A COMMUNITY OF EXCELLENCE

Student Code of Conduct

Revised 5-23-17
CODE OF CONDUCT

ATTENDANCE POLICY
The Board of Education requires all students enrolled in the schools of this District to attend school regularly in accordance with the laws of the State. The District's educational program is predicated upon the presence of the student and requires continuity of instruction and classroom participation. The regular contact of students with one another in the classroom and their participation in a well-planned instructional activity under the tutelage of a competent teacher are vital to this purpose.

Excusable Reasons for Absence
The District accepts only the following as excusable reasons for absence from school. Each absence shall be explained through communication by the student’s parent. The excuse shall be recorded through the District attendance data base. The excuse shall be submitted to the principal and filed as part of the student's school record.

Communication for an absence from school may be approved for one (1) or more of the following conditions:

A. Personal Illness
   A doctor’s confirmation may be required for absences of five consecutive days or more; a doctor’s confirmation is needed for the provision of homebound services.

B. Death of a Relative

C. Observance of Religious Holidays
   Any student shall be excused for the purpose of observing a religious holiday consistent with his/her creed or belief.

D. Absence During the School Day for Professional Appointments
   Parents are to be encouraged to schedule medical, dental, legal, and other necessary appointments other than during the school day. Since this is not always possible, when a student is to be absent for part of the day the student shall have a statement to that effect from his/her parents or the professional

E. Family Emergency
   The principal or designee may require a statement to that effect from his/her parent or guardian.

Truancy
A student shall be considered truant when their absence is unexcused. Absence is defined as not being present in the assigned location any time beyond the tardiness limit.
Truancy demonstrates a deliberate disregard for the educational program and is considered as a serious matter. Administrative action taken will be as follows:

A. A record of the truancy will be entered in the student's record file.
B. A parent conference may be held.
A student shall be considered a "habitual truant" when, in spite of repeated school interventions and/or his/her parent's efforts to ensure attendance, s/he has accumulated ten (10) or more full days of unexcused absences (SID definition).

The disciplining of truant students shall be in accord with Board policies and due process, as defined in Policy 5611 and the Student Code of Conduct. All habitually truant students and their parents will be reported to the Truancy Office of Oakland County

Encouraging Attendance
Promoting and fostering desired student attendance habits requires a commitment from the administration, faculty, and parents. No single individual or group can - in and of itself - successfully accomplish this task. A professional staff member's responsibility must include, but not be limited to:

A. providing meaningful learning experiences every day:
Therefore, a student who is absent from any given class period would be missing a significant component of the course.

B. keeping accurate attendance records (excused vs. unexcused).

Make-Up Opportunities
A student may make-up missed assignments when the following occurs:

A. Students will be given the opportunity for making up work missed due to approved absences. The length of time for completion of make-up work shall be commensurate with the length of the absence, unless otherwise documented in the individual student education plan.

B. Students will be given the opportunity to make-up work missed due to suspension. The make-up work must be completed and presented to the teacher upon his/her return to school. Tests missed during the period of suspension may be made up in an appropriate time frame. The teacher may administer the test or assign alternate written work in lieu of the test missed.

A. ELEMENTARY SCHOOLS
1. Teacher classroom attendance records must be maintained daily according to School District policy and State of Michigan child accounting procedures.
2. Teachers shall take attendance daily in all classes. A master absence list will be compiled daily and used to check student attendance each class period.
3. Contact will be made with parents or guardians whose children are frequently absent and/or tardy.
4. Excessive absences [ten (10) or more] will result in a letter sent from the principal and/or designee to the parents and/or legal guardians to express concern for poor attendance.
5. If excessive absences continue [fifteen (15) or more], the school principal and/or designee will request a conference with the parents or guardians. If deemed appropriate by the principal and/or designee, the student will develop an attendance action plan/contract.
6. If the absence pattern persists [twenty (20) or more], the family will be referred to an external agency, such as Royal Oak Youth Assistance or juvenile authorities.
Excessive Absences/Tardiness
Excessive absences or tardies of [ten (10) or more] during the school year shall result in progressive action:

Progressive Steps for Excessive Absence/Tardiness

Step 1 Principal will contact parent by phone or letter to identify the problem and to solicit additional information.

Step 2 Principal will contact parent by phone or letter to set up meeting. The principal will document a plan for improvement. The principal will make a referral to an external agency, such as Youth Assistance, if appropriate.

Step 3 Principal will notify the District Pupil Accounting Office before referring the parent and student to the Truancy Office of Oakland County.

Step 4 Attendance officer or designee files in juvenile court for parent neglect due to nonattendance.

Progressive Steps for Leaving Early

Step 1 Principal documents and contacts parents to discuss the problem and to solicit additional information.

Step 2 Principal sends home letter to the parent to contact principal’s office to set up meeting. Parent meeting is held with principal.

Step 3 Principal arranges for second parent meeting. Principal makes a referral to external agency, such as Youth Assistance.

Step 4 Principal arranges for third parent meeting.

B. MIDDLE SCHOOL

1. Teacher classroom attendance records must be maintained daily according to School District policy and State of Michigan child accounting procedures.
2. Teachers shall take attendance daily in all classes. A master absence list will be compiled daily and used to check student attendance each class period.
3. Contact will be made with parents or guardians whose children are frequently absent and/or tardy.
4. Excessive absences [ten (10) or more] will result in a letter sent from the principal and/or designee to the parents and/or legal guardians to express concern for poor attendance.
5. If excessive absences continue [fifteen (15) or more], the school principal and/or designee will request a conference with the parents or guardians. If deemed appropriate by the principal and/or designee, the student will develop an attendance action plan/contract.
6. If the absence pattern persists [twenty (20) or more], the family will be referred to an external agency, such as Royal Oak Youth Assistance or juvenile authorities.
7. Students are expected to be on time for school and in the classroom at the assigned start times. An unexcused tardy will be recorded when a student enters class after the start time without an excused pass. Students, who demonstrate a pattern of tardiness, are subject to progressive discipline as assigned by the school principal and/or designee.
   i. A pattern of tardiness may involve multiple instances of being tardy to a single class or a pattern of tardiness across the day. Tardiness will be addressed consistently as a student learning issue.
   ii. Consequences related to tardiness will begin with student conference and may result in an attendance action plan/contract, detention, and other progressive actions.
8. The Middle School building principal and/or designee shall act as the attendance officer in the building to which she/he is assigned.

C. HIGH SCHOOL

1. Each teacher, for all assigned classes, must maintain an accurate accounting of each student’s attendance, including dates and the number of days a student is absent during each semester. Teacher classroom attendance records must be maintained according to established School District policy and State of Michigan student accounting procedures.
2. Student attendance and tardiness will be recorded on each student’s report card. In addition, student attendance records will be accessible online. Upon confirmation of truancy, or when deemed necessary by the building administration, a parent conference may be required to review reasons for absences, student performance, potential for school success, and conditions for potential loss of credit.

3. Documentation: Parents must initiate a telephone call on the day of the absence or provide a written note on the day of return indicating a reason for each student absence. If one parent has been awarded custody of the student by the courts, the parent of custody shall provide the school with a copy of the custody order and inform the school in writing of any limitations in the rights of the non-custodial parent. Absent such notice, the school will presume that the student may be released into the care of either parent. Absences shall be considered authorized or excused if they result from:
   a. Personal illness, family illness or family emergency.
   b. Participation in school-sponsored activities will be recorded as school related and not considered to be an absence under this policy.
   c. Students who have authorized absences for any of the reasons stated above may make up classroom work by making arrangements with the teacher(s). Normally at least one day for each day of excused absence will be permitted for makeup work. Absences for unauthorized reasons or unconfirmed by parent communication will be considered as unexcused.

4. Penalties: Detentions may be assigned for unexcused absences.
5. All unexcused absences will result in a zero or no credit on assignments/assessments.
6. Parents have up to 48 hours to excuse an absence.
7. Excessive absences may result in a truancy referral.

DISCIPLINE, ACADEMIC PROBATION AND READMISSION POLICIES

The school is a part of the total community. School rules and regulations are established for the protection of the rights of all of its members. Violations of school rules and regulations are cause for action as described herein.

The rules and policies of Royal Oak Schools apply to any student who is on school property or school-affiliated transportation, which is in attendance at school or at any school-sponsored activity, or whose conduct at any time or place interferes with the operations, discipline, or general welfare of the school, regardless of location, date or time.

A. LEGAL BASIS FOR SCHOOL DISCIPLINE
   • MCL 380.1311 (1): “… the school board, or the school district superintendent, a school building principal, or another school district official if designated by the school board, may authorize or order the suspension or expulsion from school of a pupil guilty of gross misdemeanor or persistent disobedience if, in the judgment of the school board or its designee, as applicable, the interest of the school is served by the authorization or order.”
   • MCL 380.1312(8) of the Revised School Code: “A local or intermediate school district or a public school academy shall develop and implement a code of student conduct and shall enforce its provisions with regard to student misconduct in a classroom, elsewhere on school premises, on a school bus or other school-related vehicle, or at a school sponsored activity or event whether or not it is held on school premises.”

B. TYPES OF DISCIPLINARY ACTION
   1. Suspension, up to ten school days (also see section C)
      a. Suspension from school and/or class shall be for a period not to exceed ten school days.
      b. Action for suspension up to 5 days may be taken by the building principal and/or designee.
      c. Action for suspension 6 to 10 days must have the approval of the Superintendent or designee.
      d. A student may be suspended for a violation of school rules or regulations.
      e. Parents and/or legal guardians and the student, if 18 years of age, shall be notified of suspension by phone and in writing. A re-entry conference with student and parent is strongly recommended. The need for such conference will be determined by the building administrator.
      f. Suspensions of six or more instructional days will be reported to the Superintendent or designee’s office.
2. **Removal from school pending action of the Board of Education (also see section C)**
   a. The Superintendent or the Superintendent’s designee may, independently or upon recommendation of the principal, remove a student from school for up to 10 school days pending an investigation into a violation of the code of conduct or action for long-term suspension or expulsion by the Board of Education.
   b. Parents and/or legal guardians and the student, if 18 years of age, shall be notified by certified mail.
   c. The Superintendent or designee shall notify the Board of Education of the student’s suspension in writing with recommendation for action.

3. **Long-term suspension for a definite period, in excess of 10 school days (also see Section C).**
   a. Suspension from school/class assignments is for a specified period greater than 10 school days.
   b. This action may be taken by the Board of Education only after an opportunity for hearing is given.
   c. Causes for suspension for a definite period are those defined in the Royal Oak Schools Code of Conduct and/or Michigan School Code.
   d. School administration shall recommend cases for suspension for a definite period to the Board of Education through the Superintendent.
   e. If the school administration recommends a student for suspension for a definite period, parents and/or legal guardians and the student, if 18 years of age, shall be notified by first class mail or in person at least 48 hours before the scheduled hearing with the board (see C for additional information regarding notification).
   f. The Board of Education is vested with final authority in all cases of suspension for a definite period in excess of ten (10) school days.
   g. A conference with the parent, student and school administration will occur at the end of the suspension before the student returns to school at the end of a long-term suspension. The parents and/or legal guardians, and the student, if 18 years of age, shall be notified of the decision of the Board of Education by the Superintendent or designee.

4. **Withdrawal before Board of Education disciplinary action may be authorized by the Superintendent and is to be interpreted as follows:** (Withdrawal is not an option when mandatory expulsion is required under the Revised School Code.)
   a. **Student under age 16** – separation from school for a period not to exceed one hundred eighty (180) school days with consent of his/her parents or legal guardians AND written notice to Juvenile Court.
      **Student age 16 or older** – separation from school for a period not to exceed one hundred eighty (180) school days with consent of his/her parents or legal guardians.
   b. Disciplinary action shall be held in abeyance during the period of withdrawal. Student shall petition in writing for readmission and shall be readmitted upon the recommendation of the readmission committee and Board of Education approval. The decision regarding a readmission requests shall be communicated by letter. Upon determination by the principal that there has not been satisfactory elimination of the cause for withdrawal, the matter shall be referred to the Board of Education with the recommendation of the Superintendent.
   c. Parents and/or legal guardians and the student, if 18 years of age, shall receive written notification of the decision.

5. **Expulsion (also see section C.)**
   a. Expulsion means permanent removal from school and exclusion from school district programs and facilities by action of the Board of Education.
   b. This action may be taken by the Board of Education only after a hearing is conducted.
   c. Causes for expulsion are those defined in the Michigan School Code.
   d. The school administration shall recommend cases for expulsion to the Board of Education through the Superintendent.
e. Parents and/or legal guardians and the student, if 18 years of age, shall be given notice as in paragraph 3e above.

f. The Board of Education is vested with final authority in all cases of expulsion.

C. State Law, Long Term Suspensions, and Expulsions

380.1310c. Restorative practices as alternative or in addition to suspension or expulsion; definitions (for full text, click [here](#))

1. A school board or its designee shall consider using restorative practices as an alternative or in addition to suspension or expulsion under this act. If a school board or its designee suspends or expels a pupil under this act, the school board or its designee shall consider using restorative practices in addition to suspension or expulsion. If a school board or its designee decides not to suspend or expel a pupil for a disciplinary issue, the school board or its designee shall consider using restorative practices to address the disciplinary issue.

2. Restorative practices may include victim-offender conferences that are initiated by the victim; that are approved by the victim's parent or legal guardian or, if the victim is at least age 15, by the victim; that are attended voluntarily by the victim, a victim advocate, the offender, members or the school community, and supporters of the victim and the offender; and that provide an opportunity for the offender to accept responsibility for the harm caused to those affected by the misconduct and to participate in setting consequences to repair the harm. The attendees, known as a restorative practices team, may require the pupil to do one or more of the following: apologize; participate in community service, restoration, or counseling; or pay restitution. The selected consequences shall be incorporated into an agreement that sets time limits for completion of the consequences and is signed by all participants. Restorative practices should be the first consideration to remediate offenses such as interpersonal conflicts, bullying, verbal and physical conflicts, theft, damage to property, class disruption, and harassment and cyberbullying.

380.1310d: Suspension or expulsion of pupil; factors; exercise of discretion; rebuttable presumption; section inapplicable for possession of firearm in weapon free school zone; consideration of factors mandatory; definitions.

(1) Before suspending or expelling a pupil under section 1310, 1311(1), 1311(2), or 1311a, the board…, shall consider each of the following factors:

   (a) The pupil's age.

   (b) The pupil's disciplinary history.

   (c) Whether the pupil is a student with a disability.

   (d) The seriousness of the violation or behavior committed by the pupil.

   (e) Whether the violation or behavior committed by the pupil threatened the safety of any pupil or staff member.

   (f) Whether restorative practices will be used to address the violation or behavior committed by the pupil.

   (g) Whether a lesser intervention would properly address the violation or behavior committed by the pupil.

(2) Except as provided in subsection (3), this section applies to give the board of a school district… discretion over whether or not to suspend or expel a pupil under section 1310, 1311(1), 1311(2), or 1311a. In exercising this discretion with regard to a suspension of more than 10 days or an expulsion, there is a rebuttable presumption that a suspension or expulsion is not justified unless the board or board of directors, or its designee, can demonstrate that it considered each of the factors listed under subsection (1). For a suspension of 10 or fewer days, there is no rebuttable presumption, but the board or board of directors, or its designee, shall consider each of the factors listed under subsection (1).

(3) This section does not apply to a pupil being expelled under section 1311(2) for possessing a firearm in a weapon free school zone.
(4) Except as provided in subsection (3), consideration of the factors listed in subsection (1) is mandatory before suspending or expelling a student under section 1310, 1311(1), 1311(2), or 1311a. The method used for consideration of the factors is at the sole discretion of the board of a school district or intermediate school district or board of directors of a public school academy, or its designee.

(5) As used in this section:

(a) "Expel" means to exclude a pupil from school for disciplinary reasons for a period of 60 or more school days.

(b) "Firearm" means that term as defined in section 1311.

(c) "Suspend" means to exclude a pupil from school for disciplinary reasons for a period of fewer than 60 school days.

(d) "Weapon free school zone" means that term as defined in section 1311.

380.1311: Suspension or expulsion of pupil (abridged; click [here](#) for entire section).

(1) Subject to subsection (2), the school board, or the school district superintendent, a school building principal, or another school district official if designated by the school board, may authorize or order the suspension or expulsion from school of a pupil guilty of gross misdemeanor or persistent disobedience if, in the judgment of the school board or its designee, as applicable, the interest of the school is served by the authorization or order. If there is reasonable cause to believe that the pupil is a student with a disability, and the school district has not evaluated the pupil in accordance with rules of the superintendent of public instruction to determine if the pupil is a student with a disability, the pupil shall be evaluated immediately by the intermediate school district of which the school district is constituent in accordance with section 1711.

(2) Subject to subsection (3) and section 1310d, if a pupil possesses in a weapon free school zone a weapon that constitutes a dangerous weapon, commits arson in a school building or on school grounds, or commits criminal sexual conduct in a school building or on school grounds, the school board, or the designee of the school board as described in subsection (1) on behalf of the school board, shall expel the pupil from the school district permanently, subject to possible reinstatement under subsection (6). However, a school board is not required to expel a pupil for possessing a weapon if the pupil establishes in a clear and convincing manner at least 1 of the following:

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

(b) The weapon was not knowingly possessed by the pupil.

(c) The pupil did not know or have reason to know that the object or instrument possessed by the pupil constituted a dangerous weapon.

(d) The weapon was possessed by the pupil at the suggestion, request, or direction of, or with the express permission of, school or police authorities.

(3) There is a rebuttable presumption that expulsion under subsection (2) for possession of a weapon is not justified if both of the following are met:

(a) The school board or its designee determines in writing that at least 1 of the factors listed in subsection (2) (a) to (d) has been established in a clear and convincing manner.

(b) The pupil has no history of suspension or expulsion.
D. PROCEDURE FOR LONG-TERM SUSPENSION OR EXPULSION, INCLUDING STATE MANDATED EXPULSIONS

When a long-term suspension or expulsion is recommended, an opportunity for a hearing before the Board of Education shall be given to the affected student. Written notice of such opportunity for hearing shall be sent to the student, parents, and/or legal guardians at their last known address according to school records by first class mail at least 48 hours prior to the date set for hearing, or such shall be hand delivered to the students, parents, and/or legal guardians at least 48 hours prior to the start of the meeting. The written notice shall include the following:

- Specific charge(s) against the student, including the specific provisions (Attach copies of the relevant portions of the Student Code of Conduct and Board policy)
- Brief statement of facts as determined by the school’s investigation. Proposed punishment, including length of proposed disciplinary removal
- Date, time, and location of hearing
- Description of the hearing procedures including any rights to appeal the decision (Attach Board policy or relevant portion of the Student Code of Conduct describing the hearing procedures)
- Notice of student and parent right to review education records. Name and contact information of appropriate school staff member, should the parent or student have any questions

The Board of Education shall take action on the recommendation as it may judge appropriate.

The hearing may be held in open or closed session at the choice of the student, the student’s parents and/or legal guardians. The student shall be entitled to such representation by legal counsel as the student, the parents and/or legal guardians desire to provide at their expense and to present information or to call upon witnesses pertinent to the disposition of hearing matters.
E. **READMISSION FOR EXPELLED STUDENTS** (including students expelled from school districts other than Royal Oak Schools and State Mandated expulsions)

**a. Petition for Reinstatement**

The parents of a student enrolled in grades 5 or below at the time of the expulsion who was expelled for possession of a dangerous weapon or for threatening another person with a dangerous weapon may petition the Board of Education for the student’s reinstatement after the student has been expelled for at least 60 school days. The Board of Education may not reinstate the student until the student has been expelled for at least 90 school days. The parents of a student enrolled in grades 5 or below at the time of the expulsion who was expelled for criminal sexual conduct or arson, or any other gross misdemeanor or, persistent disobedience, may petition the Board of Education for the student’s reinstatement at any time. The Board of Education may not reinstate the student until the student has been expelled for at least 10 school days.

The parents of a student enrolled in grades 6 or above at the time of any mandatory expulsion under Sec. 1311(2), or expulsion for any other gross misdemeanor or persistent disobedience, or the student if the student is over 18, may petition the Board of Education for reinstatement after the student has been expelled for at least 150 school days. The Board of Education may not reinstate the student until the student has been expelled for at least 180 school days.

**b. Upon receipt of a petition for reinstatement, the District shall do the following:**

i. At the yearly organizational meeting, the Board shall approve a Re-admission committee.

ii. No later than ten (10) school days after receiving a petition for reinstatement, the Re-admission Committee* shall meet with the student, parents or legal guardian and review the petition for reinstatement and any supporting information submitted by the student, parents, or legal guardian.

iii. The Superintendent may prepare and submit for consideration by the committee, information concerning the circumstances of the expulsion and any factors mitigating for or against reinstatement. The committee shall prepare a recommendation for the unconditional reinstatement or conditional reinstatement, or against reinstatement, and shall include an explanation of the reasons for the recommendation and of any recommended conditions for reinstatement.

**c. Criteria for Reinstatement**

The designated committee and the Board of Education shall consider at least the following factors when a petition for reinstatement is submitted:

i. whether the reinstatement would create a risk of harm to other students or school personnel;

ii. whether reinstatement would create a risk of School District or individual liability for the School Board or School District personnel;

iii. the age and maturity of the individual;

iv. the individual’s school record before the incident that caused the expulsion;

v. the individual’s attitude concerning the incident that caused the expulsion;

vi. the individual’s behavior since expulsion and the prospects for remediation of the individual;

vii. the degree of cooperation and support from the individual’s parents or legal guardians (if the petition was filed by a parent or guardian) as well as any support which may be expected from a parent or guardian, if the expelled student is reinstated, including, but not limited to, receptiveness toward possible conditions placed on the reinstatement.

viii. petitions for reinstatement from students expelled by the Board of Education or another school district shall not be processed if that student has not first submitted a petition for reinstatement to the expelling Board. This School District will only consider reinstatement, to the extent required by law, upon receiving written verification of the denial of the student’s petition for reinstatement by the expelling Board.
d. Conditions of Reinstatement:
The School Board may require an expelled student (and if the petition was filed by a parent or legal guardian, the parent or legal guardian) to agree in writing to specific conditions before reinstating the student. These conditions may include, but are not limited to:
   i. signing a behavior contract;
   ii. participation in or completion of an anger management program or other appropriate counseling (at the expelled student’s expense);
   iii. periodic progress reviews; and
   iv. specific immediate consequences for failure to abide by any conditions of reinstatement.

e. Reinstatement
If the School District decides to reinstate an expelled student, those who were in grade 5 and below at the time of expulsion shall not be reinstated before the expiration of 90 school days subsequent to the date of expulsion, unless a longer period of expulsion is required pursuant to the Federal Gun-Free Schools Act.

The Superintendent may submit his or her own recommendation to the Board of Education, in conjunction with the designated committee’s recommendation, to modify the permanent expulsion requirement (on a case-by-case basis) to a period of time not less than 90 school days. Individuals in grade 6 or above at the time of expulsion shall not be reinstated before the expiration of 180 school days after the date of expulsion.

F. CLASS SUBJECT AND ACTIVITY SUSPENSIONS
A teacher under contract with Royal Oak Schools may suspend a student from class, subject or activity when a student engages in any of the following types of conduct during the class, subject or activity.
   a. Physically fighting.
   b. Engaging in conduct that threatens to incite violence or seriously threaten the safety of students and/or school personnel. Any student suspended pursuant to this policy shall not be allowed to return to the class, subject, or activity from which he or she was suspended until the passage of one full school day from the time of the student’s infraction unless otherwise permitted by the teacher who ordered the suspension. Students attending separate class periods throughout the school day may be permitted during the term of the suspension to attend other classes taught by other teachers at the discretion of the building administrator.

G. STUDENT IDENTIFICATION
Each student enrolled in high school shall be issued a student identification card which should be upon the student’s person at all times while the student is on school premises. The student identification card must be produced on the request of any School District teacher or other personnel or any other person authorized by law or by the school principal to deal with matters of student behavior or discipline.

H. ELECTRONIC DEVICES
Students are allowed to possess electronic communication devices on school property; however, such devices shall not be used in a manner that disrupts school activities or events. Any device found to be used for any illegal purpose or used in a manner that violates the Student Code of Conduct may be confiscated pending parent conference. Where appropriate, police authorities may be contacted.

I. SCHOOL LOCKER SEARCH
Student lockers and desks are school property and remain at all times under the control of Royal Oak Schools. Students assume full responsibility for the security of their lockers and desks. Students should not expect privacy regarding any item placed in school property because school property is subject to search at any time by school officials. Periodic general inspections of lockers and desks may be conducted by school authorities for any reason, at any time, without notice, without student consent, and without a search warrant.
DISCIPLINARY STEP SYSTEM

Discipline shall be administered with the expectation that students will learn from their mistakes. Therefore, consideration should be given to provide the optimum learning from each infraction or misdemeanor. The disciplinary consequences of a student’s misconduct will be determined by the nature and severity of the misconduct and/or the student’s prior disciplinary history. These steps are guidelines for providing consistency and equity for administering consequences for students charged with the same level of misconduct; they are not necessarily progressive steps in a sequential process. The nature and severity of the misconduct and/or the student’s prior disciplinary history will be considered in determining the step assigned.

The rules and policies of Royal Oak Schools apply to any student who is on school property or school-affiliated transportation, who is in attendance at school or at any school-sponsored activity, or whose conduct at any time or place interferes with the operations, discipline, or general welfare of the school, regardless of location, date, or time.

DISCIPLINE STEPS

Step 1 Administrative conference with the student that will include reviewing the disciplinary policy, procedure, and notification that the next infraction of rules may result in action on at least the second step. The student’s parents shall be notified (please document).

Step 2 An administrative conference with student and parent.

Step 3 Suspension for One to two-day (short term)*

Step 4 Suspension for Three to four-day (short term).*

Step 5 Suspension for Five-day (short term).*

Step 6 Suspension for Six to ten-day *(with superintendent or designee approval)

Step 7 Recommendation for long-term suspension (longer than 10 days) and/or recommendation for permanent expulsion for misconduct not included in Step 8. Approval of the recommendation requires a Board of Education hearing.

Step 8 Recommendation for permanent expulsion for possession of a dangerous weapon, arson, criminal sexual conduct, or physical assault of a district employee, volunteer, or contractor. Approval of the recommendation requires a Board of Education hearing.

Note: As used above, all references to days are days of student instruction rather than calendar days.

The following acts of misconduct will be reported to law enforcement: This list is not intended to be exhaustive, and includes, but is not limited to the following:

• Armed Student or Hostage
• Arson
• Bomb Threat
• Bus Incident and Accident
• Death or Homicide
• Drive-by Shooting
• Drug Possession or Drug Sale
• Explosion
• Illegal Drug Use or Overdose
• Intruders
• Larceny
• Minor in Possession of Alcohol or Tobacco
• Physical Assault or Fights
• Robbery or Extortion
• Sexual Assault (Criminal Sexual Conduct)
• Speeding or Reckless Driving
• Suicide Attempt
• Suspected Armed Student
• Threat of Suicide*
• Unauthorized Removal of Student
• Vandalism or Destruction of Property
• Weapons on School Property
CATEGORIES OF MISCONDUCT
To establish the best possible learning atmosphere for the student, as well as to provide for the health, safety, and welfare of all students and employees of Royal Oak Schools, the following categories of misconduct have been adopted along with guidelines for consequences when a student engages in such misconduct. These standards of conduct apply to all students for all activities of the District. This list is not intended to be exhaustive, and includes, but is not limited to the following:

**Alcohol/Drug/Chemical Consumption and/or Possession**
Use, possession, or under the influence of alcoholic beverages, controlled or illegal drugs* (legal intoxication not required). Willful misuse of medication or abuse of other substances, including over-the-counter treatments or products (e.g. inhaling glue or aerosol can contents) that result in or could result in intoxicating effects.

Elementary School, Steps 2-5       Middle School, Steps 3-6       High School, Steps 3-6

**Alcohol/Drug/Chemical Sale or Distribution**
Selling, supplying, or arranging for the sale or supply of alcoholic beverages, illegal drugs,* drug paraphernalia, or “look-alike substances” that are misrepresented as drugs to another person. *Illegal drugs include, but are not limited to, cocaine, heroin, marijuana, steroids and any other illegal substance.

Elementary School, Steps 3-7       Middle School, Step 7       High School, Step 7

**Arson/Burning**
The term burn as used in this paragraph shall mean setting fire to, or doing any act which results in the starting of a fire, or aiding, counseling, inducing, persuading or procuring another to do such act or acts.

Elementary School, Steps 3-7       Middle School, Steps 3-7       High School Steps 3-7

**Arson/Felony (State Mandatory Expulsion)**
“Arson” means a felony violation of MCL 750.71 et seq.

Elementary School, Step 8       Middle School, Step 8       High School, Step 8

**Assault – Physical – Pupil to Pupil**
Intentionally causing or attempting to cause physical harm to another person through force or violence.

Elementary School, Steps 3-5       Middle School, Steps 3-7       High School, Steps 3-7

**Assault – Physical against an Employee, Volunteer or a Person Contracted by the District (State Mandatory Expulsion)**
Intentionally causing or attempting to cause physical harm to a district employee, volunteer or contractor through force of violence.

Elementary School, Steps 2-7       Middle School, Step 8       High School, Step 8

**Bomb Threat**
The act of communicating any kind of notice of a bomb threat (or any other destructive or disruptive threat) directed at a school building, other school property, or a school-related event.

Elementary School, Steps 2-5       Middle School, Steps 2-7       High School, Steps 3-7
**Bullying**
Any gesture, or written, verbal, graphic, or physical act that are repetitive and targeted (including electronically transmitted acts – i.e. internet, cell phone, personal digital assistant (PDA), or wireless handheld device) that is reasonably perceived as being motivated either by an actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression; or a mental, physical, or sensory disability or impairment; or by another distinguishing characteristic.

Elementary School, Steps 1-5    Middle School, Steps 2-6    High School, Steps 2-6

**Cheating**
Plagiarizing, gaining unauthorized access to, and copying another’s work.

At all grade levels, administrative conference will occur. Grade change and/or loss of credit may occur with administrative recommendation

**Coercion/Extortion**
Obtaining money, property, or favors from an unwilling person or forcing an individual to act by either physical force or intimidation.

Elementary School, Steps 1-3    Middle School, Steps 1-5    High School, Steps 1-5

**Criminal Acts**
Any act or omission (of an act) in violation of a public law forbidding or commanding it.

Elementary School, Steps 3-7    Middle School, Steps 3-7    High School, Steps 3-7

**Disruption of School**
Behavior that obstructs or disrupts the educational process.

Elementary School, Steps 1-3    Middle School, Steps 1-4    High School, Steps 1-4

**Dress**
Dress will be appropriate and will not disrupt the educational process.

Elementary School, Steps 1-2    Middle School, Steps 1-3    High School, Steps 1-3

**Electronic Communication Devices**
Electronic communication devices: Electronic communication devices shall be regulated by policy (see section G above). Such devices shall not be used in a manner that disrupts school activities or events and should only be used in classroom settings with explicit teacher or staff permission.

Elementary School, Steps 1-3    Middle School, Steps 1-3    High School, Steps 1-3

**False Allegations**
Intentional reporting of false information that the student knew was false or had no reasonable basis to believe was true.

Elementary School, Steps 1-2    Middle School, Steps 1-5    High School, Steps 1-5
**False Fire Alarm**
Tampering with a fire alarm box, system, or firefighting equipment when no emergency exists. Knowingly making a false fire alarm, either orally or by activating a mechanical or electrical alarm.

Elementary School, Steps 3-5  Middle School, Steps 3-5  High School, Steps 3-5

**Fighting**
The act of engaging in hostile physical contact with another individual.

Elementary School, Steps 2-3  Middle School, Steps 3-5  High School, Steps 3-5

**Fireworks, Explosives, Chemical Substances**
Possession of any explosive or incendiary device or noxious or dangerous chemical, including, without limitation, dynamite, bombs, gunpowder, fireworks, bleach, ammonia, or other substances that are considered caustic or dangerous.

Elementary School, Steps 2-4  Middle School, Steps 2-6  High School, Steps 2-6

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

Elementary School, Steps 1-2  Middle School, Steps 2-4  High School, Steps 2-4

**Gambling**
Playing games of chance for money or stakes.

Elementary School, Steps 1-3  Middle School, Steps 1-4  High School, Steps 1-4

**Harassment**
Inappropriate conduct that is repeated enough or serious enough to negatively impact a student’s educational, physical or emotional well-being. This would include harassment based on characteristics, such as, sex, race, color, national origin, religion, height, weight, marital status, sexual orientation, sexual identity, or disability. This includes, but is not limited to any harassment that would negatively impact students such as stalking, bullying, name-calling, taunting, hazing and other disruptive behaviors.

Elementary School, Steps 1-5  Middle School, Steps 2-6  High School, Steps 2-6

**Hazing**
See district policy for definition of hazing. (This policy applies “regardless of whether the hazing is done with or without the consent of the person or persons hazed”).

Any intentional, knowing, or reckless act meant to induce physical pain, embarrassment, humiliation, deprivation of rights or that creates physical or mental discomfort, and is directed against a student for the purpose of being initiated into, affiliating with, holding office in, or maintaining membership in any organization, club, or athletic team sponsored or supported by the District and whose membership is totally or predominately other students from the District.

Soliciting, encouraging, aiding, or engaging in “hazing” on or in any school property at any time, or in connection with any activity supported or sponsored by the District, whether on or off school property, is
strictly prohibited. Any employee or student of the District aware of the planning or occurrence of hazing activities is required to notify the appropriate District administrator immediately. * See MCL 750.411t

Elementary School, Steps 1-2          Middle School, Steps 2-5          High School, Steps 2-7

**Inciting**
The act of instigating or prompting others into action that violates any of the school policies or procedures. Planning or pre-arranging any action, which violates any of the school policies or procedures.

Elementary School, Steps 1-3          Middle School, Steps 2-4          High School, Steps 2-4

**Insubordination**
Actions undermining the effectiveness and/or authority of school personnel. Refusing to comply with reasonable requests of any school employee or school volunteer.

Elementary School, Steps 1-3          Middle School, Steps 1-4          High School, Steps 1-4

**Profane or Obscene Language (or Indecency)**
Insulting or obscene gestures or words toward anyone either verbally, in writing, with photographs or drawings electronically or in any other manner. Conduct that is contrary to commonly recognized standards of decency and behavior, which includes obscenity, or the use of language in verbal or written form, or in pictures, or in a caricature or gesture, which are offensive to the general standards of propriety.

Elementary School, Steps 1-3          Middle School, Steps 1-4          High School, Steps 1-4

**Repeated and Consistent Violation of Rules and Regulations**
Continuous and consistent violation of the established rules and regulations that disrupt the educational process, the classroom or school.

Elementary School, Steps 3-7          Middle School, Steps 3-7          High School, Steps 3-7

**Sexual Conduct – Criminal (State Mandatory Expulsion)**
Any act of sexual misconduct in violation of section 520b, 520c, 520d, 520e, or 520g of the Michigan Penal Code is prohibited.

Elementary School, Step 8              Middle School, Step 8              High School, Step 8

**Sexual Misconduct**
Any sexual activity, consensual or nonconsensual, includes indecent exposure.

Elementary School, Steps 2-5          Middle School, Steps 2-7          High School, Steps 2-7

**Smoking/Tobacco Use or Possession of Tobacco and/or Electronic Cigarettes**
The use and/or possession of any tobacco products or e-cigarettes as defined in board policy.

Elementary School, Steps 2-3          Middle School, Steps 3-4          High School, Steps 3-4

**Technology Violation of the Policy (See signed technology use agreement)**
Any unauthorized, illegal, inappropriate, offensive or immoral use of District-owned technology.

Elementary School, Steps 1-3          Middle School, Steps 1-6          High School, Steps 1-7
**Theft or Possession of Stolen Articles**
The taking, holding, or use of personal property of another without the owner’s permission.

Elementary School, Steps 1-3  Middle School, Steps 2-5  High School, Steps 2-5

**Threat - Verbal**
A communication by a student directed at another person that, in the judgment of administration, is hostile and threatens to do harm to another person or to property.

Elementary School, Steps 1-3  Middle School, Steps 1-6  High School, Steps 1-6

**Trespassing or Loitering**
Being in an unauthorized place or lingering about school property, refusing to leave when directed to do so by school personnel.

Elementary School, Steps 1-3  Middle School, Steps 1-4  High School, Steps 1-4

**Unsafe Driving Practices on School Property**
Operating a motor vehicle so as to endanger the safety, health or welfare of others on school property or in adjacent public areas.

Possible loss of parking privileges.

**Vandalism/Damage to Property**
Willful destruction or defacement of property belonging to the school district or personal property of others.

Elementary School, Steps 1-3  Middle School, Steps 2-5  High School, Steps 2-5

**Weapon Look-Alike/Replica**
Possession of any item or object that might be mistaken for a real weapon.

Elementary School, Steps 1-3  Middle School, Steps 3-4  High School, Steps 3-7

**Weapon/Dangerous (State Mandatory Expulsion)**
For purposes determining whether the student is subject to mandatory expulsion under the Revised School Code, a dangerous weapon is defined as a “firearm, dagger, dirk, stiletto, knife with blade over three (3) inches in length, pocket knife opened by a mechanical device, iron bar, or brass knuckles” or other devices designed to or likely to inflict bodily harm, including, but not limited to, air guns and explosive devices.

Elementary School, Step 8  Middle School, Step 8  High School, Step 8
EQUAL EDUCATION OPPORTUNITY (NON DISCRIMINATION/TITLE IX)
It is the policy of Royal Oak Schools to provide an equal education opportunity for all students.

Any person who believes that s/he has been discriminated against on the basis of his/her race, color, disability, religion, gender, or national origin, while at school or a school activity should immediately contact the School District’s Compliance Officer listed below:

Royal Oak Schools Compliance Officer
Patrick Wolynsk, Executive Director for Staff & Student Services
800 Devillen
Royal Oak, MI 48073
248-435-8400

Complaints will be investigated in accordance with the procedures as described in Board Policy 2260. Any student making a complaint or participating in a school investigation will be protected from any threat or retaliation. The Compliance Officer can provide additional information concerning equal access to educational opportunity.

SEXTING
Balancing the Law, Teens and Technology
“Sexting” the act of sending sexually explicit messages or photos electronically, primarily between cell phones. “Sexting” is a practice that may bring teens into the criminal justice system.

A conviction for a sexual offense has serious consequences which include registering as a sex offender. Sending nude or explicitly photos of any minor may be considered and prosecuted as trafficking in child pornography. Even if “sexting” does not result in judicial system intervention, the impact can last a lifetime.

Before You Hit “Send”
Don’t assume that anything you send or post is going to remain private – it won’t.

Your messages and images will get passed around, even if you think they won’t. Forty percent of teens and young adults say they have had a sexually suggestive message (originally meant to be private) shown to them and 20% say they have shared such a message with someone other than the person for whom it was originally meant.

You can’t change your mind once you send or post a photo in cyberspace.

Something that seems fun and flirty and is done on a whim can never really be retracted. Potential employers, college recruiters, teachers, parents, families, enemies, strangers, and others may all be able to find your past posts, even after you delete them. It is nearly impossible to control what other people are posting about you. Think about it: even if you have second thoughts and delete a racy photo, there is no telling who has already copied the photo and posted it, or forwarded it, somewhere else.

Don’t give into the pressure to do something that makes you uncomfortable, even in cyberspace.

More than 40% of all teens and young adults say that pressure from guys is a reason that girls and young women send and post sexually suggestive messages and images. More than 20% of all teens and young adults say “pressure from friends” is a reason that guys send and post sexually suggestive messages and images.
Consider the recipient’s reaction.

Just because a message is meant to be fun doesn’t mean the person who gets it will see it that way. Four in ten teen girls who have sent sexually suggestive content say they did so as a joke, but many teen boys (29%) agree that girls who send such content are “expected to date or hook up in real life.” It’s easier to be more provocative or outgoing online, but whatever you write, post or send does contribute to the real life impression you’re making.

Nothing is truly anonymous.

Nearly one in five young people who send sexually suggestive messages and images send them to people that they only know online (18% total). It is important to remember that even if someone only knows you by screen name, online profile, phone number, or email address, they can probably find you if they try hard enough.

**Tips for Parents**

Talk to your kids about what they’re doing in cyberspace. Make sure they fully understand that messages or pictures they send over the internet or their cell phones are not truly private and that those pictures may be forwarded to people they don’t know. It’s important that you help your kids understand the potential short-term and long-term consequences of their actions.

Know who your kids communicate with online, both on the computer and on their cell phone. Supervising and monitoring your kids in real life and in cyberspace doesn’t make you a nag; it is part of your job as a parent. Beware of what your teens are posting on social networking sites. This isn’t snooping; this is information your kids are making public. If everyone else can view it, why shouldn’t you?

Set expectations; make sure you are clear with your teen about what you consider appropriate behavior. Just as certain clothing is off-limits for your child, or certain language is deemed unacceptable for your child to use, make sure your child knows what not acceptable online behavior is.

**The Law:**

In Michigan, the act of creating, soliciting, possessing, or distributing sexually explicit photos of a minor under 18 is a felony (MCL 750.145c). These photos can be sent between computers or cell phones – it makes no difference. The inquiry is whether the photo depicts someone under 18; the medium and the age of the creator, requestor, sender, recipient, or possessor are irrelevant. The potential criminal penalty is significant incarceration and registration on the Sex Offender Registry.

There are other crimes that can be committed with computers and cell phones. They include, but are not limited to:

- Accosting, enticing, or soliciting child under 16 for an immoral purpose (sexual intercourse, act of gross indecency, or delinquency) MCL 750.145a.
- Installing a device to observe, photograph, or eavesdrop on a person where the person has an expectation of privacy (exception for home security systems). MCL 750.539d
- Using a phone to threaten physical harm or damage to a person or property in the course of a conversation or message. MCL 750.540e

(Used with permission of the Weld County District Attorney’s Office, Greeley, CO. Information was taken from a national survey entitled “Sex and Tech,” a combined endeavor between The National Campaign to Prevent Teen and Unplanned Pregnancy and CosmoGirl.com)