

TROY SCHOOL DISTRICT

MISSION STATEMENT

It is the mission of the Troy School District, in partnership with parents and the community, to prepare students of all ages and abilities to be knowledgeable, caring, productive and contributing members of a democratic society. The Troy School District, with a commitment to excellence, will teach the skills, content and reasoning needed to be successful in life; promote understanding and respect in a culturally diverse society; and inspire all to become lifelong learners and meet the challenges of an ever-changing world.

RIGHTS AND RESPONSIBILITIES

CODE OF STUDENT CONDUCT

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INTRODUCTION

The Troy School District is dedicated to creating and maintaining a positive learning environment for all students. Teachers, administrators, support staff, parents, and students must assume a responsible role in promoting behavior that enhances academic and social success. An effective behavior support system is a proactive, positive skill building approach for the teaching and learning of successful student behavior. Courteous, respectful, responsible, and law-abiding behavior fosters a positive climate for the learning community.

The Code of Student Conduct sets forth student rights and responsibilities and the consequences for violating school rules. Students are offered a continuum of methods that help them learn and maintain appropriate behavior and discourage violation of rules of student conduct. When determining the appropriate action to be taken as a consequence of student misconduct, school officials may use intervention strategies and/or disciplinary actions they deem appropriate, depending upon the severity and repetition of misconduct; age and grade level of the student; circumstances surrounding the misconduct; impact of the student's misconduct on others in the school community, and any other relevant factors.

The information contained in the Student Rights and Responsibilities/Code of Student Conduct handbook is an official declaration of the policy approved by the Troy Board of Education. The Declaration of Student Rights and Responsibilities applies to all students of the Troy School District and is intended to outline rights of students, as they exist at law, and is not to be construed as granting new rights or supplementing the rights which exist at law.

The Troy School District Code of Student Conduct supports the belief that each person deserves and needs a positive, concerned, accepting educational community that values diversity and provides a comprehensive system of individual supports.

The intent of this handbook is to set forth the policies, procedures, and expectations generated by the Troy School District community to foster a positive learning environment. By reading and discussing this Code and the importance of good behavior with your children, you will assist the district in its efforts to help all students reach their highest potential.

The Code of Student Conduct is in force:

1. While students go to or from school.
2. On any school district property at any time.
3. At all school-sponsored or approved events or activities on or off campus.
4. At the bus stop or on a school bus.
5. With respect to any misconduct toward any school employee or damage to his/her property, whether on or off school premises.
6. With respect to any off-campus misconduct of a serious and/or criminal nature, which poses a likelihood of danger to the health (physical or emotional) or welfare of students or district personnel (i.e., selling drugs off-campus), or which reasonably makes the continued presence of the student in the school disruptive to the educational process. (i.e., committing vicious crime off-campus).

The rules and regulations contained in this document do not include all conceivable student misbehavior that might result in administrative disciplinary action taken against a student.

CHAPTER 1

STUDENT RIGHTS AND RESPONSIBILITIES

Within every school, the principal* has the primary responsibility and authority for maintaining an orderly educational process. The Troy Board of Education guarantees the freedoms allowed by law, provided these freedoms do not endanger the health, safety and welfare of students and staff.

The Troy Board of Education, through its employees, recognizes and supports students' rights and the corresponding students' responsibilities. Students who properly exercise their responsibility will continue to enjoy those rights guaranteed by law.

STUDENT BEHAVIOR

Philosophical Basis:

Proper student behavior is closely identified with future positive citizenship. Schools have long been institutions where good citizenship has not only been taught, but is expected of the students.

Rights -- students have the right to:

Have access to a professional staff and facilities which allow achievement of personal growth through active participation in programs.

Responsibilities -- students have the responsibility to:

Conduct themselves in such a manner as to promote a positive educational environment.

*Wherever the term principal or superintendent is used in handbook, it signifies principal or the principal's designee, and superintendent or the superintendent's designee, respectively.

CURRICULUM DEVELOPMENT

Philosophical Basis:

At the high school level, student representatives are selected to serve on the Curriculum Council to provide student input on curricular issues.

Rights -- students have the right to:

Be involved in curriculum development to the extent that age, grade and level of maturity demonstrate ability to participate in a responsible manner.

Responsibilities -- students have the responsibility to:

Comply with all curriculum requirements and seek clarification, if necessary, from informed persons in the school.

ACADEMIC EXPECTATIONS, CONDUCT AND EVALUATION

Philosophical Basis:

A student's classroom evaluation should reflect the teacher's best assessment of the student's academic achievement.

It is the school's intent to maintain and encourage high standards of personal conduct. These standards include personal honesty, discipline and integrity.

Students are in school to do their own work. It is assumed that any schoolwork turned in for credit by a student is a result of that student's effort. **ACADEMIC MISCONDUCT IS A SERIOUS VIOLATION OF THE CODE OF STUDENT CONDUCT.**

STUDENT RECORDS

Philosophical Basis:

Student records are any written or electronic materials concerning individual students maintained by the school district, except for general directory information and personal notes of school personnel intended for their use only. In accordance with the Family Education Rights and Privacy Act (FERPA), information obtained by school employees acting

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as an agent of the school district may be shared with other district employees who have a legitimate educational need in providing educational services to the student. Student records are maintained to provide information which can be used to develop the best possible educational program for each student. **Care is exercised by the school staff to ensure that student records are treated confidentially.** The Michigan Freedom of Information Act requires state and local agencies, including school districts, to make certain information available to the public.

Absent timely parental or student objection, directory information available to the public includes: student's name, address, telephone listing, picture, major field of study, date and place of birth, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, most recent previous school attended, and other similar information.

If parents (or students 18 years or older) object to publication of any of the above information, they must notify the deputy superintendent in writing by October 1 of each school year.

Rights -- students (parents of minors) have the right to:

Expect the district to comply with the requirements of Family Education Rights and Privacy Act (FERPA) and IDEA of 2004 in connection with the maintenance of records. All students have the right to see their permanent records, upon request and in the presence of a guidance counselor.

Responsibilities -- students (parents of minors) have the responsibility to:

Notify the district in writing of any person or entity that the student will not authorize to receive disclosure of records.

COUNSELING AND STUDENT SERVICES

Philosophical Basis:

Personal needs or concerns can seriously threaten and interfere with the educational development of students. Parents and students have the

responsibility to provide the school with information that may be useful in making sound educational decisions that will support student success. Schools have the responsibility to make available such support services (counseling, school social work, psychological evaluation) as it deems necessary under applicable circumstances to students, and to inform students of these services and the services of outside agencies.

Rights -- students have the right to:

Access those counseling services which are made available by the schools.

Responsibilities -- students have the responsibility to:

Inquire about available counseling services and seek counseling services which they deem appropriate.

STUDENT ASSISTANCE PROGRAM

Philosophical Basis:

Any student can become at risk for academic and personal difficulties or personal circumstance (e.g. living with a chemically dependent adult). Parents, students, and staff have the responsibility to provide the school with information that may be useful in assisting students to understand and cope with their situation. The school has the responsibility to provide educational and support programs, as deemed necessary under applicable circumstances, to students and to inform students of these programs and the services of outside agencies.

Rights -- students have the right to:

Access educational and support programs which are made available by the school.

Responsibility -- students have the responsibility to:

Inquire as to available educational and support programs and to participate in those programs.

ATTENDANCE

Philosophical Basis:

We believe that there is a direct correlation between academic achievement and regular, prompt attendance. School administrators have the responsibility under state law to enforce compulsory school attendance laws and to enforce the attendance policy of the Troy Board of Education. Students enrolled in the Troy School District have the responsibility to attend school as required under state law and the attendance policy of the Troy Board of Education.

Parents are expected to notify the school the day of an absence regarding illness or personal and family problems that may have an effect on attendance. Every effort should be made to schedule routine appointments after school hours. Family vacations should be planned during holidays outlined on the school calendar. Parents should discuss the importance of good attendance with their student to avoid loss of credit due to violations of the attendance policy.

Rights -- students have the right to:

1. Receive school policies that clearly define absence, unexcused absence, and tardiness.
2. Appeal a decision concerning an absence (excused or unexcused.)
3. Leave school property only after they have received authorized permission.

Responsibilities -- students have the responsibility to:

1. Attend all classes daily and on time.
2. Have parents verbally notify the school of the student's absence, in accordance with the attendance policy (see page 15).
4. Remain on school premises in accordance with building policy, unless excused.

FREE SPEECH AND EXPRESSION

Philosophical Basis:

One important role of the school is to prepare students for responsible self-expression in our society. Self-expression, as permitted under the First and Fourteenth Amendments to the U.S. Constitution, must not interrupt the orderly educational process of the school or be in violation of the Code of Student Conduct.

Rights -- students have the right to:

1. Be excused from any activity which is against their religious beliefs.
2. With approval of the principal, assemble peaceably on school property for school-related activities.
3. With approval of the principal, have access to a bulletin board or its equivalent. for the purpose of making announcements and statements to the student body.
4. Students have the right to responsibly voice and express their views on a wide range of topics.

Responsibilities -- students have the responsibility to:

1. Request in writing to be excused from any activity which is in conflict with their religious beliefs.
2. Seek the approval of the principal and adhere to the established regulations as to the manner, time and place of the requested assembly.
3. Seek the approval of the principal and adhere to the established regulations for using the bulletin board or its equivalent.
4. Reasonably voice and express their views on a wide range of topics reasonably related to the district's curriculum.

PUBLICATIONS

Philosophical Basis:

One of the important roles of the school is to provide effective ways in which students learn to express themselves in a responsible manner on a wide range of subjects. Official school publications, such as school newspapers, should reflect in a responsible manner the policy and judgment of the student editors and should include viewpoints representative of the entire school community.

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STUDENT RIGHTS AND RESPONSIBILITIES

Rights -- students have the right to:

Be free from censorship of their publications within the guidelines previously agreed upon by students and principals; e.g., principals have the right to review and/or recall literature which they consider primarily commercial in nature, are offensive, or materials which could disrupt the orderly operation of the school.

Responsibilities -- students have the responsibility to:

1. Post, publish, or distribute materials in a responsible manner so as not to disrupt the school program and post these materials only on those bulletin boards or wall areas designated for use by students and student organizations.
2. Refrain from publishing materials not within the guidelines previously agreed upon by students and principals and to observe acceptable standards of good taste and responsible journalism.

STUDENT GOVERNMENT**Philosophical Basis:**

The student government is a means of providing students with an opportunity to express themselves and to act on school matters through the democratic process. All members of the school community share the responsibility for helping the student government. At the appropriate level, students should be given the opportunity to participate in those decisions that affect the learning climate of the school. So that the student government can function as an informed organization, Troy Board of Education policies and individual school policies will be made available upon request.

Rights -- students have the right to:

1. Form and operate a student government.
2. Seek and hold office in student government organizations.
3. Attend regularly scheduled meetings of this organization if they are duly elected members.
4. Be informed of all decisions made in cooperation with school administration and other involved parties by the high school student government.

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Responsibilities -- students have the responsibility to:

1. Represent, as members of the student government, the needs and concerns expressed by the student body. Abide by the guidelines established by the National and State Student Government Associations and the Troy School District.
2. Conduct election campaigns in a positive, mature manner with respect for other candidates.
3. Inform the sponsor of such meetings, and to make up missed assignments due to attendance at these meetings.

STUDENT DRESS

Philosophical Basis:

The dress and grooming of students shall contribute to the health and safety of the individual and shall not disrupt the orderly educational process.

Rights -- students have the right to:

Dress and groom in a manner which is appropriate, shows cleanliness, promotes safety and demonstrates respect for themselves and others.

Responsibilities -- students have the responsibility to:

Dress and groom in a manner which does not disrupt the educational process nor endanger the health and safety of themselves or others. Shoes and shirts must be worn at all times. Hats and headwear may not be worn during normal school hours, except for religious reasons.

It is explicitly recognized that individual schools may modify their dress code guidelines within their building. Specific guidelines for dress codes are set forth in building student handbooks. (Refer to page 36-38 for more specific details.)

SEARCH AND SEIZURE

Philosophical Basis:

Students shall be free from unreasonable search and seizure of property as guaranteed by the Fourth Amendment of the U.S.

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Constitution. This individual right is balanced by the school's responsibility to protect the health, safety, and welfare of others. School authorities have the right to search persons or property at any time necessary to protect the health, safety, and welfare of others. Student lockers are the property of the school. Lockers are on loan to the students to use, with the understanding that school officials may inspect them at any time.

Rights -- students have the right to:

Privacy in their person and possessions unless the principal has reason to believe that inappropriate and/or dangerous materials are being carried and/or concealed by the student.

Responsibilities -- students have the responsibility to:

Not carry, conceal, or bring onto school property any materials which are inappropriate or may disrupt the educational process.

USE OF TOBACCO

Philosophical Basis:

Smoking has been proven to be injurious to health.

Rights -- students have the right to:

Be free from ambient smoke on school premises in accordance with state law.

Responsibilities -- students have the responsibility to:

Not smoke or possess products containing tobacco on school premises.

TECHNOLOGICAL RESOURCES

Philosophical Basis:

The Troy School District provides a wide variety of technological Resources for students and staff to utilize in the instructional process. These resources include, but are not limited to: desktop, laptop and handheld computers, software, printers, Internet and District Intranet access, video/voice/data networks, audio and video equipment, and copy

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machines. The district's goal is to promote educational excellence through the facilitation of resource sharing, innovation, and communication by providing these resources in the best possible working order.

Rights:

A user's access to technology resources shall be considered a privilege with no entitlement or guarantee, and access may be revoked at any time at the discretion of the Superintendent or designee.

Responsibilities:

Use these resources appropriately by:

1. Using resources only for educational purposes during class time
2. Respecting copyright laws
3. Not removing, modifying, or destroying technology resources
4. Maintaining personal security by protecting passwords
5. Not attempting to gain unauthorized access to systems or trespassing in other users' data files, or directories
6. Complying with all the terms and conditions of the District's Acceptable Use Policy.

OMBUDSMAN

Philosophical Basis:

In order to assist high school students in asserting their rights as set forth in this handbook, there will be the position of ombudsman at the high school level.

When a high school student feels unfairly treated or has not been afforded due process regarding a non-disciplinary matter, a Student Grievance Form may be filed (see Chapter 9). However, students have the responsibility to discuss and try to resolve their complaints with the person(s) involved before filing a formal grievance. The ombudsman may be called upon for advice, and if the student desires, to help mediate at a conference between the parties. It is the student's responsibility to initiate the involvement of the ombudsman. If it becomes necessary to

file a formal grievance, the ombudsman should be available to help the student in following the proper procedure.

A committee of three students selected by the student government and three faculty members, selected by the principal, shall elect the ombudsman annually. In the event of a tie vote, the student government sponsor shall be given the responsibility of casting a tie-breaking vote.

The ombudsman must serve voluntarily and without compensation and should be a teacher, counselor or other employee within the school building. If no building employee is willing to serve as ombudsman, a citizen of the community or a school employee from another building may fill the position. An ombudsman may not be an attorney.

Rights -- students have the right to:

1. Be provided, on the student's request, with the counsel of an ombudsman to help discuss and resolve student grievances.
2. On the student's request, have the ombudsman present at all hearings to assure that the student's rights are upheld and proper procedures are followed.

Responsibilities -- students have the responsibility to:

1. State the problem factually and honestly to the ombudsman in order that a proper course of action may be followed.
2. Follow the proper procedures prior to the hearings and be prompt and courteous during the hearings.

GRIEVANCES

Philosophical Basis:

Schools are responsible for providing a formal means for students to express and resolve their grievances. A grievance is a charge by a student that there has been a violation, misinterpretation or inequitable application of an established school policy or regulation, or if the student feels he/she has been treated unfairly or been denied due process in non-disciplinary matters. In disciplinary matters, the appeal procedure (page 54) is used.

When a student feels that he/she has been aggrieved, as described in the preceding paragraph, a grievance may be filed. **Students have the responsibility to discuss and try to resolve their complaints with the person(s) involved before using the grievance procedure.**

Rights -- students have the right to:

Be provided with a procedure for expressing and resolving their grievances. This procedure specifies lines of communication, timeliness, and a method of appeal.

Responsibilities -- students have the responsibility to:

1. State the grievance clearly, follow the established procedure for resolving the grievance, and abide by the resulting decision.
2. Express concerns about the grievance procedure to student government representatives.

CHAPTER 2

SCHOOL ATTENDANCE

All students enrolled in the Troy School District shall attend those classes and activities in which they are enrolled.

Further, the Revised School Code (380.1561) states that "...every parent, guardian or other person in this state having control and charge of a child from the **age of six to the child's sixteenth birthday** shall send that child to the public schools during the entire school year. The child's attendance shall be continuous and consecutive for the school year fixed by the school district in which the child is enrolled."

A student may be excused for personal illness or a death in the family. However, other excuses are sometimes legitimate. If the student knows that he/she will be absent for any extended period of time, he/she should contact the office at least one week in advance. If at all possible, medical and dental appointments should be scheduled outside the school hours.

When a student is absent from school, his/her parents must follow the individual building attendance policy and procedure. At the high school level, parents must call the attendance office within twenty-four hours of the day of the absence.

Any absence will affect the learning experience and may affect a student's academic grade. It is the student's responsibility to ask teachers for makeup assignments.

A student with an excused absence has the privilege of completing the work missed and receiving credit for it. Class discussions and activities cannot be duplicated. Makeup work after an excused absence is to be done promptly. Students will receive one day for each day

absent to make up work. This includes tests and quizzes. It is the responsibility of the student to obtain all necessary makeup work. Assignments given to the student prior to their absence will be due upon a student's return. At the end of the marking period, an extension of makeup time may be granted by the principal, if sufficient reason is shown.

When entering or leaving the building at times other than the beginning or end of the school day, a student must "sign in" or "sign out" in the designated office. There the student will receive an admittance slip to get into his/her classroom if he/she arrived late or the student will be given permission to leave the building if he/she is signing out.

School-sponsored activities are not considered absences. This includes field trips, athletic trips, counselor appointments, student government meetings, etc. Work assigned prior to a student attending a school-sponsored activity is due the day the student returns to school.

If a student moves to another school, he/she must check out through the office on or before the last day of attendance.

Philosophy

The intent of this philosophy is to make students accountable and aware that regular class attendance is important. Students are responsible for attending class. Parents and school personnel must encourage regular classroom attendance. It is through regular class attendance and a serious commitment to an academic program that students can achieve optimum educational benefits.

Parents will be informed regularly of poor attendance patterns. The school will provide counseling services when needed in order to direct students with special needs into instructional programs which will address these students' needs and interests.

CHAPTER 3

RULES AND REGULATIONS FOR SCHOOL BUS RIDERS

Students and parents have the responsibility to know and respect the school bus rules as described below. Repeated violations will result in the suspension of school bus privileges. The Student Code of Conduct is in effect while a student is riding the bus.

Rules and Regulations:

1. The behavior of students while in transit to or from school, at the bus stop, or at any co curricular school-sponsored activity will be consistent with the discipline procedures of the regular school day.
2. Remain behind the curb while waiting for the bus.
3. Board and depart from the bus at assigned stops.
4. Persons boarding the bus first shall move to the back.
5. The aisles shall be kept clear of books, band instruments, etc.
6. All parts of the body shall be kept inside the bus.
7. Remain seated while the bus is in motion.
8. Unnecessarily loud talking, profanity, and inappropriate language are prohibited.
9. Riders shall not tamper with bus equipment.
10. Students shall not eat while on the bus.
11. No smoking, lighting matches, etc., will be permitted on or near the bus.
12. Animals and/or pets are not allowed on buses.
13. Spraying or using aerosol products such as perfume, deodorant, or hairspray is prohibited.
14. Any conduct which diverts a driver's attention from his/her primary job and thus endangers the safety of other riders is prohibited.

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RULES AND REGULATIONS FOR SCHOOL BUS RIDERS

15. A student not assigned to a particular bus may not board or be transported without prior administrative approval.

Responsibilities:

1. Be at the bus stop five minutes before pick-up time in the morning and be on the bus at the designated departure time from school.
2. Show respect for private property near the bus stop.
3. Treat bus equipment appropriately at all times. Students damaging bus equipment will pay for replacement and/or restoration/repair.
4. Take pride in the appearance of your bus. Help keep it clean.
5. Respond positively to reasonable requests made by the bus driver.
6. Know these safety rules and student responsibilities.

Discipline Procedure:

First administrative contact (one or more of the following):

1. Parent notification
2. Reprimand
3. Suspension of bus privileges up to ten school days

Second administrative contact (one or more of the following):

1. Parent notification
2. Reprimand
3. Suspension of bus privileges up to ten school days

Subsequent administrative contact (one or more of the following):

1. Parent notification
2. Reprimand
3. Suspension of bus privileges

In all cases of suspension of bus privileges, the parents will be notified by telephone or a written notification of the suspension will be sent within two school days.

During the suspension of bus privileges, it shall be the parents' responsibility to provide the student's transportation to and from school.

CHAPTER 4

RULES AND REGULATIONS FOR STUDENT DRIVERS

It is considered a privilege for students to drive to and from school. Students and parents have the responsibility to know and respect the rules monitoring student drivers. Parking regulations are strictly enforced. Suspension of driving privileges, issuing of parking tickets through the Troy Police Department, towing of vehicles and/or suspension of driving privileges may occur when violations of these regulations occur. The Student Code of Conduct is in effect relative to student driving activities.

Rules and Regulations:

1. Students have the responsibility to register all vehicles driven to school. A per vehicle parking fee will be assessed, and a parking identification tag will be issued. Parking identification tags are non-transferable. There will be a fee for replacement of a tag for any reason.
2. All vehicles must be parked on the school grounds in the assigned lot and display the proper identification. Misuse of parking identification tags will result in loss of driving privileges.
3. All students must be licensed and covered by insurance. The Troy School District is not responsible for either the vehicle or its contents.
4. Students are not allowed to loiter or revisit in or around the vehicle once it has been parked.
5. Speed on school property may not be in excess of fifteen miles per hour. Reckless driving of any nature, i.e., squealing tires, donut, jumping curbs, etc., is not allowed.

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RULES AND REGULATIONS FOR STUDENT DRIVERS

6. Vehicles are not to be used as lockers for books or clothing. Students are not to be in the parking lot during the school

- day without written permission from school administration or designee.
7. Vehicles are to be parked in accordance with pavement markings.
 8. Students are not to leave the school grounds at lunch in their vehicle. Students leaving school legally, i.e., OTC, Co-op, are not to take other students with them.
 9. Student vehicles may be subject to search if there is reasonable suspicion to believe drugs, alcohol, stolen property or other property prohibited by law or this handbook are present in that vehicle.
 10. Bus transportation is provided for all students who have classes at both high schools. Students are permitted to drive between Troy High School and Athens High School for classes with special permission from building administration.
 11. Excessive tardiness to 1st hour will result in loss of driving privileges.
 12. There will be no refund of parking fees during loss of driving privileges.

Discipline Procedure:

First administrative contact (one or more of the following):

1. Parent notification
2. Reprimand
3. Suspension of driving privileges up to ten days
4. Behavioral contract
5. Police notification or referral to a professional agency
6. Restitution/restoration

Subsequent administrative contact (one or more of the following):

1. Parent notification
2. Reprimand
3. Suspension of driving privileges up to one year

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RULES AND REGULATIONS FOR STUDENT DRIVER

4. Behavioral contract
5. Police notification or referral to a professional agency
6. Restitution/restoration

CHAPTER 5

TECHNOLOGY

PURPOSE

The purpose of this policy is to set forth expectations for appropriate use of existing and emerging technologies which students may possess, including but not limited to cell phones, digital picture video cameras and/or camera phones, personal digital assistant (PDAs), iPods, MP3s, and other personal electronic devices capable of transmitting data or images. It is the responsibility of every student to know this policy and to conduct his or her activities accordingly.

Michigan law (380.1303) allows local school boards to determine the policy on the use and possession of cellular phones (cell phones) and other electronic signaling devices such as pagers on school campuses.

The TSD cell phone policy is provided to balance considerations of student safety and well-being with the need to maintain a learning environment free from distractions.

Students who possess and/or use such devices at school or school-sponsored events shall demonstrate the greatest respect for the educational environment and the rights and privacy of all individuals within the school community.

The district shall not be liable for theft, loss, damage, or misuse of any electronic devices brought to school by a student.

Improper Use of Technology – The unapproved or prohibited use of district computers or other technology includes:

- a) Disregarding the privacy of other users, such as using or attempting to use or learn other users' passwords;

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- b) Unauthorized copying, changing, reading, accessing or attempting to access or using other users' files;
- c) Gaining or attempting to gain unauthorized access to district equipment, systems, programs, files or other users' accounts;

- d) Introducing or attempting to introduce a virus into any district equipment, systems, programs or files;
- e) Using or attempting to use district equipment, systems programs or files to disturb or harass others; and
- f) Damaging or attempting to damage any district equipment, systems, programs or files.

Cell Phones/Electronic Communication, Listening & Storage Devices:

- a) Visible or audible detection of any electronic, communication listening or storage device is prohibited during the school day by Troy School District policy. Any exception must be approved by the faculty or school administration. If confiscated, devices must be picked up in the office. Disciplinary measures are as follows:
1st offense: Confiscation/student pick-up, Assistant Principal's Office
2nd offense: Confiscation/administrative discretion
- b) The use of any and all devices must be appropriate for school purposes. Permission to use such items at TSD must be given by the faculty or school administration and will be approved on a class by class basis for academic purposes. Unauthorized use (actual use of said device) for voice, text, picture, numerical message, etc. outside pre-approved periods, will result in immediate out of school suspensions and parent pick up of the device. Students caught in the act of cheating or who repeatedly violate the use of policy shall be subject to progressive discipline.

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- c) Taking, disseminating, transferring or sharing of offensive, obscene, pornographic or otherwise illegal images may constitute a crime and will be reported to law enforcement which may result in arrest, prosecution, and inclusion, on sex offender registries.

Respect for Privacy Rights

1. Students shall not photograph, audiotape, or videotape other individuals at school or at school-sponsored events without their knowledge or consent, except for activities considered to be in the public arena such as active participants in sporting events or public performances.
2. Students shall not e-mail, post to the internet, or otherwise electronically transmit images of other individuals taken at school without their expressed written consent.
3. Use of cellular phones or other personal electronic devices is strictly prohibited in locker rooms and restrooms.

Compliance with Other District Policies

Use of cellular phones or other personal electronic devices must not violate any other district policies, including those regarding student privacy, copyright, cheating, plagiarism, civility, student Code of Conduct, technology, Acceptable Use, or harassment. If a violation occurs involving more than one (1) district policy, consequences for each policy will apply.

CHAPTER 6

BULLYING AND HARASSMENT

“The purpose of this policy is to create and maintain a positive learning environment, and to promote understanding and respect for all students.

Troy School District will not tolerate bullying and harassment. Any student of the Troy School District who believes that he/she has been bullied or harassed shall immediately report his or her complaint to the building principal. The report will be promptly investigated.”

Understanding bullying is complicated by the fact that a young person can be a bully, a victim or both a bully and a victim. Not all taunting, teasing and fighting among schoolchildren constitutes bullying. Bullying entails repeated acts by someone perceived as physically or psychologically more powerful. Bullying, like other forms of aggressive and violent behaviors, interferes with both a school’s ability to educate its students and a student’s ability to learn.

Definition

- Bullying includes, but is not limited to:
 1. Attack or intimidation with the intention to cause fear, distress or harm that is either:
 - Physical (e.g., hitting, punching)
 - Verbal (e.g., name-calling, teasing), or
 - Psychological/relational (e.g., rumors, social exclusion);
 2. A real or perceived imbalance of power between the bully and victim; and
 3. Repeated attacks or intimidation between the same children over time.

CHAPTER 6 BULLYING

- Bullying can occur in person or through technology called “electronic aggression” or “cyber bullying”.

Types of bullying may include but are not limited to:

- Verbal bullying including derogatory comments and bad names

- Physical bullying such as hitting, kicking, shoving and spitting
- Having money or other things taken or damaged by students who bully
- Being threatened or being forced to do things by students who bully
- Cyberbullying (via cell phone or internet)

DEFINITION OF CYBERBULLYING – FEDERAL

- Cyberbullying is any type of harassment or bullying (i.e., teasing, telling lies, making fun of someone, making rude or mean comments, spreading rumors, or making threatening or aggressive comments) that occurs through e-mail, a chat room, instant messaging, any website (including blogs), text messaging, videos, or pictures posted on websites or sent through cell phones.
- Cyberbullying differs from traditional bullying. It is highly accessible and can occur at any time both at school and at home.
- Messages/images can be distributed to a wide audience very quickly. Cyberbullying is often anonymous, making it difficult to identify the perpetrator and therefore may encourage youth to engage in behavior that they wouldn't do face-to-face. Youth may be nervous to report cyberbullying because they fear adults

will limit their access to technology. Bystanders and witnesses to cyberbullying are anonymous, viewing the harmful material on a website but not dealing with it face-to-face.

TYPES OF CYBERBULLYING

Types of cyberbullying may include but are not limited to:

- **Flaming:** Online fights using electronic messages with angry and vulgar language
- **Harassment:** Repeatedly sending offensive, rude and insulting messages
- **Cyber stalking:** Repeatedly sending messages that include threats of harm or are highly intimidating. Engaging in other online activities that make a person afraid for his or her own safety
- **Denigration:** Putting someone down online. Sending or posting cruel gossip or rumors about a person to damage his or her reputation or friendships
- **Impersonation:** Pretending to be someone else and sending or posting material online that makes that person look bad, gets that person in trouble or danger, or damages that person's reputation or friendships
- **Outing and Trickery:** Sharing someone's secret or embarrassing information online. Tricking someone into revealing secrets or embarrassing information which is then shared online
- **Exclusion:** Intentionally excluding someone from an online group, like a 'buddy list'

CHAPTER 6

BULLYING

DEFINITION OF HARASSMENT

Harassing conduct may take many forms, including verbal acts and name-calling; graphic and written statements, which may include use of cell phones or the internet; or other conduct that may be physically threatening, harmful or humiliating. Harassment does not have to include intent to harm, be directed at a specific target or involve repeated incidents. Harassment creates a hostile environment when the conduct

is sufficiently severe, pervasive or persistent so as to interfere with or limit a student's ability to participate in or benefit from the services, activities or opportunities offered by a school.

Sexual harassment is unwelcome conduct of a sexual nature, which can include unwelcome sexual advances, requests for sexual favors or other verbal, nonverbal or physical conduct of a sexual nature. Thus, sexual harassment can include conduct such as touching of a sexual nature; making sexual comments, jokes or gestures; writing graffiti or displaying or distributing sexually explicit drawings, pictures, or written materials; calling students sexually charged names, spreading sexual rumors; rating students on sexual activity or performance; or circulating, showing or creating e-mails or websites of a sexual nature.

CHAPTER 7

PHYSICAL RESTRAINT

The use of physical force in any form, including but not limited to corporal punishment, is prohibited.

Physical restraint involves direct physical contact that prevents or significantly restricts a student’s movement. Restraint is a last resort emergency safety intervention. An emergency that may require the use of restraint includes behavior that poses an imminent risk to the safety of an individual student, poses an imminent risk to the safety of others, or is otherwise governed by the Revised School Code.

Physical restraint is not:

- Breaking up a fight;
- Taking a weapon away from a student;
- Brief holding by an adult to calm or comfort;
- The minimum contact necessary to physically escort a student from one area to another;
- Holding a student for a brief time in order to prevent an impulsive behavior that threatens the student’s immediate safety (e.g., running in front of a car.)

CHAPTER 8

CONFISCATED MATERIALS

Any materials, supplies, or other objects deemed to be inappropriate at school or in the classroom may be confiscated by school personnel.

The return of confiscated items will be subject to individual building procedures.

CHAPTER 9

ANTI-DISCRIMINATION/ SEXUAL HARASSMENT POLICY

The Troy School District will not tolerate illegal discrimination, harassment, or bullying. Any student of the Troy School District who believes that he/she has been discriminated against, denied a benefit, or excluded from participation in any district educational program or activity on the basis of sex (including sexual harassment, as discussed below), race, color, religion, national origin, age, height, weight, marital

status, ancestry, gender, sexual orientation, gender identity or expression, or mental, physical or sensory handicap or physical characteristic shall immediately report his or her complaint to the building principal or the deputy superintendent. The complaint will be promptly investigated.

Sexual harassment of students by other students or by employees of the district is unlawful and strictly prohibited. It is the policy of this school district that all contact between students, teachers or other adult employees of this district reflect respect for the individual student, and be conducive to creating a stable and positive learning environment.

Sexual harassment includes unwelcome sexual flirtations, advances or propositions, improper sexual comments, verbal abuse of a sexual nature, subtle pressure or requests for sexual activities, unnecessary touching of an individual, graphic or verbal commentaries about an individual's body, sexually degrading words used to describe an individual, a display of sexually suggestive objects or pictures, sexually explicit or offensive jokes, physical assault, or otherwise creating an intimidating, hostile or offensive educational learning environment.

CHAPTER 9

ANTI-DISCRIMINATION/SEXUAL HARASSMENT POLICY

If a student has concerns about the nature of any conduct or physical contact by an adult employed by this district, by a fellow student, or by a member of the public, the student should immediately report this concern to a building administrator, as well as to the student's parent or guardian.

Students are encouraged to report any conduct or contact that makes them feel uncomfortable, is bothersome, or is contrary to a stable, positive learning environment.

The district will investigate all such reports immediately. Retaliation by a student or employee against a student for filing a complaint of

sexual harassment is strictly prohibited. Anyone found to have engaged in sexual harassment or retaliation in violation of this policy will be subject to appropriate disciplinary action. For students, such discipline could range from verbal or written warnings to suspension or expulsion.

All such reports will be handled confidentially to avoid embarrassment and to protect the student making the report. Complaints constituting child abuse shall be reported to the Department of Social Services as required by law.

CHAPTER 10

VIOLATIONS OF THE CODE OF STUDENT CONDUCT

School rules come from many sources, including state law, Board of Education policies, and administration guidelines. The aim of this chapter is to provide school personnel, parents, students and other members of the community with a clear understanding of the rules and the resulting disciplinary actions for violations of those rules.

This chapter lists, categorizes and defines certain violations that disrupt the school environment and/or the instructional process, and specifies disciplinary actions which are to be taken by the principal. A major consideration of the Code of Student Conduct is to identify appropriate disciplinary actions to **bring about positive student behavior. The severity and frequency of the misbehavior is considered in defining appropriate disciplinary action.**

The principal shall in all cases conduct an investigation deemed reasonable under the circumstances to confirm that the charged offense has, in fact, been committed. The Code of Student Conduct shall not be interpreted or applied in a manner that would violate a student's constitutional rights.

The lists of violations on the following pages are not all-inclusive, but only representative and illustrative. A student committing an improper act of misconduct which does not happen to be specifically listed is subject to disciplinary action. It should be noted that violations are cumulative and consequences for cumulative violations may be more severe. Violations are not disciplined independently. For example, for a Level I violation, if a student was disciplined for cutting class one week and then was disciplined the next week for loitering, the loitering may be considered as a second administrative contact.

CHAPTER 10

VIOLATIONS OF THE CODE OF STUDENT CONDUCT

A school district administrator will usually be involved in enforcing the Code of Student Conduct. However, a teacher may suspend a student from the teacher's class, subject, or activity for up to one day in accordance with state law if: 1) the student engages in behavior so unruly, disruptive, or abusive that it significantly interferes with the teacher's ability to effectively teach the class, subject, or activity, or 2) the student's behavior significantly interferes with the ability of other students to learn. Such teacher-imposed suspensions are also referred to as SNAP suspensions. For other student misconduct, the teacher will handle the matter in accordance with the standard disciplinary process used in the school building.

DISCIPLINING STUDENTS WITH SPECIAL NEEDS

Suspension and Expulsion of Student Receiving or Otherwise Eligible for Special Education Services

A student previously identified under state and federal regulations as eligible for special education is entitled to consideration of his/her disability in student disciplinary procedures. A student's IEP placement may not be changed by disciplinary procedures without services being provided to the student. School personnel are advised to consult with the district Director of Special Education regarding these issues.

A student who has not been identified with a disability may also be entitled to the same considerations as a student with a disability if the school district "had knowledge" that the student might be a student with disability before the student's behavior warranted discipline procedures.

The school district is deemed to have "had knowledge" of the student's possible disability if:

- 1) The parents expressed concern that their student might need special education services in writing to administration, or;
- 2) The parent had requested an evaluation to consider the student's eligibility for special education services, or;

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VIOLATIONS OF THE CODE OF STUDENT CONDUCT

- 3) The teacher or any other personnel in the district had expressed similar concerns about the student directly to administration.

School personnel are advised to consult with the district Director of Special Education regarding these issues.

Suspension and Expulsion of Student Receiving Services under Section 504 of the Rehabilitation Act of 1973

A student who is identified as eligible for Section 504 of the Rehabilitation Act of 1973 services is also entitled to consideration for his/her disability in student disciplinary procedures. School personnel

are advised to consult with the district 504 Coordinator for Students regarding these issues.

See the glossary at the end of this handbook for definitions of various terms used herein.

LEVEL I VIOLATIONS

A Level I violation is considered to be any behavior which disrupts or interferes with the effective and safe functioning of the school, but is not as serious as a Level II or Level III violation.

Level I violations include, but are not limited to, the following:

Class Cutting

Unexcused absence from a class.

Disruptive Behavior

Language, mild profanity, gestures or actions which produce distractions, frictions, or disturbances that interfere with the effective functioning or safety of the staff, students, or the school.

CHAPTER 10

VIOLATIONS OF THE CODE OF STUDENT CONDUCT

Inappropriate Displays of Affection

Engaging in public acts (signs, gestures, etc.) of affection that are offensive to commonly recognized standards of good taste.

Inappropriate Dress and Grooming

As we prepare our students for the world of work and promote learning in the school environment, students are expected to dress in compliance with the following guidelines.

No:

- Items that promote drugs, alcohol, or tobacco;
- Items with profane or sexually suggestive writing/pictures/ images;

- Items that exhibit involvement in gangs or other organizations deemed to be in conflict with school policies and practices;
- Non-prescription sunglasses within the school environment;
- Visible cleavage;
- Pajamas;
- Muscle shirts, tank tops, tube tops, mesh shirts, mini-skirts, shorts, spandex clothing, cut-off shorts less than acceptable standard code of dress, holes in clothing exposing skin or undergarments, clothing with bare midriffs, revealing or suggestive clothing;

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VIOLATIONS OF THE CODE OF STUDENT CONDUCT

- Beach clothing;
- Chains, handcuffs, and other metal paraphernalia;
- Hats or bandanas worn in school;
- Coats worn in classrooms (exceptions will be made where appropriate);
- Pants worn so undergarments are visible;
- Items that conflict with district policy or state law.

In Addition:

- Leggings must be worn with shirts or skirts fingertip length;

- Yoga pants must be covered with long top at least fingertip long in length;
- Shoes must be worn

Leaving School without Authorization

The Troy School District operates a closed campus, i.e., one in which all students remain on the school site during the school day, unless authorized permission to leave is granted from the attendance office or principal

Loitering (Moved to Level II)

Personal Electronic Devices: Misuse of Technology

No student shall use or display smart phones, cellular phones, or other devices with inbound/outbound communication capabilities on school property during normal school hours, unless authorized by a teacher or office personnel. All electronics are to be turned off during instructional time. No student shall use or display MP3 players, personal gaming systems, personal digital assistants, calculators, or other electronic devices in class without the express permission of the classroom teacher.

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VIOLATIONS OF THE CODE OF STUDENT CONDUCT

Furthermore, use of electronics in classes with a guest teacher is expressly prohibited without approval of the classroom teacher written into the daily lesson plan for the guest teacher. No student shall use or display electronic devices of any kind.

(Combined with Personal Electronic Devices)

Tardiness

Tardiness occurs when students are not in their classroom and/or seats when the class is scheduled to begin.

Truancy

Absence from school without authorization; failure to follow proper attendance check-in and check-out procedures. Regular

attendance at school and prompt arrival to all classes and scheduled activities is the prime responsibility of the students and parent. (MCL 380.1561).

Discipline Procedure - Level I Violations

First and subsequent administrative contacts (one or more of the following):

1. Parent notification
2. Reprimand
3. Detention
4. Behavioral contract/disciplinary probation
5. Suspension (not to exceed three days)
6. Suspension from activities during or after the school day
7. Referral to an outside agency, if appropriate
8. For technology infractions – loss of password and technology privileges, as determined by administration.

Persistent disobedience with respect to Level I violations will result in a recommendation for suspension, pending a hearing for removal from school for the remainder of the semester or school year.

CHAPTER 10

VIOLATIONS OF THE CODE OF STUDENT CONDUCT

LEVEL II VIOLATIONS

A Level II violation is any behavior which seriously disrupts or interferes with the effective functioning of the school, but is not as serious as a Level III violation. It is further understood that the discipline for stealing and vandalism in Levels II and III will be in effect for students that steal or vandalize technology resources.

Level II violations include, but are not limited to, the following:

Academic Misconduct

Plagiarizing, cheating, including copying or supplying class work, homework, tests, etc. for personal benefit, or gaining unauthorized access to material through such behavior as going into a teacher's file, paper or electronic, or looking through a teacher's desk.

Assault or Battery/Intimidation/Incitement

A threat or attempt to do harm to another without a weapon, with or without physical contact and without injury, or the act of promoting or encouraging acts of violence. Students are expected to treat each other in a respectful manner. Engaging in any type of verbal abuse will not be tolerated. A student shall not make annoying nuisance, vulgar and/or obscene communications, verbally, in writing, or by gestures to other students.

Bullying/CyberBullying (Refer to Chapter 6)

Understanding bullying is complicated by the fact that a young person can be a bully, a victim or both a bully and a victim. Not all taunting, teasing and fighting among schoolchildren constitutes bullying. Cyberbullying is any type of bullying (i.e., teasing, telling lies, making fun of someone, making rude or mean comments, spreading rumors or making threatening or aggressive comments) that occurs through e-mail, a chat room, instant messaging, any

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VIOLATIONS OF THE CODE OF STUDENT CONDUCT

website (including blogs), text messaging, videos, or pictures posted on websites or sent through cell phones.

Cyberbullying that occurs during school hours or on school property is subject to disciplinary action by the Troy School District.

Disruption of the Educational Process

Behavior which seriously disrupts any school activity or the orderly and safe operation of the school. While the following acts are not intended to be exclusive, they illustrate the kinds of offenses encompassed within the rule, but it must be remembered that any conduct which causes disruption, or interferes with the education process is forbidden, i.e., running, jumping, horseplay (includes any

student(s) who engages another physically with or without intent to harm), shouting, yelling, screaming, etc.

Fighting

Aggressive physical contact between two or more individuals.

Flammable Materials – Use or Possession

The use or possession of devices made from explosive or flammable materials (fireworks include Class B and Class C fireworks as identified by state law).

Forgery/Giving False Information or Lying

Lying and/or intentional misrepresentation of information given to school district personnel.

Gambling

Participation in or organization of games of chance for money, other things of value and/or inappropriate conduct.

Harassment

Harassing conduct may take many forms, including verbal acts and name-calling; graphic and written statements, which may include

CHAPTER 10

VIOLATIONS OF THE CODE OF STUDENT CONDUCT

use of cell phones or the internet; or other conduct that may be physically threatening, harmful or humiliating. Harassment does not have to include intent to harm, be directed at a specific target or involve repeated incidents. When such harassment is based on race, color, national origin, sex or disability, it violates the civil rights laws that OCR enforces.

Inappropriate Use of Technology Resources

Students using school technology resources as defined in this guide for illegal, inappropriate, or obscene purposes; sharing or unauthorized use of passwords, accessing, controlling or disabling devices or services of the district or any third party or otherwise in violation of the Student Acceptable Use Policy.

Insubordination

Verbal or non-verbal refusal to comply with a reasonable request or directive. This includes failing to complete an assigned disciplinary action.

Loitering

The act of being in an unauthorized place, lingering in or about school property, or refusing to leave when directed to do so by school personnel. A student remaining or lingering on school property without staff supervision for more than 30 minutes after final dismissal without a legitimate purpose or prior permission from Administration. Violations may result in trespassing charges and or school discipline. (Moved from Level 1)

Smoking, Possession or Use of Tobacco Products and/or Possession of Drug Paraphernalia

Possession, holding, smoking, sale or transfer of any tobacco products or any other use or possession of tobacco products (i.e., cigars, pipes, cigarettes, snuff or chewing tobacco) is prohibited.

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Possession of drug paraphernalia, e.g., bongos, pipes, etc, is prohibited.

Stealing, Possession or Transfer of Property of Others (Value Under \$100)

The act of taking possession or transferring property of another, *i.e., a student, adult, or the school* without the consent of the owner (or copyright holder), when the property is worth less than \$100.

Trespassing

The act of being in or about a school building without having a legitimate reason or authorized permission (this includes suspended students).

Vandalism (Value Under \$100)

The deliberate or negligent destruction, defacing or damaging of school property or the property of others.

Vulgarity/Indecency

Written or spoken language, sign language, gestures, apparel, or actions, etc., that are offensive, obscene or vulgar.

Discipline Procedure - Level II Violations

First administrative contact (one or more of the following):

1. Parent notification
2. Reprimand
3. Maximum five-day suspension
4. Behavioral contract/disciplinary probation
5. Police notification or referral to a professional agency
6. Restitution/restoration
7. Technology – loss of password/technology privileges for a semester

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Second administrative contact (one or more of the following):

1. Parent notification
2. Reprimand
3. Maximum seven-day suspension
4. Behavioral contract/disciplinary probation
5. Police notification or referral to a professional agency
6. Restitution/restoration
7. Technology – loss of password/technology privileges for the school year

Subsequent administrative contacts (one or more of the following):

1. Parent notification
2. Reprimand
3. Suspension pending a hearing

4. Ten-day suspension or the removal from school for remainder of school year
5. Police notification or referral to a professional agency
6. Recommendation for expulsion
7. Restitution/restoration
8. Technology – permanent loss of technology privileges

Persistent disobedience with respect to Level II violations will result in a recommendation for suspension, pending a hearing for removal from school for the remainder of the semester or school year.

LEVEL III VIOLATIONS

A Level III violation is considered to be any behavior of an aggravated nature, including any Level I or Level II violation of an aggravated nature, which seriously disrupts or interferes with the effective and safe functioning of the school.

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Level III violations include, but are not limited to, the following:

Aggravated Assault and Battery

Striking or unlawful touching of a victim: 1) without a weapon and infliction of an injury; 2) with a weapon or other object used as a weapon; or 3) attempt to use a weapon.

Arson

Any act utilizing unauthorized fire, smoke or explosives which presents a risk of danger to life or property.

Breaking and Entering

Breaking into and/or entering any school building, facility, office, room, storage space or other enclosure without authority to do so.

Bullying/CyberBullying (Refer to Chapter 6)

Understanding bullying is complicated by the fact that a young person can be a bully, a victim or both a bully and a victim. Not all taunting, teasing and fighting among schoolchildren constitutes bullying.

Cyberbullying is any type of bullying (i.e., teasing, telling lies, making fun of someone, making rude or mean comments, spreading rumors or making threatening or aggressive comments) that occurs through e-mail, a chat room, instant messaging, any website (including blogs), text messaging, videos, or pictures posted on websites or sent through cell phones.

Cyber Bullying that occurs during school hours or on school property is subject to disciplinary action by the Troy School District.

False Alarm, Bomb Threat, or Tampering with any Fire Safety Device (this includes "911" calls)

The deliberate or intentional act of setting off a false alarm, calling

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in or writing a bomb threat, or tampering with any fire safety device.

Felonious Assault

Striking with a weapon with the intent to or doing bodily harm or the attempt to do so.

Fighting (Moved from Level II)

Aggressive physical contact between two or more individuals.

Harassment

Harassing conduct may take many forms, including verbal acts and name-calling; graphic and written statements, which may include use of cell phones or the internet; or other conduct that may be physically threatening, harmful or humiliating. Harassment does not have to include intent to harm, be directed at a specific target or

involve repeated incidents. When such harassment is based on race, color, national origin, sex or disability, it violates the civil rights laws that OCR enforces.*

Inappropriate Use of Technology Resources

Using technology resources as defined in this guide for aggravated illegal, inappropriate, or obscene purposes or otherwise in violation of the Student Acceptable Use Policy.

Possession or Concealment of Weapon or Dangerous Instrument

The possession or concealment of any kind of weapon or dangerous instrument, device, materials, knife, gun, metal knuckles, tools, mace, pepper gas, etc., or any other item deemed to be a weapon.

Robbery or Extortion

The act of attempting to obtain money, goods, services or information from another by force of the threat of force or by coercion.

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VIOLATIONS OF THE CODE OF STUDENT CONDUCT

Stealing, Possession, or Transfer of Property of Others (Value \$100 or More)

The act of taking possession or transferring property of another without the consent of the owner (or copyright holder), when the property is worth \$100 or more.

Use, Possession, Selling, Distribution, or Under the Influence of Drugs or Alcohol

The possession on one's person or among one's belongings, or the direct or indirect selling, distribution or use of illegal substances, including, but not limited to, alcohol, and marijuana, and controlled substances as defined by law, or imitation (counterfeit) controlled substances which have not been specifically prescribed for the student by a physician.

Vandalism (Value Over \$100)

The deliberate or negligent destruction, defacing or damaging of property, of another, i.e., student, adult, or the school.

Discipline Procedure - Level III Violations

First and subsequent administrative contact:

1. Parent notification
2. Suspension pending a hearing
3. Behavioral contract/disciplinary contract (optional)
4. Report or complaint filed with the appropriate policy agency
5. Restitution/restoration (if appropriate)
6. Recommendation for removal from school for a minimum of ten days, the remainder of the school year (if appropriate), or recommendation for expulsion (if appropriate)
7. Technology – permanent loss of privileges.

STATUTORY VIOLATIONS

Students who commit the following offenses in violation of state law are subject to suspension or expulsion consistent with the student's due process rights and state and federal laws:

1. Arson or criminal sexual conduct in a school building or on school grounds;
2. Possession of a dangerous weapon on school property, in a school vehicle, or at a school-related activity;
3. Physical assault against a school employee, volunteer or contractor on school property, in a school vehicle, or at a school-related activity;

4. Verbal assault against a school employee, volunteer or contractor on school property, in a school vehicle, or at a school-related activity;
5. Physical assault against another student on school property, in a school vehicle, or at a school-related activity; or
6. Bomb threats or other similar threats directed at a school building or other school property.

"Physical assault" means intentionally causing or attempting to cause physical harm to another through force or violence.

"Verbal assault" means any willful spoken threat to inflict physical injury on another person, under circumstances which creates a reasonable fear of imminent injury, coupled with the apparent ability to inflict injury.

Students who commit offenses 1, 2, and/or 3 above shall be permanently expelled; students who commit offenses 4, 5, and/or 6 shall be suspended or expelled for up to 180 school days and are subject to permanent expulsion. Students in grades 5 or below who commit offenses 3, 4, 5, and/or 6 shall not be considered in violation of state law

CHAPTER 10

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and shall be subject to such consequences and procedures as determined by the administration and/or Troy Board of Education.

Students who are expelled shall be referred to the appropriate county department of social services or community mental health agency. The parent, legal guardian and/or student shall also be notified of the referral.

Students who commit above shall be reported to appropriate state or local law enforcement officials, as required under state law.

Each student subject to expulsion shall have his/her situation reviewed by the superintendent on a case-by-case basis, in accordance with the requirements established by state law.

This policy is intended to place the district in compliance with applicable law, and the superintendent is hereby authorized to take whatever actions are necessary to ensure such compliance.

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DISCIPLINARY PROCEDURES

SUSPENSION

Prior to the imposition of a disciplinary suspension or disciplinary probation, the student must be informed of the specific charges against him/her that are to be used as the basis for the disciplinary action. The student has the right to present any information supporting his/her defense to the principal who is ordering the suspension or disciplinary action.

Length of Suspension

Suspension begins with notification by the principal and continues until midnight of the last suspension day. Students are not allowed to participate in or attend school-sponsored activities, either on or off campus, nor be on school district property during the time of the suspension.

Homework During Suspension

A minimum of one day is allowed for each day absent from class during a suspension to make-up missed assignments and prepare for tests. Any absence will affect the learning experience and may affect a student's academic grade.

Short-Term Suspension

If the student is suspended for five days or less, or placed on disciplinary probation for two weeks or less, the principal must:

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DISCIPLINARY PROCEDURES

1. Notify the parents of the action and the reasons for it before the student leaves the building, if possible;
2. Schedule a conference, if requested by the parents or student, to include the student, his/her parents and such other persons as the principal deems appropriate for the purpose of trying to resolve the problem;
3. Inform the student and his/her parents of their right to appeal (see Chapter 12); and
4. Inform the next level of administration in the event the parent(s) wishes to appeal the principal's decision (see Chapter 12 for appeal procedure.)

Long-Term Suspension

In cases of suspension in excess of five days, the principal will hold a hearing within three school days of his/her knowledge of the act with

which the student is charged, if requested by the principal, the parents, or the student. If the student, the principal or the parents are unable to meet within the time period, the hearing may be scheduled at a mutually agreed upon time (a mutually agreed upon time may be substituted for any hearing or appeal timeline).

The student's parents will receive notification of the time and place of the hearing, the specific act or acts with which the student is charged and his/her right to present witnesses and to be represented by an attorney or other individual of his/her choice.

At the hearing, the student will be allowed to give his/her version of the facts and be informed of evidence offered against him/her.

Any participant may request, in advance, that the hearing be tape-recorded and the tapes preserved.

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Within three school days of the hearing, the principal shall inform the student and his/her parents of the decision and his/her right to appeal.

In the event that there is an appeal of this decision, this hearing will be the first step in the appeal process. For appeal procedures, refer to page 54 of this handbook.

Failure of the administrator to follow the above procedure results in an automatic appeal to the next level.

EXPULSION

The initial step in the expulsion process occurs when the building principal notifies the student and his/her parents, within three school days after a hearing is held at the building level, of his/her

recommendation. The written recommendation will be forwarded to the superintendent. Upon receipt of a written request from the parents, a hearing will be held with the superintendent or designee within five school days with the involved parties to review the case. If the student, the superintendent, or the parents are unable to meet within the time period, the hearing may be scheduled at a mutually agreed upon time (a mutually agreed upon time may be substituted for any hearing or appeal timeline).

Within five school days of the hearing, the superintendent or designee will send written notification to the student and his/her parents of the decision to affirm, reverse or modify the principal's recommendation. Parents of a minor student, or a student 18 years or older, may appeal the superintendent's decision to the Troy Board of Education.

The student and his/her representative will be allowed to give his/her version of the facts. Witnesses may be called and cross-examination will be permitted during the expulsion process as due process considerations

CHAPTER 11

DISCIPLINARY PROCEDURES

may require. The Troy Board of Education will inform the student and his/her parents of its decision in writing within ten school days of the completion of the hearing.

If the Troy Board of Education expels a student, he/she shall be referred to the school counselor for referral to an appropriate agency for further guidance and counseling or assistance in obtaining employment or continuing education.

As outlined in Section 380.1311 of the Revised State of Michigan School Code, under specific circumstances, petitions for reinstatement may be submitted to the Troy Board of Education for consideration.

CHAPTER 12

APPEAL AND GRIEVANCE PROCEDURES

APPEAL PROCEDURE OF DISCIPLINARY ACTION

Many people are uncomfortable requesting a review of a decision which they feel has affected them unfairly. It is the purpose of this section to provide an appeal procedure to insure fair treatment in cases of suspension and disciplinary action.

The parent of the involved student must initiate all disciplinary appeals, unless the student is 18 years old, in which case the student may initiate an appeal.

A school administrator may temporarily suspend or remove a student from school for the purposes of investigating an incident prior to imposing any discipline, where such temporary suspension/removal is

deemed necessary to prevent disruption to the educational program, avoid possible interference or problems in the investigation, defuse conflict situations, protect the health or safety of the student or other students, or any other compelling reason. Absent unusual circumstances, a student will not be suspended/removed unless the student is reasonably suspected of being involved in the disciplinary incident being investigated. Such a suspension or removal shall not constitute discipline, although the incident which caused the investigation to occur may ultimately result in discipline.

This section is not intended to limit or forbid formal or informal access to school officials either through letters or personal contact.

CHAPTER 12

APPEAL AND GRIEVANCE PROCEDURES

APPEAL PROCEDURE FOR SUSPENSION/DISCIPLINARY ACTION OF 10 DAYS OR LESS

An appeal of a decision to impose a suspension or disciplinary action may be initiated by contacting the appropriate administrator, as outlined on in this chapter. This contact must be made by the parent of the involved student within twenty-four hours of the decision in question, unless the principal has granted an extension.

This procedure allows the appeal to be processed one step, which is to the next level of administrative authority (i.e., if the assistant principal takes the initial action, the next level of authority is the principal.)

The decision of the next level of administrative authority is final.

APPEAL PROCEDURE FOR SUSPENSION/DISCIPLINARY ACTION IN EXCESS OF 10 DAYS

Step One: Building Principal's Review (secondary level only)

This step is only to be used if the assistant principal initiated the original charge. If the principal initiated the original charge, refer to Step Two.

An appeal of an assistant principal's decision to impose a suspension or disciplinary action may be initiated by contacting the principal within two school days of the assistant principal's decision.

The principal will meet with the parties involved within three school days and review the case. Within three school days of that meeting, the principal will provide notification to the student and his/her parents of his/her decision and advise them of their rights to an appeal. Upon request, a summation letter will be directed to the parents listing charges, decisions, and the next step in the appeal process.

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APPEAL AND GRIEVANCE PROCEDURES

Step Two: Review by Assistant Superintendent of Elementary Instruction or Deputy Superintendent

An appeal of the principal's decision to impose suspension or disciplinary action may be initiated by contacting the principal within twenty-four hours of the principal's decision, unless the principal has granted an extension.

The appeal will be immediately forwarded to the assistant superintendent of elementary instruction (in elementary school cases) or to the deputy superintendent (in middle and high school cases), who will meet with the parties involved within three school days and review the case. Within three school days of that meeting, the assistant superintendent of elementary instruction or deputy superintendent will send written notification to the student and his/her parents of his/her decision to affirm, reverse, or modify the principal's decision and advise them of their right to appeal an adverse decision.

Step Three: Superintendent's Review (elementary appeals only)

An appeal of a decision in Step Two may be initiated by contacting the person last hearing the appeal within two school days of that person’s decision. If the assistant superintendent of elementary education hears this step, then an appeal to the deputy superintendent is appropriate. One appeal beyond the initial decision is final.

The assistant superintendent of elementary education will advise the deputy superintendent that a request for an appeal has been received. The appeal will be immediately forwarded to the deputy superintendent who will meet with the principle parties involved within three school days and review the case. Within three school days of that meeting, the deputy superintendent will send written notification to the student and his/her parents to affirm, reverse, or modify the previous decision. **The decision of the deputy superintendent is final.**

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APPEAL AND GRIEVANCE PROCEDURES

The following charts summarize the appeal procedure:

ELEMENTARY LEVEL		
Step One: If initiated by Building Principal	Appeal to	Assistant Superintendent- Elementary Instruction
Step Two: If initiated by Assistant Superintendent- Elementary Instruction	Appeal to	Deputy Superintendent
Step Three: Deputy Superintendent	This Decision is Final	

SECONDARY LEVEL

Suspension/Disciplinary Action of 10 Days or Less:

If initiated by
Assistant Principal

Appeal to Building Principal

This Decision is Final

If initiated by
Building Principal

Appeal to Deputy Superintendent

This Decision is Final

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SECONDARY LEVEL

Suspension/Disciplinary Action in Excess of 10 Days:

Step One:

If initiated by
Assistant Principal

Appeal to Building Principal

If initiated by
Building Principal

Appeal to Deputy Superintendent

Step Two:

If initiated by
Deputy Superintendent

Appeal to Superintendent

Step Three:

Superintendent

This Decision is Final

GRIEVANCE PROCEDURE

A grievance is a charge by a student that there has been a violation, misinterpretation or inequitable application of an established school policy or regulation, or if the student feels he/she has been treated unfairly or been denied due process, not including disciplinary matters. The procedure dealing with appeals of disciplinary issues is outlined on page 54.

Informal Grievance Procedure

The student is encouraged to discuss the concern informally with the staff member involved before a Student Appeal/Grievance Form is filed. The ombudsman (high school only) can be of help in attempting to solve the grievance informally and will, if the student desires, accompany

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him/her to a conference with the staff member. It is the student's responsibility to initiate contact with the ombudsman.

It is hoped that the great majority of grievances will be resolved in this manner. If this informal approach is not successful or not applicable to the situation, the student may initiate the following formal grievance procedure.

Formal Grievance Procedure

The student must obtain a standard Student Grievance Form from school administration, fill out all the information requested in the form and submit it to the principal within two school days of the incident.

Within three school days of the date of the filing, the principal shall call a meeting of the student and the staff member in order to resolve the matter as quickly as possible. The student may be accompanied by his/her parents and/or the ombudsman at this meeting. The principal shall communicate his/her decision in writing to the student, his/her

parents and the staff member on the Student Grievance Form within three school days of the meeting.

The student may appeal an adverse decision of a formal grievance to the assistant superintendent of elementary instruction (in elementary school cases) or to the assistant superintendent of secondary instruction (in middle and high school cases) by filling out the Student Grievance Form and returning it to the principal within two school days of the principal's response. The principal will advise the appropriate assistant superintendent that a request for an appeal has been received.

The assistant superintendent of elementary instruction or assistant superintendent of secondary instruction shall meet with the student, staff member, and principal within five school days of the request in order to resolve the matter. The student may be accompanied by his/her parents and/or the ombudsman at this meeting.

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The assistant superintendent of elementary instruction or assistant superintendent of secondary instruction shall communicate his/her decision to all participants on the Student Grievance Form within three school days of the meeting.

The student may appeal a decision by the assistant superintendent of elementary instruction to the assistant superintendent of secondary instruction by filling out the Student Grievance Form and returning it to the principal within three school days of the decision by the assistant superintendent of elementary instruction. The principal will advise the assistant superintendent of secondary instruction that a request for an appeal has been received.

The assistant superintendent of secondary instruction shall meet with the student, staff member, principal and the assistant superintendent of elementary instruction within five school days of the request in an attempt to resolve the matter. The student may be accompanied by his/her parents and/or the ombudsman at this meeting.

The assistant superintendent of secondary shall communicate his/her decision to all parties involved.

The decision of the assistant superintendent of secondary instruction shall be final and binding upon all parties.

Additional Comments Regarding the Appeal/Grievance Procedures

Students may be removed from school in accordance with normal school procedures during an appeal when, in the opinion of the principal, the student's presence in the school is considered dangerous or disruptive.

If the principal, assistant superintendent of elementary instruction or assistant superintendent of secondary instruction is unavailable, their

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APPEAL AND GRIEVANCE PROCEDURES

designated representatives may act in their behalf during the grievance procedure.

All records, reports and actions taken will be treated confidentially to protect the rights of all parties. No record of an appeal and/or grievance will be kept in the student's CA-60.

Failure of any administrator to hold a meeting or to render a decision shall allow automatic appeal to the next level.

At any point in the appeal and/or grievance procedure, time limits may be extended by a mutual agreement.

GLOSSARY

Behavioral Contract A written agreement with a student, the student's parents and the principal which specifically states the conditions that must be met in order to correct a behavioral problem.

Closed Campus One in which all students remain on the school site during the school day, unless authorized permission to leave is granted.

Denial of Driving Privileges The denial of permission to drive to school for a specified time.

Detention The placement of a student in a supervised area.

Disciplinary Probation A period of time in which a student is put on probation due to past behavioral problems. Disciplinary probation is an acceptable disciplinary procedure whereby a student may not participate in extracurricular activities, may not perform before any audience or represent the school district in any capacity.

Expulsion The exclusion of a student from school permanently or which requires an action by the Board of Education for re-enrollment.

In-School Suspension The assignment of a student to a program designed to meet the student's particular needs. This assignment may be located at the student's home school or at another site.

Ombudsman An individual who assists students in asserting their rights as set forth in this handbook, not including disciplinary matters.

Parent Notification Contact with a parent by phone, letter or meeting.

Referral to Social Service Agencies A recommendation that the student seek help from a public or private social service agency.

Referral to Courts The filing of a charge of an alleged illegal action with the courts having jurisdiction.

GLOSSARY

Removal from Class The removal of a student from class when his/her conduct is seriously disruptive and informal resolution is impractical.

Reprimand A written notification of censure for unacceptable behavior, which may also involve the removal or restriction of school privileges.

Restitution/Restoration The payment for or the restoring of property or articles which have been damaged, lost or stolen.

SNAPS Suspension A disciplinary suspension issued to a student by a teacher in accordance with state law.

Statutory Offense A student infraction which constitutes a violation of a state law (statute).

Suspension A designated time when a student is not permitted to attend classes, to remain on school grounds or to participate in or attend any extracurricular activities.

Tardiness The act of a student not being in his/her classroom or seat when class is scheduled to begin as defined by the classroom teacher.

Work Assignment An assigned task which must be completed by the student, and may be substituted for detention on an equal time basis.

Working Day A day on which the Troy School District's Administrative Offices are open to serve the public. A working day includes days when schools are not in session, such as spring break and summer vacation.

Policy of Non-Discrimination

Students, Parents and Citizens of the Troy School District:

Title IX of the Education Amendments of 1972 provides that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance except as may be permitted by law.

Section 504 of the Rehabilitation Act of 1973 provides that no otherwise qualified handicapped individual shall, solely by reason of his or her handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

It is the policy of the Troy School District not to discriminate on the basis of sex or handicap in admission or access to treatment or employment in its programs and activities. The Troy School District periodically reviews its educational and employment programs and activities to assure compliance with Title IX and Section 504.

The Troy School District has established a grievance procedure to provide for the prompt and equitable resolution of complaints by students, employees or members of the community alleging discrimination on the basis of sex or handicap. The grievance procedure is available through any school office or by contacting the Coordinator for Title IX and Section 504 matters listed below. In addition, a school district employee who is part of a bargaining unit may process

a complaint through the grievance procedure established in the collective bargaining agreement.

In accordance with federal regulations, the Troy School District has appointed Mr. Jasen Witt, Assistant Superintendent-Human Resources, as Title IX and Section 504 Coordinator. Any questions, suggestions or complaints should be directed to:

Mr. Jasen Witt
Assistant Superintendent-Human Resources
Title IX and Section 504 Coordinator

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248.823.4000