

**CODE
OF
STUDENT
CONDUCT**



TABLE OF CONTENTS

Page 2Introduction, Purpose & Standards of Conduct

Page 3Statement of Compliance

Page 4FERPA

Page 5Child Protection Laws, Application of the Code of Student Conduct

Page 5-6Student Discipline

Page 6Definitions of Discipline

Page 6-13Prohibited Acts

Page 14-15Due Process Procedures

Page 16Non-discrimination Policy

Page 17Grievance Procedure

Page 17-18Prohibition Against Retaliation, Confidentiality, Notification



CODE OF STUDENT CONDUCT

INTRODUCTION

Huron Valley Schools believes that students have the right to pursue their education and develop their potential in a positive learning environment. The effective school setting is the result of strong leadership, high expectations, and a clear definition of purpose understood and supported by students, staff, parents and the community.

PURPOSE

The purpose of the Code of Student Conduct (the Code) is to define those behaviors necessary for a productive learning environment. The Code explains the rights and responsibilities of students. It defines offenses and standardizes disciplinary procedures for students who violate the Code.

The provisions in the Code apply to all students in Huron Valley elementary and secondary schools. Whenever appropriate, the age and maturity of the students are taken into consideration.

STANDARDS OF CONDUCT

Pursue Excellence as a student and community member

- Attend school regularly and on time.
- Conduct yourself in a safe and responsible manner to and from school with other students, with members of the community and within the community.
- Believe that you can and will learn; produce quality work that meets the highest classroom standards.
- Commit to remain in school with the objective of graduating on time.

Model responsibility and integrity

- Be honest at all times.
- Be responsible for your own work and behavior.
- Develop positive relationships.
- Accept responsibility for your own actions.

Respect self, others and property

- Value diversity and respect the views and opinions of others.

- Treat all persons fairly and with dignity; seek peaceful resolutions to disagreements.
- Choose appropriate, non-offensive language to express one's thoughts, opinions and feelings.
- Respect the rights and privileges of students, teachers and other district staff and volunteers.

Create a positive, safe and drug-free learning environment

- Conduct yourself in a safe and responsible manner that focuses on academic success while in the school environment and on school property.
- Cooperate with and assist the school staff in maintaining safety, order and discipline.
- Follow laws and school board policies against possessing or concealing any substance or objects which are prohibited or which may disrupt the educational process and/or school-sponsored activities.

STATEMENT OF COMPLIANCE WITH FEDERAL LAW

The Huron Valley Schools Board of Education complies with all federal laws and regulations prohibiting discrimination and with all requirements and regulations of the U.S. Department of Education. It is the policy of the Board of Education and the school district, not to unlawfully discriminate on the basis of sex, race, color, national origin, religion, height, weight, marital status, handicap or disability. The School District reaffirms its long-standing policy of compliance with all applicable federal and state laws and regulations prohibiting discrimination, including, but not limited to, Title VI and Title VII of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973; Americans with Disabilities Act of 1990; Michigan Handicappers' Civil Rights Act; and the Elliott-Larsen Civil Rights Act. The Board of Education will not tolerate harassment of students by fellow students or by any of its employees, board members, vendors, contractors or others doing business with the school district, parents, visitors, invitees, guests, etc. Unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct relating to a student's sex, race, color, national origin, religion, height, weight, marital status, handicap or disability is strictly prohibited and disciplinary action will be taken against the offender, regardless of the offender's position with the school district.

Any student who believes that he/she has suffered harassment shall report the incident to his/her principal and the student is guaranteed that he/she will not suffer any form of reprisal by the school officials for reporting the incident. The school district has the responsibility of investigating and resolving all complaints of harassment and discrimination.

Inquiries related to the above policy, should be directed to:

Scott Lindberg, Executive Director of Human Resources, Huron Valley Schools, 2390 South Milford Road , Highland, MI 48357 Telephone 248-684-8246

THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

The Family Educational Rights and Privacy Act (FERPA) afford parents and students over 18 years of age (“eligible students”) certain rights with respect to the student’s education records. These rights are:

1. The right to inspect and review the student’s education records within 45 days of the day the District receives a request for access. Parents of eligible students should submit to the school principal a written request that identifies the record(s) they wish to inspect. The school official will make arrangements for access and notify the parent or eligible students of the time and place where the records may be inspected.
2. The right to request an amendment of the student’s education records that the parent or eligible student believes is inaccurate or misleading. Parents or eligible students may ask Huron Valley Schools to amend a record they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent. One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the District as an administrator, supervisor, instructor, teacher, coach or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant or therapist); or a parent (*the word parent as it occurs in this document refers also to the child’s guardian*) or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an educational record in order to fulfill his or her professional responsibility. The District also forwards education records to other agencies or institutions that have requested the records and in which the student seeks or intends to enroll.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school to comply with the requirement of FERPA. The name and address of the office that administers FERPA is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-4605.

CHILD PROTECTION LAWS

Huron Valley Schools complies with state and local laws and procedures and will report all suspected child abuse cases to local law enforcement agencies and/or the Oakland County Family Independence Agency.

APPLICATION OF THE CODE OF STUDENT CONDUCT

The Code applies:

- a. When students travel to and from school or a school activity, including athletic activities.
- b. When students are transported by District vehicles for any purpose.
- c. On any school property at any time.
- d. At all school sponsored events and activities, at home or away where the principal or a designee has jurisdiction over students.
- e. Off school property where the offense has its inception at school or a school activity.
- f. On all school sponsored trips.
- g. When behavior is disruptive or negatively impacts the school and/or district.

STUDENT DISCIPLINE

- A. The Code of Student Conduct establishes the rules governing the most serious and obvious types of student misconduct. The prohibited acts listed in the Code are not to be construed as an all-inclusive list or as a limitation upon the authority of school officials to deal appropriately with violations of a school building's individual rules and regulations, or other types of conduct which interfere with the good order of the school system, the proper functioning of the educational process, or the health and safety of students.
- B. Those school district protocols and expectations relating to student attendance and tardiness, which may vary from building to building, are hereby incorporated by reference as part of the Code.
- C. Each prohibited act listed in the Code of Student Conduct sets forth the discipline which may be imposed for a violation. The discipline for violating some prohibited acts ranges from administrative intervention to expulsion; and for violation of the most serious prohibited acts, the penalty is expulsion. In cases where the stated penalty is not expulsion, but is set forth in terms of a range, then the actual penalty imposed will depend upon the nature and severity of the offense, the particular facts involved, the age of the student, the

student's prior behavioral record, the persistent and/or chronic nature of the misconduct, the recommendation of school personnel, and all other circumstances deemed relevant. A student violating any of the prohibited acts listed in the Code will be disciplined in accordance with this Code. Additionally, a student who engages in a prohibited act, which violates the law, will be referred to the appropriate police authority.

DEFINITIONS OF DISCIPLINE

1. **Administrative Intervention** – Disciplinary action which does not result in a student being physically removed from the school. Administrative intervention may include, but is not limited to, the removal of a student from a class period, in-school suspension, a reprimand, detention and/or work assignment before or after school, additional classroom assignments, and revocation of the privilege of attending after-school functions and activities, events, etc.
2. **Suspension** – Exclusion of a student from school for a period of ten (10) days or less.
3. **Expulsion** – Exclusion of a student from school for a period of eleven (11) or more days, up to and including permanent exclusion from the school district.

PROHIBITED ACTS

1. **Arson** – A student shall not burn, or attempt to burn, any tangible property or intentionally set a fire on school property or cause or attempt to cause an explosion on school property.

Penalty – suspension to expulsion.

This section is supplemental to, and does not limit or supersede, sections 2, 7, and 9.

2. **Arson Prohibited by Law** – A student shall not commit an act of arson, prohibited by MCL 750.71 through MCL 750.80.

Penalty – expulsion.

This section is supplemental to, and does not limit or supersede, sections 1, 9, and 20.

3. **Alcohol/Chemical Substances** – A student shall not manufacture, sell, handle, possess, use, deliver, transmit or be under any degree of influence (legal intoxication not required) of any alcoholic beverages or intoxicant of any kind. A student shall not inhale glue, aerosol paint, lighter fluid, reproduction fluid or other chemical substance for the purpose of becoming intoxicated or under the influence (legal intoxication not required).

Penalty – suspension to expulsion.

4. **Bullying and Hazing** - Students are prohibited from engaging in conduct, whether written, verbal or physical, that unreasonably interferes in another's participation in or enjoyment at school or school-related activities, such as bullying or hazing.
- "Bullying," for the purpose of this policy means any written, verbal or physical act or any electronic communication, that is intended or that a reasonable person would know is likely to harm one or more District students, either directly or indirectly, by doing any of the following: substantially interfering with educational opportunities, benefits or programs or activities by placing a student in reasonable fear of physical harm or by causing substantial emotional distress, having an actual and substantial detrimental effect on a student's physical or mental health; causing substantial disruption in or interference with, the orderly operation of the school.
 - "At school," for the purposes of this policy means anywhere on school premises, on a school bus or other school-related vehicle and at a school-sponsored activity, regardless of whether the activity is held on school premises.
 - "At school" indicates the use of a telecommunications access device or telecommunications service provider owned by or under the control of the district.
 - "Hazing," for the purpose of this policy means initiating another student into any grade, school, or school-related activity by any means or methods that may cause physical or emotional pain, embarrassment, or discomfort. (See board policy 5114)

Penalty – administrative intervention to expulsion.

5. **Coercion, Extortion or Blackmail** – A student shall not commit or attempt to commit extortion, or coercion or blackmail. A student shall not engage in the act of securing or attempting to secure money or other items of value by the use of threats and/or violence, nor shall a student, by threats and/or violence, force another person to perform an unwilling act.

Penalty – administrative intervention to expulsion.

6. **Copyrighted Material** – A student shall not unlawfully duplicate, reproduce, retain or use copyrighted material.

Penalty – administrative intervention to expulsion.

7. **Criminal Acts** – A student shall not commit or participate in any conduct or act defined as a crime by federal or state law, or local ordinance.
Penalty – suspension to expulsion.

8. **Criminal Sexual Conduct** - A student shall not commit criminal sexual conduct, as defined by MCL 750.520 b-e and g.
Penalty – expulsion.

This section is supplemental to and does not limit sections 5, 7, 11, 12, 19, 23, 24, and 33

9. **Damage of Property or Theft/Possession** – A student shall not intentionally cause or attempt to cause damage to school property or the property of another person, or steal, attempt to steal, or knowingly be in the unauthorized possession of school property or the property of another person.
Penalty –administrative intervention to expulsion.

10. **Dangerous Weapons** – A student shall not possess a dangerous weapon in a weapon free school zone. **Penalty** – expulsion – A dangerous weapon, for the purpose of this section only, means a firearm, dagger, dirk, stiletto, knife with a blade over three (3) inches in length, pocketknife opened by a mechanical device, iron bar or brass knuckles. The word “firearm”, for purposes of this section only, means any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by action of any explosive; or any destructive device which includes any explosive, incendiary or poison gas (i) bomb (ii) grenade(iii) rocket having a propellant charge or more than four (4) ounces (iv) missile having an explosive or incendiary charge of more than one-quarter (1/4) ounce or (v) mine. A weapon free school zone means a school property, which includes a building, playing field or property used for school purposes to impart instruction to children or used for functions and events sponsored by a school or vehicle used by a school to transport students to and from school property.
Penalty – suspension to expulsion

This section is supplemental to, and does not limit or supersede, section 34.

11. **Discriminatory Harassment** - A student shall not engage in unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct relating

to a person's sex, race, color, national origin, religion, height, weight, marital status, handicap or disability (e.g., sexual or racial comments, threats or insults, unwanted sexual touching, etc.)

Penalty – administrative intervention to expulsion.

12. **Disruption of School** - A student shall not, by any type of conduct (violence, force, noise, coercion, threat, intimidation, fear, passive resistance, etc.), cause the disruption or obstruction of any function of the school, nor shall he or she engage in any such conduct that shall result in disruption or obstruction. Neither shall a student urge other students to engage in such conduct for the purpose of causing such disruption or obstruction. While the following acts are not intended to be exclusive, they illustrate the kind of offenses encompassed within this rule, but it must be remembered that any conduct, which causes disruption, is likely to result in disruption, or interferes with the educational process, is forbidden.

- **Occupying** any school building, school grounds, or a part thereof, without the permission of a school building staff member, which deprives others of its use;
- **Blocking** normal pedestrian or vehicle traffic, the entrances or exits of any school building or corridor or room, without the permission of a building principal;
- **Preventing**, attempting to prevent, or interfering with the convening or continued functioning of any class, activity, meeting or assembly;
- **Instigating** or participating in a disturbance, or causing a disturbance, which interrupts the educational opportunities of others or threatens the general health, safety and welfare of others on a school property or at a school sponsored activity.

Penalty – administrative intervention to expulsion.

13. **Dress** – A student shall not dress or groom in a manner, which in the judgment of a building administrator or school personnel, may be harmful to the student or others or disruptive to the educational process.

Penalty – administrative intervention to expulsion.

14. **Drugs, Narcotic Drugs and Counterfeit Substances** – A student shall not manufacture, sell, possess, use, deliver, transfer or be under the influence (legal intoxication not required) of any drug paraphernalia, drug, including e-cigarettes, narcotic drug, marijuana, hallucinogen, stimulant, depressant controlled substance, counterfeit substance or a controlled substance analogue intended for human consumption. A student shall not sell, deliver or transfer, or attempt to sell, deliver or transfer, any prescription or non-prescription drug, medicine, vitamin or chemical substance (e.g., pain relievers, stimulants, diet

pills, pep pills, No-doze pills, cough medicines , laxatives, stomach or digestive remedies), nor shall a student use or possess these substances for an improper purpose. A student shall not sell or represent a legal substance as an illegal or controlled substance or sell, manufacture, possess, use, deliver or transfer “designer” drugs. This also includes drug paraphernalia, such as bongs, vaporizers and rolling papers.

Penalty – suspension to expulsion.

15. **Failure to Cooperate** – A student shall not refuse to cooperate with school district administrators and/or teaching staff investigating a possible violation of the Code and/or building rules, and no students shall make false statements or give false evidence to school district administrators and /or teaching staff. A student shall not refuse to testify or otherwise cooperate with School District personnel in any disciplinary proceeding.

Penalty – administrative intervention to expulsion.

16. **False Alarms** – A student shall not knowingly cause a false fire alarm, or make a false fire, bomb or catastrophe report.

Penalty – suspension to expulsion.

17. **False Allegations** – A student shall not libel or slander or make false allegations against another student, school district employee (including guest and student teachers), Board of Education members or volunteers.

Penalty – administrative intervention to expulsion.

18. **Falsification of Records** – A student shall not use the name of another person or falsify items, dates, grades, addresses or other data on School District forms or records. A student shall not provide false, misleading or inaccurate statements or information on School District forms or records.

Penalty – administrative intervention to expulsion.

19. **Fighting, Assault and/or Battery on Another Person** – A student shall not physically assault, or cause, behave in such a way to cause, or threaten to cause physical injury to a school employee, (including guest and student teachers, students, volunteer, chaperone or other person) (e.g., fighting).

Penalty – suspension to expulsion.

20. **Fireworks, Explosives, Chemical Substances** - A student shall not possess, handle or transmit any substance or prepared chemical that can explode, is capable of inflicting bodily injury or is reasonably likely to cause physical discomfort to another person.
Penalty – suspension to expulsion.
21. **Gambling** – Engaging in any game of chance or contest wherein money or other items of monetary value are awarded to the winner (except for those games and contests authorized as official school functions.)
Penalty – administrative intervention to expulsion.
22. **Gang Insignia/Activity** – A student shall not wear or possess any clothing, jewelry, symbol or other object that may reasonably be perceived by any student, teacher or administrator as evidence of membership in or affiliation with any gang; a student shall not commit any act, verbal or non-verbal (gesture, handshakes, etc.) , that may reasonably be perceived by a teacher or administrator as evidence of membership in or affiliation with any gang; a student shall not commit any act, verbal or non-verbal, in furtherance of the interests of any gang or gang activity, including, but not limited to, a) soliciting others for membership in any gang or gang related activity b) requesting any person to pay protection or otherwise intimidating or threatening any person c) committing any other illegal act or violation of school district rules or policies, or; d) inciting other students to act with physical violence on any person. The term “gang”, means a group of two or more persons whose purpose or activities include the commission of illegal acts or violations of the Code, school district rules or policies or whose purpose or activities cause disruption or is likely to cause disruption to the educational process.
Penalty – administrative intervention to expulsion.
23. **Improper Communications**
A student shall not make sexist, racial, threatening, harassing, nuisance, vulgar or obscene communications verbally, in writing, in digital communications or by gestures to students, school district employees, (including guest and student teachers), board of education members, chaperones, volunteers or visitors to the school building. The prohibition against such communications shall apply whether the communications are made in a school building, on school premises or outside of a school building, off school premises, regardless of whether such communications are made during, before, or after school hours or during times when school is not in session. This also includes communications through social media.
Penalty – administrative intervention to expulsion.

24. **Indecency** – A student shall not engage in conduct that is contrary to commonly recognized standards of decency and behavior, which includes obscenity, indecent exposure, the use of language in verbal or written form, in pictures, caricatures or gestures, which are offensive to the general standards of propriety.

Penalty – administrative intervention to expulsion.

25. **Look-A-Like Weapons** – A student shall not possess, handle or transmit any object or instrument that is a “look-a-like” weapon or instrument (e.g., starter pistol, rubber knife, toy gun, etc.).

Penalty – administrative intervention to expulsion.

26. **Misconduct Prior to Enrollment** – an otherwise eligible resident may be suspended or expelled for an act of misconduct committed while the student was (a) a resident of another district, (b) enrolled in another school, (c) outside of school hours or (d) off school premises if the misconduct would have constituted a sufficient basis for suspension or expulsion had it occurred while the student was enrolled in the District.

Penalty – suspension to expulsion.

If it is the administrator’s recommendation that the student be enrolled, a board of education hearing must be conducted for re-admittance.

27. **Personal Protection Devices** – A student shall not possess, handle or transmit a personal protection device (e.g. pepper gas, mace, stun gun, electric shock device, etc.,) capable of inflicting bodily injury or causing physical discomfort to another person.

Penalty – suspension to expulsion.

28. **Scholastic Dishonesty** – A student shall not engage in academic cheating. Cheating includes, but is not limited to, the actual giving or receiving of any unauthorized aid or assistance or the actual giving or receiving of unfair advantage on any form of academic work. A student shall not engage in plagiarism, which includes the copying of language, structure, idea and/or thought of another and represent it as one’s own original work.

Penalty – administrative intervention to expulsion.

29. **Smoking/Tobacco** – A student shall not smoke, chew or otherwise use tobacco. A student shall not, while on school property, have in his/her possession or under his/her control, tobacco or nicotine in any form, including e-cigarettes or vaporizers.

Penalty – administrative intervention to expulsion.

30. **Suspended Student On School Property Or Attending School Activities** – A student, while on suspension, shall not enter onto school district property without the permission of a building administrator. Nor shall a suspended student participate in or attend any school related activity, function or event, held on or off school property, without permission of a building administrator.
Penalty – administrative intervention to expulsion.
31. **Trespassing, Loitering** – A student shall not be on school property or in a school building except to participate in the educational process of the school district, nor shall a student loiter in building hallways, classrooms, bathrooms, etc.
Penalty - administrative intervention to expulsion.
32. **Violation of Acceptable Technology Use Policy** – A student shall not violate or attempt to violate the use of technology. Violation of any of the rules and responsibilities may result in a loss of: Access privileges/technology privileges/computer usage and may result in other disciplinary or legal actions including restitution.
Penalty – administrative intervention to expulsion.
33. **Violations of Building's Rules and Regulations** - A student shall not commit or participate in any conduct or act prohibited by a school building's rules and regulations.
Penalty – administrative intervention to expulsion.
34. **Weapons and Dangerous Instruments** – A student shall not possess, handle or transmit a knife, blackjack, baton, Martial Arts device, paint ball or splat gun, or other object or instrument that can be considered a weapon or is capable of inflicting bodily injury.
35. **Penalty** – suspension to expulsion.

DUE PROCESS PROCEDURES

A. **Introduction To The Rules Of Due Process** – The following due process procedures only govern the suspension or the expulsion of a student from the school district’s regular educational program, co-curricular and extra-curricular. If a student charged with violation of the Code has been returned to the regular school program pending a decision by the principal, or superintendent or board of education, then such action of reinstatement shall not limit or prejudice the district’s right to suspend or expel the student following a decision by the principal, superintendent or board of education. The initial judgment that a student has engaged in a prohibited act under the Code shall be made by the building administrator.

B. **Suspension of Ten (10) School Days Or Fewer**

As a general rule, prior to any suspension of the student, the building administrator shall investigate the alleged violation of the Code and provide the student with the following due process:

- a. The administrator shall inform the student of the charges against him/her, and if the student denies the charges, the administrator shall provide the student with an explanation of the evidence the administrator possesses;
- b. The student shall be provided an opportunity to explain to the administration his/her version of the facts. If a student’s presence in school poses an immediate danger to persons or property, or an ongoing threat of disruption to the educational process, the building administrator may immediately suspend the student, but the next school day the student shall be provided with his/her due process rights as set forth herein. If, after providing the student with his/her due process rights, the administrator determines that the student has engaged in a prohibited act under the Code, then he/she may impose a disciplinary penalty of a suspension not to exceed ten (10) school days. A building administrator’s decision to impose a suspension of ten (10) or fewer school days, is not subject to further review.

C. Expulsion (Suspension for Eleven (11) or More School Days)

If the building administrator decides that a suspension for eleven (11) or more school days is warranted, the building administrator shall advance a recommendation for expulsion to the Superintendent or designee. Concurrently, the student and the parent(s) or guardian shall be notified, in writing, of:

- a. The charges against the student;
- b. The recommended disciplinary action;
- c. The opportunity for the student to have a hearing before a Hearing Officer (to occur as soon as practical, with a goal of ten (10) days); and
- d. The time, place, location and procedures to be followed at the hearing. The student shall remain on suspension pending the decision of the Hearing Officer, if an appeal is requested.

The student will be provided three (3) days to elect an appeal to the Hearing Officer. The Hearing Officer shall be the Superintendent or a designee of the Superintendent. If an appeal is elected, a hearing consistent with the procedures detailed herein will be conducted. If no appeal is elected, the Hearing Officer will review the recommendation of the building administrator to accept or reject his/her recommendation. In the absence of an appeal, the Hearing Officer may complete this process without a formal meeting.

On timely appeal from the student, the Hearing Officer will conduct a hearing to review the building administrator's recommendation. The hearing is not a court proceeding and rules of evidence shall not be enforced during the hearing.

The Hearing Officer may amend the principal's charges upon the motion of the building administrator, student, parent(s) or guardian, or amend the charges upon his/her own motion to conform to the evidence presented at the hearing. Additionally, the Hearing Officer may impose a greater or lesser penalty than that imposed or recommended by the building administrator.

The Hearing Officer's decision shall be given orally to the student and parents or guardian within two (2) days after the close of the hearing, if possible, and a written decision shall be mailed within four (4) days after the close of the hearing.

The student will be provided seven (7) days after the mailing of the Hearing Officer's written decision to elect to appeal to the Board of Education. On timely appeal, the Board will conduct a hearing to review the Hearing Officer's decision. The hearing is not a court proceeding and rules of evidence shall not be enforced during the hearing.

The Board may affirm, reverse, or modify the Hearing Officer's decision. If the Board reverses or otherwise modifies the Hearing Officer's decision, it may impose a greater or lesser penalty than that imposed by the Hearing Officer.

The decision of the Board shall be provided to the student, in writing, within ten (10) days after the hearing. The Board's decision is final.

D. Reinstatement Following Permanent Expulsion

After the permanent expulsion of a student, the student may petition for reinstatement according to the following procedure:

- A student enrolled in grade 5 or below at the time of expulsion and who was expelled for possessing a firearm or threatening another person with a dangerous weapon may petition for reinstatement after 60 school days have passed since the student was expelled. The student shall not be reinstated before 90 school days have passed since the expulsion.
- A student enrolled in grade 5 or below at the time of expulsion and who was expelled for possessing a dangerous weapon at school that was not a firearm, committing arson on school grounds, committing criminal sexual conduct on school grounds, or pled to or was convicted for criminal sexual conduct against another student enrolled in the school district may petition for reinstatement at any time after the student was expelled. The student shall not be reinstated before 10 school days have passed since the expulsion.
- A student enrolled in grade 6 or higher at the time of expulsion and who was expelled for possessing a dangerous weapon at school, committing arson on school grounds, committing criminal sexual conduct on school grounds, pleading to or being convicted of criminal sexual conduct against another student enrolled in the school district, or physically assaulting at school an employee, volunteer, or contractor may petition for reinstatement after 150 school days have passed since the student was expelled. The student shall not be reinstated before 180 school days have passed since the expulsion.
- A student not subject to the above requirements may petition for reinstatement at any time.

The student is responsible for submitting a petition. The Board shall provide a form for a petition upon request but has no obligation to assist the student in completing or submitting the form.

Within 10 school days after receiving a petition for reinstatement, the Board shall appoint a committee to review the petition and other relevant information submitted by the student. The committee shall be comprised of two (2) school board members, one (1) school administrator, and one (1) parent of a student in the school district. Within 10 school days after the committee members have been appointed, the committee shall issue a recommendation to the Board. The recommendation shall be for unconditional or conditional reinstatement or against reinstatement and shall include an explanation for the recommendation. In making its recommendation, the committee shall consider the factors listed in MCL 380.1311(6)(e).

The Board shall issue a decision regarding the petition no later than the regularly-scheduled Board meeting following receipt of the committee's recommendation.

NON-DISCRIMINATION POLICY

In General

Illegal discrimination and harassment of students are prohibited by federal and Michigan laws. This policy is intended to promote compliance with these legal obligations. This policy is also intended to establish a procedure for students and employees to follow when illegal discrimination or harassment has been alleged or has occurred. This policy is not intended, and should not be construed, to expand the liability of the district, district employees or students for illegal discrimination or harassment.

Prohibited Acts

District employees, other persons associated with the district and students are prohibited from discriminating against students on the basis of race, color, national origin, gender, religion, age, height, weight, marital status, sexual orientation or disability. District employees, other persons associated with the district and students are also prohibited from harassing students on the basis of race, color, national origin, gender, sexual orientation, religion, age, heights, weight, marital status, sexual orientation or disability. Prohibited harassment occurs when a student is subjected to unwelcome statements or behaviors related to his/or her race, color, national origin, gender, sexual orientation, religion, age, height, weight, marital status or disability and:

- Submission to the statements or behaviors is a condition of utilizing or benefiting from district services, activities, benefits, privileges or programs;
- Submission to or rejection of the statement or behaviors is used as a basis for a decision to limit or prevent the students access to district services, activities, benefits, privileges or programs; or;
- The statements or behavior substantially interferes with the student's education to the extent he or she is effectively denied access to district services, activities, benefits, privileges or programs.

Grievance Procedure

Any student who believes he or she has been subjected to prohibited discrimination or harassment is required to report the allegation to his or her principal or assistant principal. Alternatively, if the student believes his or her principal or assistant principal has engaged in prohibited discrimination or harassment, he or she is requested to report the allegation to a trusted counselor or teacher. Any district employee who receives an allegation of prohibited discrimination or harassment from a student is required to immediately report the allegation to the district's superintendent. The district's superintendent, or his or her designee, upon receiving a report of prohibited discrimination or harassment, is required to promptly conduct and complete an investigation. The nature of the investigation will depend on the allegation. However, the investigation will typically include: obtaining a complete written statement of the student's allegation; obtaining any evidence supporting the allegation, such as witness interviews, documents or other physical evidence; interviewing the alleged perpetrator; and obtaining any evidence supporting the perpetrator's response to the allegation. The district's superintendent or his or her designee, after completing the investigation, will reach a conclusion whether the student was subjected to prohibited discrimination or harassment. The district's superintendent may also conclude that, based on the evidence, he or she is unable to reach such a conclusion. If prohibited discrimination or harassment has occurred, the district's superintendent will take the remedial action he or she deems reasonable and appropriate to prevent the recurrence of prohibited discrimination or harassment and if appropriate, impose sanctions against the perpetrators. When prohibited discrimination or harassment has not occurred or the district's superintendent is unable to reach a conclusion based on the evidence, he or she may take reasonable steps to address the complaining student's legitimate concerns. The district's superintendent will promptly communicate his or her conclusions to the student and the alleged perpetrator and will, in addition, communicate this policy's prohibition against retaliation.

Prohibition Against Retaliation

The district prohibits retaliation against any student who has, in good faith, reported an allegation of prohibited discrimination or harassment. Students are required to immediately report allegations of retaliation as set forth above. Similarly, reports of retaliation will be investigated and disposed of as set forth above.

Confidentiality

The objectives of this policy are best met by maintaining the confidentiality of allegations of violations of this policy as well as the notes, papers and reports obtained or produced by the district's Superintendent in the course of his or her activities pursuant to this policy. Therefore, the district will maintain the confidentiality of such allegations and notes, papers and reports to the maximum extent permitted by law.

Notification

The district will notify all district employees, parents and students of this policy. This policy will also be posted or otherwise published as required by law.

Contact Information: Superintendent, Huron Valley Schools, 2390 South Milford Road, Highland, MI 48357, Phone: 248-684-8000.

Final - 6/2/2014

Revised - 9/12/16

Revised – 11/16/20