**PARENT/GUARDIAN'S SIGNATURE** \_\_\_\_\_ **DATE** \_\_\_\_\_

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**We agree** to this commitment and expect that the **School's Principal** will:

- Respect the rights of students and parents/guardians and enforce the Student Code of Conduct.
- Promote conflict resolution.
- Listen and act on parent and student concerns where appropriate to develop a safe and healthy school environment.

*(Return this copy to your child's school)*

**PARENT AND STUDENT STATEMENT OF UNDERSTANDING, RECEIPT AND REVIEW OF STUDENTS' RIGHTS, RESPONSIBILITIES AND CODE OF CONDUCT**

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**STUDENT'S SIGNATURE** \_\_\_\_\_ **DATE** \_\_\_\_\_

**SCHOOL** \_\_\_\_\_

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**FOR THE PARENT/GUARDIAN**

- Read the rules and regulations outlined in the Student Code of Conduct.
- Teach and encourage my children to follow school guidelines.
- Respect school staff and adhere to school policies and procedures.
- Notify school officials when conflicts arise involving students.

**PARENT/GUARDIAN'S SIGNATURE** \_\_\_\_\_ **DATE** \_\_\_\_\_

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**We agree** to this commitment and expect that the **School's Principal** will:

- Respect the rights of students and parents/guardians and enforce the Student Code of Conduct.
- Promote conflict resolution.

- Listen and act on parent and student concerns where appropriate to develop a safe and healthy school environment.

**STAFF STATEMENT OF UNDERSTANDING, RECEIPT AND REVIEW OF STUDENTS' RIGHTS,  
RESPONSIBILITIES AND CODE OF CONDUCT**

I, the undersigned, join the Detroit Public Schools Community District in an effort to “successfully create a clean, safe and healthy environment to promote positive student behavior and achievement.”

Therefore, I, the undersigned, agree to:

- 
- Read the rules and regulations outlined in the Student Code of Conduct.
  - Respect the rights of students and parents/guardians and enforce the Student Code of Conduct.
  - Not engage in bullying and report bullying when I see it.
  - Teach and encourage my students to follow school guidelines.
  - Promote conflict resolution.
  - Listen and act on parent and student concerns where appropriate to develop a safe and healthy school environment.
  - Abide by all Board Policies, including Policy 3139.01 - Work Rules And Staff Corrective Discipline and Policy 3210 - Standards Of Ethical Conduct, which provide that Staff members should not, “intentionally expose a student to unnecessary embarrassment or disparagement” or “use abusive and/or profane language.”

**STAFF MEMBER'S SIGNATURE** \_\_\_\_\_ **DATE** \_\_\_\_\_

**SCHOOL** \_\_\_\_\_