



Northville Public Schools

**CODE OF CONDUCT
and
ANNUAL NOTIFICATIONS
2009-2010**

Building Contacts

| | |
|---------------------------------|--------------|
| Northville High School | 248-344-8420 |
| Hillside Middle School..... | 248-344-8493 |
| Meads Mill Middle School | 248-344-8435 |
| Amerman Elementary | 248-344-8405 |
| Moraine Elementary..... | 248-344-8473 |
| Ridge Wood Elementary | 248-349-7602 |
| Silver Springs Elementary | 248-344-8410 |
| Thornton Creek Elementary..... | 248-344-8475 |
| Winchester Elementary..... | 248-344-8415 |
| Cooke School | 248-344-8439 |
| Old Village School | 248-344-8460 |



**NORTHVILLE PUBLIC SCHOOLS
Northville, Michigan**

**BOARD POLICY #5131
CODE OF CONDUCT**

ARTICLE I - STUDENT DISCIPLINE

A. Preamble

In accordance with the provisions of law, the Board of Education has set forth in this Student Code of Conduct the rules governing the most serious and obvious types of student misconduct. The prohibited acts listed in this Student Code of Conduct 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.

The Student Code of Conduct does not cover the District's attendance and tardiness policies, the District's requirements for credit and graduation, or the District's authority to regulate the participation of students in extracurricular and athletic activities. (See the Athletic and Extra-Curricular Code.) A decision to expel or suspend a student from participating in extracurricular and athletic events is solely within the discretion of the Superintendent of Schools or his/her designee.

Each prohibited act listed in the Student Code of Conduct sets forth the discipline that may be imposed for a violation. The discipline for violating some prohibited acts ranges from administrative intervention to expulsion; for other prohibited acts, the penalty ranges from suspension 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, the actual penalty imposed will depend upon the nature and severity of the offense, the age of the student, the student's prior behavioral records, the recommendation of school personnel, the particular facts involved, and all other circumstances deemed relevant.

In accordance with the Board's authority under law, a student violating any of the prohibited acts listed below shall be deemed to be guilty of a gross misdemeanor and will be disciplined.

The prohibited acts and penalties listed in this Student Code of Conduct are applicable when a student:

1. engages in a prohibited act on any premises owned, leased or used by the District;
2. engages in a prohibited act in a motor vehicle owned or leased by the District or being used for a school business-related purpose;
3. engages in a prohibited act at a school-related activity, function or event;

ARTICLE I - STUDENT DISCIPLINE CONTINUED

4. engages in a prohibited act en route to or from school;
5. engages in a prohibited act involving another student who is en route to or from school;
6. engages in a prohibited act that has a sufficient nexus to or with the District, District personnel or students or District property, such as a prohibited act that: has its inception in school; is school connected or adversely affects, interferes with, or endangers the good order of the school system; or, impacts the proper functioning of the educational process or the health or safety of students.

B. Definitions of Discipline

1. Administrative Intervention

Disciplinary action that does not result in a student being suspended from school. For example, administrative intervention includes disciplinary measures as: 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; revocation of the privilege of attending non-classroom school functions, activities, events, etc.

2. Suspension

Exclusion of a student from school for a specific period of time or exclusion of a student from school which exclusion terminates upon the fulfillment of a specific set of conditions.

3. Expulsion

The permanent exclusion of the student from the school system.

C. Prohibited Acts

1. Failure to Cooperate

A student shall not refuse to cooperate with District personnel investigating a possible violation of this Code of Conduct and/or building rules, and no student shall make false statements or give false evidence to District personnel. A student shall not refuse to testify or otherwise cooperate with District personnel in any disciplinary proceeding.

Penalty - administrative intervention to expulsion.

2. False Allegations

A student shall not libel, slander, or make false allegations against another student, District employee (including guest teachers and student teachers), Board of Education members or volunteers.

Penalty - administrative intervention to expulsion.

ARTICLE I - STUDENT DISCIPLINE CONTINUED

3. Failure to Report

A student shall not fail to report to an administrator or teacher a fact or condition that may threaten the health, safety or welfare of District personnel, guests, students or property.

Penalty – administrative intervention to expulsion.

4. Failure to Comply With Directions of School Personnel

A student shall not be insubordinate or fail to comply with instructions and directions of District personnel (including guest teachers and student teachers), volunteers, or persons acting in a chaperone or supervisory capacity.

Penalty - administrative intervention to expulsion.

5. Falsification Of Records

A student shall not falsify information on District forms or records or cause them to be altered.

Penalty - administrative intervention to expulsion.

6. 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.

7. Copyrighted Material

A student shall not unlawfully duplicate, reproduce, retain, or unlawfully use copyrighted material.

Penalty - administrative intervention to expulsion.

8. Improper Use of Technology

A student shall not violate the District's Acceptable Use Policy or "acceptable practices" student contract for the use of computers, electronic information resources, or other technologies (e.g., use of the Internet, use of networks operated by the School District, etc.), nor shall the student violate the verbal or written directions of School District personnel regarding the acceptable use of computers and other technologies.

Penalty - administrative intervention to expulsion.

ARTICLE I - STUDENT DISCIPLINE CONTINUED

9. Unauthorized Use of School Equipment

A student shall not use District property (e.g., fax machines, copiers, computer equipment, laboratory equipment, athletic supplies, etc.), in any unauthorized, dangerous, or illegal fashion.

Penalty - administrative intervention to suspension.

10. Improper Communication

A student shall not make threatening, annoying, nuisance, vulgar and/or obscene communications--verbally, in writing, electronically, or by gestures--to District personnel (including guest teachers and student teachers), Board of Education members, chaperones, volunteers, other students or visitors to the school building.

Penalty - administrative intervention to expulsion.

11. Indecency

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

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, disturbance, or obstruction of any District function, activity or event, nor shall he or she engage in any such conduct if such disruption or obstruction is reasonably likely to result. 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 kinds of offenses encompassed within this rule, but it must be remembered that any conduct that causes disruption or is likely to result in disruption, or interferes with the education process, is forbidden.

- ◆ Occupying any school building, school grounds, or a part thereof, without the permission of an administrator or teacher;
- ◆ Blocking normal pedestrian or vehicle traffic, the entrances or exits of any school building or corridor or room, without the permission of a school building staff member;
- ◆ Preventing, attempting to prevent, or interfering with the convening or continued functioning of any class, activity, meeting or assembly;

ARTICLE I - STUDENT DISCIPLINE CONTINUED

- ◆ Instigating or participating in a disturbance, or causing a disturbance that interrupts the educational opportunities of others or threatens the general health, safety and welfare of others on school property or at a school-sponsored activity.

Penalty - administrative intervention to expulsion.

13. Hazing

A student shall not engage in the hazing of another student whether or not the student being hazed, or his/her parent(s) or guardian, have given consent. Hazing is defined as any activity that endangers the physical safety of a student; produces mental or physical discomfort; causes embarrassment, fright, humiliation or ridicule; or, degrades the student.

Penalty - administrative intervention to expulsion.

14. 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, sexual orientation, or disability (e.g. sexual or racial comments, threats or insults, unwanted sexual touching, etc.). (See also numbered Paragraph 38 for Criminal Sexual Conduct.)

Penalty - administrative intervention to expulsion.

15. 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.

16. Dress

A student shall not dress or groom in a manner which, in the judgment of a building administrator, is unsafe to the student or others or causes a disruption to the educational process.

Penalty - administrative intervention to expulsion.

17. Gang Insignia/Activity

A student shall not wear or possess any clothing, jewelry, symbol or other object that may reasonably be perceived by District personnel or other students as evidence of membership in or affiliation with any gang. A student shall not commit any act, verbal or non-verbal (gestures, handshakes, etc.), that may reasonably be perceived by District personnel or other students 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

ARTICLE I - STUDENT DISCIPLINE CONTINUED

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 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 purposes or activities include the commission of illegal acts or violations of this Code of Conduct, 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.

18. Smoking/Tobacco

A student shall not smoke, chew or otherwise use tobacco. A student shall not, have in his/her possession or under his/her control, or attempt to possess, tobacco in any form.

Penalty - administrative intervention to expulsion.

19. Trespass, Loitering

A student shall not be on school property or in a school building except to participate in the educational process of the District, nor shall a student loiter in building hallways, classrooms, bathrooms, etc.

Penalty - administrative intervention to expulsion.

20. Suspended Student On School Property Or Attending School Activities

A student, while on suspension, shall not enter onto District property without the permission of a building administrator.

Penalty - administrative intervention to expulsion.

21. Look-A-Like Weapons

A student shall not possess, attempt to 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 suspension.

22. 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.

ARTICLE I - STUDENT DISCIPLINE CONTINUED

23. Threats and Intimidation of Witnesses

A student shall not coerce, intimidate, or threaten any person who is participating in an investigation or disciplinary proceedings conducted under the Student Code of Conduct, nor shall a student take any action that is designed to coerce, intimidate, or threaten the person.

Penalty - suspension to expulsion.

24. Electronic Devices

A student shall not possess an electronic communication and/or media device which is turned on within a school building during the school day, except for health or other unusual reasons approved in advance by a building administrator. These items will be confiscated.

Penalty –administrative intervention to expulsion.

25. 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.

26. Fighting, Assault And/Or Battery on Another Person

A student shall not physically assault, cause, or behave in such a way as to cause or threaten to cause physical injury to a District personnel (including guest teachers and student teachers), students, volunteers, chaperones or other persons (e.g., fighting).

Penalty - suspension to expulsion.

27. Verbal Assault

A student shall not verbally assault District personnel (including guest teachers and student teachers), students, volunteers, chaperones or other persons. A verbal assault is words, tone or demeanor intended or reasonably perceived as threatening or menacing.

Penalty – suspension to expulsion.

28. Coercion, Extortion Or Blackmail

A student shall not commit or attempt to commit extortion, coercion, or blackmail. A student shall not secure, or attempt to secure, money or other items of value from an unwilling person, nor shall a student, by threats and/or violence, force another person to perform an unwilling act.

Penalty – administrative intervention to expulsion.

ARTICLE I - STUDENT DISCIPLINE CONTINUED

29. Fire/Explosion

A student shall not burn, or attempt to burn, any school building, structure or property; or intentionally set, or attempt to set, a fire on school property; or cause, or attempt to cause, an explosion. (See also numbered Paragraph 35 for Arson.)

Penalty – administrative intervention to expulsion.

30. Fireworks, Explosives, Chemical Substances

A student shall not possess, attempt to 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. (See also numbered Paragraph 34 for Firearms & Other Destructive Devices)

Penalty – administrative intervention to expulsion.

31. 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 – administrative intervention to expulsion.

32. Alcohol/Chemical Substances

A student shall not manufacture, sell, handle, possess, attempt to 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 (legal intoxication not required).

Penalty – administrative intervention to expulsion.

33. Personal Protection Devices

A student shall not possess, attempt to 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 – administrative intervention to expulsion.

34. Drugs, Narcotic Drugs And Counterfeit Substances

A student shall not manufacture, sell, possess, attempt to possess, use, deliver or transfer, or be under the influence (legal intoxication not required) of any drugs, narcotic drugs, marijuana, hallucinogen, stimulants, steroids, depressants or other controlled substances, or counterfeit substance, or a controlled substance analogue intended for human consumption, as defined in Article VII of the Public Health Code, being MCL 333.7101, et seq, or as defined in other Michigan or federal statute. If Article VII of the Public Health Code, being MCL 333.7101, et seq, is amended or repealed, then the definition of a drug, narcotic drug, controlled substance or counterfeit substance or a controlled substance analogue shall be as defined under then existing state or federal law.

ARTICLE I - STUDENT DISCIPLINE CONTINUED

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-Doz pills, cough medicines, laxatives, stomach or digestive remedies), nor shall a student use, possess, or attempt to possess, these substances for an improper purpose.

A student shall not sell or represent a legal substance as an illegal or controlled substance (e.g., selling No-Doz as "speed" or "crack") or sell, manufacture, possess, use, deliver or transfer "designer" drugs.

Penalty – administrative intervention to expulsion.

35. Dangerous Weapons

A student shall not possess, attempt to possess, handle or transmit a dagger, dirk, stiletto, knife, iron bar, brass knuckles, blackjack, baton, martial arts device, paintball or splat gun, or other object or instrument that can be considered or used as a weapon or is capable of inflicting bodily injury.

Penalty - for possessing, handling, or transmitting a knife with a blade under 3"; blackjack, baton, martial arts device, paintball or splat gun; or other object or instrument that can be considered or used as a weapon or is capable of inflicting bodily injury – administrative intervention to expulsion.

Penalty - for possessing, handling or transmitting a dagger, dirk, stiletto, or knife with a blade 3" or over in length; pocketknife opened by a mechanical device; iron bar; and/or brass knuckles - expulsion.

36. Firearms and Other Destructive Devices

A student shall not possess, attempt to possess, handle, or transmit a firearm, including a BB gun or pellet gun, or other destructive device. The term "firearm" means any weapon or starter gun designed to, or which can be converted to; expel a projectile by the act of an explosive; the frame or receiver of such weapon; or any firearm silencer or other destructive device. A destructive device includes any explosive, incendiary, or poison gas (I) bomb, (ii) grenade, (iii) rocket having a propellant charge of more than 4 ounces, (iv) missile having explosive or incendiary charge of more than 1/4 ounce, (v) mine, or (vi) any similar device. Destructive device also includes any type of weapon by whatever name known which will, or can be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than 1/2" in diameter; and any combination of parts either designed or intended for use in converting any device into any destructive device described above.

Penalty – suspension to expulsion.

37. Arson

A student shall not commit arson. Arson means a felony violation of Chapter 10 of the Michigan Penal Code, Act No. 328 of the Public Acts of 1931, being §§ 750.71 to 750.80 of the Michigan Compiled Laws.

Penalty - expulsion.

ARTICLE I - STUDENT DISCIPLINE CONTINUED

38. Criminal Sexual Conduct

A student shall not commit criminal sexual conduct. Criminal sexual conduct means a violation of §§ 520b, 520c, 520d, 520e, or 520g of Act No. 328 of the Public Acts of 1931, being §§ 750.520b, 750.520c, 750.520d, 750.520e, and 750.520g of the Michigan Compiled Laws.

Penalty –administrative intervention to expulsion.

39. Misconduct Prior to Enrollment

To protect the health and safety of students and employees and to prevent threatened disruption to the educational process, an otherwise eligible resident student may be disciplined on the basis of:

- ◆ a prior act of misconduct committed outside of school hours and/or off school premises when the student was not enrolled in the Northville Public Schools;
- ◆ a prior act constituting a gross misdemeanor and other acts of misconduct while the student was enrolled in another school district;
- ◆ if the act of gross misdemeanor or other misconduct would constitute a sufficient basis for suspension or expulsion had it occurred while the student was attending the Northville Public Schools.

Penalty – administrative intervention to expulsion.

40. Bullying

A student shall not engage in a series of actions which subjects, or is intended to subject, another person to any form of intimidation or ridicule. Single or isolated instances of conduct which would otherwise violate this provision are covered under other provisions of the Code of Conduct including, but not limited to, “Discriminatory Harassment”, “Threats and Intimidation of Witnesses”, Verbal Assault”, and/or “Coercion, Extortion or Blackmail”.

Penalty – administrative intervention to expulsion.

41. Gambling

A student will not engage or attempt to engage in gambling activities. Any attempt to initiate or join in a gambling activity will result in administrative action.

Penalty – administrative intervention to expulsion.

ARTICLE II - DUE PROCESS PROCEDURE

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 District's regular educational program. Discipline in the form of administrative intervention is solely within the discretion of the building principal or his/her designee, and is not subject to the procedures of due process as provided in this Student Code of Conduct.

If a student charged with violation of this Code of Conduct has been returned to the regular school program pending a decision by either the building administrator, hearing officer, Superintendent, or the 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 building administrator, hearing officer, Superintendent or Board of Education.

The initial judgment that a student has engaged in a prohibited act under this Student Code of Conduct shall be made by the building administrator.

B. Suspension Of Ten School Days Or Less

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

1. The administrator shall inform the student of the charges against him/her and provide an explanation of the evidence the administrator possesses.
2. The student shall be provided an opportunity to explain to the administrator 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 or 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 in subparagraphs a. and b. above.

If after providing the student with his/her due process rights, the administrator determines that the student has engaged in a prohibited act under this Student Code of Conduct, then he/she may impose a disciplinary penalty of a suspension not to exceed ten (10) school days.

The building administrator, or his/her designee, shall directly inform (in person or by phone) the student's parent of the suspension, including an explanation of the reasons and conditions of the suspension. A district "Student Suspension Notice" is to be completed, with copies going to the parent and the student's file.

C. Suspension For Eleven Or More School Days And Expulsion

1. If, after his/her investigation, the building administrator decides that a suspension for eleven or more school days or expulsion is warranted, the student and the parent(s) or guardian shall be notified, in writing, of:

ARTICLE II - DUE PROCESS PROCEDURE CONTINUED

- a) the charges against the student;
- b) the recommended disciplinary action;
- c) the fact that a hearing will be held before an impartial school employee (i.e., hearing officer);
- d) the time place, location and procedures to be followed at the hearing;
- e) the right to appeal any adverse decision of the hearing officer if the hearing officer recommends expulsion.

If the building administrator decides that the student's presence in school would present a danger to the student himself or to other students, school personnel or the educational process, then the student shall be suspended pending the decision of the hearing officer. If the student would not present a danger as described above, the student may be returned to school pending the decision of the hearing officer.

If the student is suspended pending a decision of the hearing officer, the Superintendent or designee shall appoint the hearing officer and schedule the hearing to commence within ten (10) school days following the initial suspension of the student. The time lines for commencement of the hearing may be extended upon the request of the administrator, student, parent(s) or guardian for cause approved by the hearing officer.

2. The hearing before a hearing officer will be held for the purpose of determining the truth or falsity of the charges against the student and, if the charges are true, the appropriate disciplinary measure unless:

The student and/or his/her parent(s) or guardian notify the school district that they waive their right to a hearing before a hearing officer. In such cases, the principal's recommended disciplinary penalty shall be imposed. Provided, however, if the recommended penalty is expulsion, the Board of Education will nevertheless make the final decision on expulsion, but the decision will be based upon information submitted to it by appropriate school officials;

The hearing officer may amend the principal's charges upon motion of the administrator, student, parent(s) or guardian, or attend 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.

3. The hearing officer's decision shall be given orally to the student and parent(s) or guardian not later than two (2) school days after the close of the hearing and a written decision shall be mailed not later than four (4) school days after the close of the hearing. These time lines, however, may be extended by the hearing officer due to extenuating circumstances.

ARTICLE II - DUE PROCESS PROCEDURE CONTINUED

If the hearing officer's decision imposes a suspension, then the decision of the hearing officer shall be final and not subject to further appeal. If the hearing officer's decision recommends expulsion, the student and/or his/her parent(s) or guardian may appeal the hearing officer's decision to the Board of Education.

4. If an appeal of the hearing officer's expulsion decision is going to be made to the Board of Education, the student and/or his/her parent(s) or guardian must file the appeal in writing with the Superintendent within five (5) calendar days (excluding weekends) following receipt of the hearing officer's written decision.

If the hearing officer's decision recommends expulsion and a timely appeal is not made, the Board of Education will nevertheless make the final decision on expulsion, but the decision will be based upon information submitted to it by appropriate school officials.

Upon receipt of a timely appeal by the student and/or his/her parent(s) or guardian, the Superintendent or his/her designee shall notify the student and parent(s) or guardian of the time, place, location and procedures to be followed at the Board of Education meeting. The Superintendent or his/her designee shall determine, based upon the record and decision of the hearing officer, whether the student should be suspended pending the decision of the Board of Education.

Upon a timely appeal, the Board of Education shall consider the decision and record made before the hearing officer and shall provide for a meeting to take place for the purpose of allowing the administration and the student, parent(s) or guardian to present oral argument in support of, or in opposition to, the hearing officer's decision. The Board of Education may permit the administration or student, parent(s) or guardian to introduce in the appeal meeting newly discovered material evidence that could not, with reasonable diligence, have been discovered and presented at the hearing before the hearing officer.

The Board, no later than at its next regular public meeting following the meeting with the student, parent(s) or guardian, shall make a decision and shall, not later than seven (7) business days following the public meeting, mail to the student, parent(s) or guardian a written notice of the decision.

ARTICLE III - MISCELLANEOUS PROVISIONS

A. Voluntary Agreements Of Discipline

At any time during the disciplinary proceedings, the Superintendent or his/her designee may enter into a written contract with the student and/or his/her parent(s) or guardian setting forth the parties' agreement in settlement of the disciplinary charges. In such cases, the written agreement shall be final and binding and may not be later challenged by the Superintendent or his/her designee or the student and/or his/her parent(s) or guardian.

B. Suspended/Expelled Students On School Property Or Attending School Activities

A suspended or expelled student who enters onto school property without the permission of a building administrator shall be deemed to be trespassing. Suspended or expelled students may not attend school activities at any site without permission of a building administrator.

C. Disabled/Handicapped Students

Although disabled students are covered by the provisions of this Student Code of Conduct, the time limitations set forth in the due process procedures may be temporarily suspended or enlarged by the District to assure compliance with federal and state laws governing the discipline of disabled students.

ARTICLE IV – MISCONDUCT PRIOR TO ENROLLMENT

A. Suspension/Expulsion

To protect the health and safety of students and employees and to prevent threatened disruption to the educational process, an otherwise eligible resident student may be suspended or expelled on the basis of:

- a prior act of misconduct committed outside of school hours and/or off school premise when the student was not enrolled in the Northville Public Schools;
- a prior act constituting a gross misdemeanor, and other acts of misconduct, while the student was enrolled in another school district;
- if the act of gross misdemeanor or other misconduct would constitute a sufficient basis for suspension or expulsion had it occurred while the student was attending the Northville Public Schools

B. Due Process Procedures

1. Step One.

The building administrator, with the consent of the Superintendent of Schools, or his/her designee, shall make the initial judgment if a student's prior misconduct is of sufficient gravity that the student's presence in school would represent a threat to the health and safety of other students and/or school personnel or threaten disruption to the educational process.

If the initial judgment is that the student's presence in school represents such a threat, the student shall be temporarily suspended from school and the student and the parent(s) or guardian shall be notified of:

1. the prior act of misconduct relied upon by the building administrator which forms the basis for his/her decision to deny attendance;
2. the building administrator's recommendation regarding the suspension or expulsion of the student;
3. the fact that a hearing will be held before an impartial school employee (i.e., hearing officer);
4. time, place, location and procedures to be followed at the hearing;
5. the right to appeal any adverse decision of the hearing officer if the hearing officer recommends expulsion.

ARTICLE IV – MISCONDUCT PRIOR TO ENROLLMENT CONTINUED

The student and/or his/her parent(s) or guardian may waive their right to a hearing before the hearing officer. In such cases, the principal's recommended disciplinary penalty of suspension or expulsion, as the case may be, shall be imposed.

2. Step Two.

If the due process hearing is not waived, the hearing officer shall convene a hearing for the purpose of determining if the student's prior act of misconduct is an act of gross misdemeanor or other misconduct which would constitute a sufficient basis for suspension or expulsion had it occurred while the student was attending the Northville Public Schools. If the prior act would be of sufficient basis, and the student's presence in school would represent a threat to the health and safety of other students and/or school personnel or threaten a disruption to the educational process, then the hearing officer shall decide the appropriate disciplinary penalty.

The hearing officer may amend the principal's charges upon motion of the building administrator 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 recommended by the building administrator.

The hearing officer's decision shall be given orally to the student and parent(s) or guardian not later than two (2) business days after the close of the hearing, if possible, and a written decision shall be mailed not later than four (4) business days after the close of the hearing.

If the hearing officer's decision recommends expulsion, the student and/or his/her parent(s) or guardian may appeal the hearing officer's decision to the Board of Education.

3. Step Three.

If an appeal is going to be made to the Board of Education concerning the hearing officer's decision, the student and/or his/her parent(s) or guardian must file an appeal in writing with the Superintendent within five (5) calendar days following receipt of the hearing officer's written decision.

If a timely appeal is not made, then the decision of the hearing officer regarding suspension shall be final and not subject to further appeal. If the hearing officer's decision recommends expulsion and a timely appeal is not made, the Board of Education will nevertheless make the final decision on expulsion, but the decision will be based upon information submitted to it by appropriate school officials.

Upon receipt of a timely appeal by the student and/or his/her parent(s) or guardian, the Superintendent shall notify the student and parent(s) or guardian of the time, place, location and procedures to be followed at a Board hearing. The Superintendent shall determine, based upon the record made before the hearing officer, whether the student should be suspended pending the decision of the Board of Education.

Upon a timely appeal, the Board of Education shall review the decision and record made before the hearing officer and shall provide for a meeting to take place for the purpose of allowing the student, parent(s) or guardian to present oral argument why they disagree with the hearing officer's decision and to present any additional evidence which could not have been presented at the hearing before the hearing officer.

ARTICLE IV – MISCONDUCT PRIOR TO ENROLLMENT CONTINUED

The Board, no later than at its next regular public meeting following the meeting with the student, parent(s) or guardian, shall make a decision and shall, not later than seven (7) business days following the public meeting, mail to the student, parent(s) or guardian a written notice of the decision.

C. Voluntary Agreements of Discipline

At any time during the due process proceedings, the Superintendent or his/her designee may enter into a written contract with the student and/or his/her parent(s) or guardian, setting forth the parties' agreement and settlement of the matters. In such cases, the written agreement shall be final and binding and may not be later changed by the Superintendent or his/her designee or the student and/or his/her parent(s) or guardian.

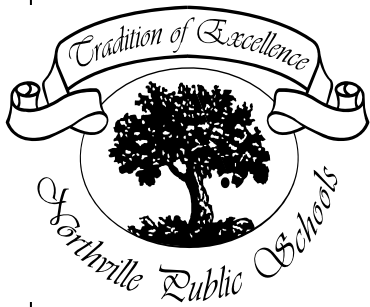
D. Administrative Procedures

The administration shall implement procedures to ensure, to the extent practical, that students, upon enrollment, have not committed an act of gross misdemeanor, or other misconduct, prior to attending the Northville Public Schools, which gross misdemeanor or misconduct would represent a threat to the health and safety of students and/or employees or threaten disruption to the educational process.

E. Disclosure Of Information At Time Of Enrollment

At time of enrollment, a student, parent(s) or guardian shall not give false or incomplete information, or fail to disclose information, relative to a student's prior act of gross misdemeanor, or other misconduct. A violation will result in disciplinary proceedings being initiated against the student.

Adopted: August 1979
Revised: August 1980
Revised: August 1987
Revised: August 1993
Revised: July 11, 1994
Revised: September 23, 1996
Revised: May 26, 1998
Revised: February, 2004
Revised: June, 2007
Revised: May, 2008



Northville Public Schools

**ANNUAL NOTIFICATIONS
TO PARENTS
2009-2010**



ANNUAL NOTIFICATIONS

Contained in this document are important notifications Northville Public Schools is obligated to communicate to parents/guardians at the beginning of each school year. Please review this information.

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Family Educational Rights and Privacy Act (FERPA)

Education records of students attending the Northville Public School district (the District) are safeguarded by federal legislation entitled, “Family Educational Rights and Privacy Act of 1974” (FERPA). FERPA states the following:

- Parents, guardians, and/or eligible students 18 years of age or older may have access to that student’s educational records.
- Parents who are not married may have access to their child’s records unless specifically prohibited by a court order on file in the child’s school.
- Parents, guardians, and/or eligible students wishing to read a child’s Personal Cumulative File should contact the principal’s office.

While the law does allow for the disclosure of personally identifiable information from education records in certain circumstances, parents, guardians, students over the age of 18, and former students over the age of 18 also have the right to consent to the disclosure of such information. Information from the files may be disclosed without consent in accordance with applicable law.

Examples of when information may be disclosed include:

- Parents, guardians, and/or eligible students request that information be released to specific parties or organizations.
- To certain state and federal officials, courts, etc. under circumstances specified in the school district’s regulations
- To protect the health and safety of the student.
- To officials of another school district, upon request, in which a student seeks or intends to enroll.

Pursuant to federal law and regulation, the District may allow school officials to have access to education records without the consent of a parent, guardian or eligible student. A school official is: any District Board Member or employee or other individual acting on behalf of the district such as: an attorney, a contractor, a volunteer, a consultant, a therapist, a committee member, a vendor, or their employees; whom the District’s administration determines to have a legitimate educational interest in the records. A legitimate educational interest is any interest which furthers the best interests of the student(s) involved, or assists the District in providing educational services.

As an ongoing procedure to protect the rights of students by maintaining educationally relevant information in the files, administrators initiate periodic reviews of file information. These reviews will take place prior to transfer to a new school within or outside of the District, and at high school graduation, and may include the destruction of data which is no longer educationally relevant.

In addition, federal regulations allow a school district to publish certain information without securing specific authorizations each time if parents, guardians and/or eligible students are informed in advance that this information, known as directory information, will be released. If parents, guardians and/or eligible students do not want such information made public, the principal should be informed and the information will be withheld. In Northville Public Schools, directory information includes the following:

The Student's . . .

- Name
- Address and telephone listing
- Electronic mail address
- Date and place of birth
- Major field of study
- Dates of attendance
- Grade level
- Enrollment status
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Degrees, honors and awards received
- Most recent educational agency or institution attended

In addition, the District is required to provide military recruiters, upon request, with names, addresses and telephone listings of secondary students unless parents, guardians and/or eligible students advise the District that they do not want this information disclosed without their prior written consent.

Parents, guardians, and/or eligible students who believe that an educational record is inaccurate, misleading, or violates the student's rights may request in writing that the record be amended or destroyed. If the request is refused, the parents, guardians and/or eligible students have a right to a hearing.

Parents, guardians, and/or eligible students also have the right to file a complaint with the U.S. Department of Education concerning any alleged failure of the school district to comply with the federal FERPA/1974.

The federal government maintains an office which will assist with such complaints. The telephone number is: 202-260-3887. The mailing address is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington DC 20202-5280.

Notice of Asbestos in School Buildings

Each school building has been inspected for asbestos-containing materials. A copy of the Building Inspection and Management Plan for each building is available in the building's main office. The plan may be inspected by the public and employees during normal business hours. A copy of the plan will be made available upon request for a nominal fee. This notice is published in compliance with the Asbestos Hazard Emergency Response Act.

Civil Rights

Parents/guardians who wish to file a complaint or believe any of their Federal or State rights have been violated (including nondiscrimination under Title II, Title VI, Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, Americans with Disabilities Act, and Section 504 of the Rehabilitation Act of 1973) should contact the Director of Human Resources at 248-344-8451, or

visit the Office of Human Resources at 501 West Main Street, Room 311, during regular business hours (8:00 – 4:30).

Drug Free Environment/Protection

The Board of Education recognizes that the misuse of drugs is a serious problem with legal, physical, and social implications for the entire school community. In accordance with the Federal and State law, the Board establishes a “Drug-Free School Zone” that extends 1000 feet from the boundary of any school property. The Board prohibits the use, possession, concealment, delivery, or distribution of any drug or any drug-related paraphernalia at any time on District property, with the Drug-Free Zone, or at any District-related event. Further, the Superintendent and his/her designee shall take the necessary steps to ensure that an individual eighteen (18) years of age or older who knowingly delivers or distributes controlled substances so designated and prohibited by Michigan statute within the Drug-Free School Zone to another person is prosecuted to the fullest extent of the law.

Nondiscrimination in Education

The Board of Education declares it to be the policy of this District to provide an equal opportunity for all students, regardless of gender, religion, race, color, national origin or ancestry, age, disability, marital status, and/or any other legally protected characteristic, to learn through the curriculum offered by the District. Any parent/guardian/student, who believes their rights under this policy have been violated, should contact the Civil Rights Compliance Officer, (the Director of Human Resources) at 248-344-8451, or visit the Office of Human Resources at 501 West Main Street, Room 311, during regular business hours (8:00 – 4:30).

Parental Inspection of Instructional Materials

Parents have the right to inspect, upon request, any instructional material used as part of the educational curriculum of the student. The parent will have access to the instructional materials within a reasonable period of time after the request is received by the building principal. The term “instructional material” means instructional content that is provided to a student, regardless of its format, including printed and representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible though the Internet). The term does not include academic tests or assessments.

School Property

The Board acknowledges the need for in-school storage of student possessions and shall provide storage places, including desks and lockers for that purpose. Where lockers are provided for such places, students may lock them against incursion by other students, but in no such places shall students have an expectation of privacy as to prevent examination by a school official.

The Board also authorizes the use of canines, trained in detecting the presence of drugs or devices, when the Superintendent has reasonable suspicion that illegal drugs or devices may be present in a school. This means of detection shall be used only to determine the presence of drugs in locker areas and other

places in the school where such substances could be concealed. Canine detection must be conducted in collaboration with law enforcement authorities or other certified organizations and is not to be used to search students unless either a warrant or parental permission has been obtained.

Search and Seizure

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

Section 504 of the Rehabilitation Act of 1973

This legislation prohibits discrimination against handicapped individuals. Students, who don't qualify as handicapped under special education law, including those with ADHD, may have rights under Section 504. They may meet the functional definition of handicapped under Section 504 and may require modifications to their regular education program in order to have equal education opportunities.

If you believe your child may qualify under Section 504, please contact Lynne Mossoian, Director Special Services, 248-344-8443.

Student Privacy and Parental Access to Information

The Board of Education respects the privacy rights of parents and their children. No student shall be required as a part of the school program or the District's curriculum, without prior written notification of the student, (if an adult or an emancipated minor) or, if an un-emancipated minor, his/her parents, to submit to or participate in any survey, analysis, or evaluation that reveals information concerning:

- Political affiliations or beliefs of the student or his/her parents;
- Mental or psychological problems of the student or his/her family;
- Sex behavior or attitudes;
- Illegal, anti-social, self-incriminating or demeaning behavior;
- Critical appraisals of other individuals with whom respondents have close family relationships;
- Legally-recognized privileged and analogous relationships, such as those of lawyers, physicians and ministers;
- Religious practices, affiliations or beliefs of the student or his/her parents; or
- Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such a program).

This requirement also applies to the collection, disclosure or use of student information for marketing purposes ("marketing surveys"), and certain physical exams and screenings.

Parents have the right to inspect, upon request, a survey or evaluation created by a third party before the survey/evaluation is administered or distributed by the school to the student. The parent will have access to the survey/evaluation within a reasonable period of time after the request is received by the building principal.