

Eau Claire Community Schools

Student Code of Conduct



2014-2015

INTRODUCTION

The Eau Claire Community School District endeavors through its educational environment and programs to provide opportunities and experiences that assist each student in becoming a responsible, self-controlled individual capable of and willing to assume and fulfill his or her role as a participating citizen. An aspect of this growing-up process is to respect rules and regulations of conduct in the school community. One of the major responsibilities of both home and school is to help each student to learn the art of self-discipline, an art that leads to self-respect, an ingredient essential for a successful and happy adult life. To accomplish this, it is necessary to establish and require adherence to a well-defined standard of acceptable behavior. The school in itself is a miniature community, and the rules and regulations are established for the protection of the rights of all members of that community. Violations of school rules and regulations that are harmful to the rights and privileges of others cannot be tolerated.

The discipline policy that follows is based on humanitarian principles and ideals and recognizes the dignity and worth of each student. The primary purpose of these rules, policies and procedures is to provide a school atmosphere where everyone can participate in the process of learning in an environment that is reasonable, orderly, safe and conducive to teaching and learning. The purpose of the policies and procedures contained here are to present not only guidelines for responsible student citizenship, but to provide a systematic, consistent approach to handling violations of these policies that may arise in the school setting. The immediate objective of school discipline is to provide for student growth in abilities, attitudes and habits essential to acceptable and self-controlled behavior in life.

Interventions Short of Administrative Action

Because students spend most of their school time in the classroom setting, and the classroom teacher is primarily responsible for control and discipline in the classroom, this discipline policy only becomes utilized after corrective measures attempted by the classroom teacher have been ineffective. A teacher may utilize various strategies to help a disruptive student grow into more positive behavior. Some of those strategies may include, but are not limited to:

1. Discuss the behavior with the child, causing the child to reflect on his/her choices.
2. Incorporate positive reinforcement techniques in an effort to improve the behavior.
3. Provide supervised time-out sessions for the student.
4. Remove privileges, such as recess or special events.
5. Hold phone conferences with the parents seeking help in rectifying the situation.
6. Discuss or conference with the school counselor.
7. Discuss with the school administrator and the child.
8. Require a detention after school.
9. Other items the teacher/administration determine as appropriate.

It is the expectation of parents and staff that students will mature in their ability to control their behavior as they grow older. This discipline policy seeks to help students understand this concept through a progressive “step system” of discipline. If administrative action is determined to be appropriate for addressing a student’s behavior, then that action could result in the student’s suspension or expulsion from school. The following Code of Conduct has been developed through research, discussions with teachers, administrative staff and Board of Education members.

TABLE OF CONTENTS

- I. Disciplinary Step System
- II. Disciplinary Procedures
- III. Short Term Suspension Appeal Procedures
- IV. Long Term Suspension / Expulsion Procedures
- V. Appendix A – Miscellaneous Provisions

I. DISCIPLINARY STEP SYSTEM

- A. The disciplinary steps listed below shall be followed in the administration of disciplinary action. The steps are designed to:
1. Provide the student with a program that includes ample opportunity for modification of the negative behavior.
 2. Provide consistency in the administration of disciplinary action - i.e., a fair program in that all students charged with the same level of misconduct will receive the same disciplinary action.
 3. Provide for clearly stated, advance knowledge to all students, parents, and staff members of the course of action to be taken in handling disciplinary matters.
 4. Provide a program that is progressive (moderate to most severe action).
- B. The steps shall be administered under the following conditions:
1. Generally, interventions shall be taken prior to administrative disciplinary action. However, in cases of serious misconduct, interventions may occur simultaneously with administrative disciplinary action. Placement on the step system will be proportionate to the severity of the misconduct.
 2. Once a student is placed on the disciplinary steps, the student may, during the current school year, move to succeeding steps for each occurrence of misconduct. Movement on the steps will be proportionate to the severity of the misconduct.
 3. In recognition of good behavior, students' placement on the step system may be reduced one step when their behavior results in no administrative action, in accordance with the following schedule.
 - a. The student's placement on the step system shall be reduced one step for each consecutive thirty (30) school days at the high school level, twenty (20) at the middle school, and fifteen (15) school days at the elementary level without misconduct requiring disciplinary action as described in this policy.
 4. With the start of a new school year, students who were placed on the step system in the prior year will return without any steps on their record. However, penalties to be served resulting from the prior school year step placement will be served within the first two (2) week period of the new school year.
- C. Legal Basis for School Discipline
1. Michigan School Code of 1976, Article 2, Part 16, Sections 380.1300, 380.1311
 2. Various Court rulings which further define the role of the Board, administration and staff of schools.
 3. Appendix A attached identifies additional areas of legal authority.
- D. Disciplinary Steps-description applicable to all schools.
- | | |
|--------|--|
| Step 1 | Administrative conference with the student to include review of the disciplinary policy and procedures and notification that the next infraction of rules will result in action on at least the 2nd step. The student's parents shall be notified of the conference, and a copy of the step system and related penalties shall be sent to the parents. |
| Step 2 | Student/parent/administrative conference (can be done by phone) |
| Step 3 | One-day (short-term) suspension |
| Step 4 | Two-day (short-term) suspension |
| Step 5 | Three-day (short-term) suspension |
| Step 6 | Five-day (short-term) suspension |
| Step 7 | Seven-day (short-term) suspension |
| Step 8 | Ten-day (short-term) suspension |

- Step 9 Recommendation for long-term suspension and/or expulsion for misconduct not including possession of a dangerous weapon, arson or criminal sexual conduct.
- Step 10 Mandatory expulsion for possession of dangerous weapon, arson or criminal sexual misconduct, physical assault on a school employee/volunteer/contractor (for students in grade six or above).

PLEASE NOTE:

For Steps 3 through 5, the building administrator may invoke the option of having the student serve suspension days through the in-school suspension program. Days are school days, not calendar days.

E. Acts of Student Misconduct For Which Suspension and/or Expulsion May Be Appropriate Disciplinary Action

The Board of Education hereby establishes the following categories of misconduct, which may result in suspension or expulsion from the Eau Claire Community School District. These categories are generally descriptive of the most obvious types of misconduct and are not considered as all inclusive, or as a limitation upon the authority of school officials to deal appropriately with any other types of conduct which interfere with the good order of the school system, or the proper functioning of the educational process.

Misconduct	Initial Disciplinary Action By Level			
	Elementary K-1	Elementary 2-5	Middle School	High School
1. Failure to follow approved school and classroom rules which are consistent with Board policies and administrative procedures.	After a minimum of three (3) but not more than five (5) infractions for which interventions have been taken and recorded (one of which will be a parent contact), a student will be placed on Step 1-2.	After a minimum of three (3) but not more than five (5) infractions for which interventions have been taken and recorded (one of which will be a parent contact), a student will be placed on Step 1-2.	Step 1-2*	Step 2-3*
Insubordination, disrespect, or disregard of verbal instruction or direction of school personnel.	Step 1-5	Step 1-5	Step 1-5	Step 2-5
* Following proper interventions, including a parent contact.				
2. Open, persistent defiance of the authority of a staff member	Step 1-8	Step 2-8	Step 2-8	Step 2-8
3. Closed Campus - Skipping (Not adhering to Closed Campus policy: leaving the school building without authorization during scheduled class,	Step 1-3	Step 1-3	Step 3-5	Step 3-5

Misconduct	Initial Disciplinary Action By Level			
	Elementary K-1	Elementary 2-5	Middle School	High School
passing or lunch periods.				
Skipping Classes on Campus	Step 1-3	Step 1-3	Step 3-4	Step 3-4
4. Unauthorized entry, trespassing, loitering.	Step 1-3	Step 1-3	Step 1-3	Step 2-4
Acts of being in an unauthorized place/lingering aimlessly in or about school or forced entry of an area without authorization, refusing to leave when directed to do so by school personnel.	Step 1-6	Step 1-6	Step 3-6	Step 3-8
		Law enforcement authorities may be notified in cases of this misconduct.		
5. Assault and/or battery (Verbal and/or non-verbal threats and/or acts of physical violence).	Step 1-9	Step 1-9	Step 1-9	Step 2-9
		Law enforcement authorities may be notified in cases of this misconduct.		
6. Larceny – petty theft. (Any theft of money or personal or public property and/or any theft involving unlawful entry, including lockers, desks, etc.)	Step 1-6	Step 1-9	Step 1-9	Step 2-9
		Law enforcement authorities may be notified in cases of this misconduct.		
* Restitution and repair or replacement of damaged property, and/or removal of computer privileges and/or possible loss of credit for the course or removal from the activity.				
7. Extortion – Blackmail. (Obtaining money, property or favors as a result of intimidation without use of a weapon	Step 1-3	Step 1-3	Step 1-5	Step 3-6

Misconduct	Initial Disciplinary Action By Level				
	Elementary K-1	Elementary 2-5	Middle School	High School	
Gambling **	Step 1-3	Step 1-3	Step 2-6	Step 3-8	
		Law enforcement authorities may be notified in cases of this misconduct.			
** Playing or betting, or operation of a game of chance, a contest or other event with the hope of gaining some personal or financial advantage.					
8.	Offensive speech/displays. Speech, communication, and displays which tend to disrupt the orderly conduct of the educational process, including, but not limited to:				
	A. Indecency. The act of offending commonly recognized standards of good taste; including the use of vulgar acts, obscenities, gestures, or inappropriate displays of affection or sexual contact, or symbols.				
	B. Racial or ethnic slurs and/or intimidation.				
	C. Inappropriate Sexual Behavior: verbal or non-verbal sexual innuendo, obscene gestures, leering, unwanted sexual advances or contact. Examples include: sexual remarks or suggestions, unsolicited and unwelcome flirtations, advances or propositions, graphic or degrading comments about a student's appearance, dress or anatomy, touching another's clothing or person, verbal abuse with sexual connotations, display of sexually suggestive objects or pictures, dirty jokes or offensive gestures, and conversation regarding sexual matters which are too personal.				
	D. Sexual Harassment: a pattern of unsolicited and unwelcome inappropriate sexual behavior (see 8C above). Sexual Harassment may consist of direct or indirect behavior toward an individual.				
	E. Illegal messages, displays which advocate or glamorize behavior which is illegal for students, such as alcohol, tobacco use, gang affiliation, or images from an electronic source or from texting.				
	F. Display, possession, distribution, sharing of any drawings, graphics, video, printed material of an obscene or violent nature (such as gun and weapons catalogs, bomb making information, magazines supporting violence).				
	Incidental, not specifically directed toward another person	Step 1-3	Step 1-4	Step 2-4	Step 2-5
	Specifically directed toward another person, which has the tendency to disrupt the orderly conduct of the educational process.	Step 1-4	Step 1-9	Step 2-9	Step 2-9
9.	Bullying: a pattern of abuse over time and not isolated or a singular incident. Bullying may consist of direct and/or indirect behavior against an individual(s), as defined by Board policy.	Step 1-9	Step 1-9	Step 1-9	Step 2-9
		Law enforcement authorities may be notified in cases of this misconduct.			

Misconduct**Initial Disciplinary Action By Level****Elementary
K-1****Elementary
2-5****Middle School****High
School**

-
10. Fighting. The act of physical violence or quarreling, including bodily contact, in and on school property, going to and from school, including any activity under school sponsorship, i.e. dances, athletic events, field trips, etc. Spontaneous incident – if one student initiates physical contact and the other student does not respond with physical contact, the second student does not have to be placed on the step system.

- | | | | | | |
|----|--|----------|----------|----------|----------|
| A. | Incitement (The act of inciting or prompting others to action.) | Step 1-3 | Step 1-4 | Step 1-8 | Step 3-9 |
| B. | Spontaneous incident | Step 1-3 | Step 1-8 | Step 1-8 | Step 5-9 |
| C. | Planned, prearranged fight | Step 1-4 | Step 4-8 | Step 4-9 | Step 6-9 |
| D. | Gang fighting – i.e., three (3) or more students involved in the same fight. | Step 1-8 | Step 5-8 | Step 5-9 | Step 7-9 |

Law enforcement authorities may be notified in cases of this misconduct.

- | | | | | | |
|-----|--|----------|----------|----------|----------|
| 11. | Possession or use of fire-works and explosives, including stink bombs, bomb bags and bottle bombs. | Step 2-9 | Step 2-9 | Step 2-9 | Step 5-9 |
|-----|--|----------|----------|----------|----------|

Possession or use of explosives or incendiary devices that have potential to do great bodily harm or great physical damage.	Step 9	Step 9	Step 9	Step 9
---	--------	--------	--------	--------

Possession or use of matches or lighters.	Step 1-4	Step 1-4	Step 2-4	Step 2-5
---	----------	----------	----------	----------

- | | | | | | |
|-----|-----------------------------------|----------|----------|----------|----------|
| 12. | Possession of drug paraphernalia. | Step 2-4 | Step 2-4 | Step 2-6 | Step 5-8 |
|-----|-----------------------------------|----------|----------|----------|----------|

Consumption, possession or under the influence of alcoholic beverages, controlled substances, alleged drugs, or inhalants without prescription on school property, school owned vehicles or at school events. This includes look-alikes and such items as low or no-alcoholic beverages (O'Doule's, Sharp's, etc.)	Step 3-5	Step 3-5	Step 5-9	Step 6-9
--	----------	----------	----------	----------

Law enforcement authorities may be notified in cases of this misconduct.

Misconduct	Initial Disciplinary Action By Level			
	Elementary K-1	Elementary 2-5	Middle School	High School
13. Delivery or receipt of alcohol. (The act of delivering, receiving, purchasing, selling, supplying or arranging for the delivery, receipt, purchase, sale or supply of alcohol on school property, in school owned vehicles, or at school events. This includes look alike items and beverages advertised as low or no alcohol, such as O'Doule's, Sharp's, etc.)	Step 3-5	Step 3-5	Step 5-9	Step 6-9
			Law enforcement authorities may be notified in cases of this misconduct.	
14. Delivery or receipt of controlled or alleged controlled substances or prescription medications as set forth in Article 12. (The act of delivering, receiving, purchasing, selling, supplying or arranging for the delivery, receipt, purchase, sale or supply of controlled or alleged controlled substances on school property, in school owned vehicles, or at school events.)	Step 6-7	Step 6-7	Step 9	Step 9
			Law enforcement authorities may be notified in cases of this misconduct.	
Delivery or receipt of over-the-counter drugs or medications. The act of selling, supplying or arranging for the sale or supply of over-the-counter drugs or medications on school property, school owned vehicles, or at school events.	Step 1-5	Step 1-5	Step 2-9	Step 3-9
15. Possession or use of smoking or smokeless tobacco while on school property, in school owned vehicles, or at school events.	Step 1-5	Step 1-5	Step 3-6	Step 3-6
			Law enforcement authorities may be notified in cases of this misconduct.	
16. Negligence (Damage to the school or personal property through carelessness or inappropriate behavior.)	Step 1-3*	Step 1-3*	Step 2-3*	Step 2-3*
Malicious mischief (Damage to the school or personal property through intentional vandalism or defacing.)	Step 3-9*	Step 3-9*	Step 4-9*	Step 5-9*

Misconduct**Initial Disciplinary Action By Level****Elementary
K-1****Elementary
2-5****Middle School****High
School**

Electronic tampering. Any unauthorized use, misuse or access of any of the school district's electronic equipment including, but not limited to, voice and video equipment, computers or use of the internet. In addition, students are prohibited from downloading any files from the Internet or saving, or attempting to save, any files as hidden. Reference will be made to the Eau Claire Community Schools Acceptable Technology Use Agreement and classroom rules which may apply in cases of this misconduct.

Step 2-9*

Step 2-9*

Step 2-9*

Step 2-9*

Law enforcement authorities may be notified in cases of this misconduct.

* Restitution and repair or replacement of damaged property, and/or removal of computer privileges and/or possible loss of credit for the course or removal from the activity.

17. Forgery/False information/
Copying/Plagiarism

Students are prohibited from copying, or allowing others to copy, schoolwork. The fraudulent use of the name, work or other data of another person or the falsifying of information is prohibited. All parties involved will be subject to disciplinary action.

Step 1-3

Step 1-3

Step 1-6

Step 2-8

18. Bomb Threats

Step 5-9

Step 5-9

Step 9

Step 9

Law enforcement authorities may be notified in cases of this misconduct.

19. False Fire Alarms.
Tampering with a fire alarm box or system or fire fighting equipment.

Step 1-5

Step 1-5

Step 2-7

Step 5-7

Setting off a false fire alarm.

Step 3-9

Step 3-9

Step 5-9

Step 6-9

Law enforcement authorities may be notified in cases of this misconduct.

Misconduct**Initial Disciplinary Action By Level**

		Elementary K-1	Elementary 2-5	Middle School	High School
20.	Students may not bring any object or materials which may be disruptive to the educational process or hinder school officials' attempts to maintain an orderly environment, such as cell phones, i-pods, MP3 players or other electronic entertainment devices. Students may be in possession of cell phones (parent permission required at the K-8 levels). However, use of cell phones is restricted to lunch time before and after school hours only. Any cell phone use during the instructional day, will be a violation of school policy and subject to disciplinary action.	Step 1-2*	Step 1-2*	Step 2*	Step 2-5*
*	Following proper corrective action including confiscation of the item which will be returned upon a parent contact with school authorities.				
21.	Possession of use of weapons; not defined under Section F-1 of this code, in a school building, on school premises or in school owned vehicles. The term weapons shall mean any object or device which could inflict bodily harm, and weapon shall also include a facsimile of objects or instruments which are weapons. The term weapons shall additionally include an object or instrument which is not in and of itself a weapon as defined above, but where the possession or use of same is coupled with an intent by a student to inflict injury or harm upon another person.	Step 1-9	Step 4-9	Step 4-9	Step 5-9
			Law enforcement authorities may be notified in cases of this misconduct.		
22.	Infraction of school rules not covered by the above categories, particularly those infractions on or off campus which, because of their nature, pose a serious health/safety threat to students and staff.	Step 1-9	Step 1-9	Step 1-9	Step 2-9

F. Acts of Student Misconduct Which Will Result in Mandatory Expulsion/Suspension of up to 180 school days.

Pursuant to State law and district policy, the Board of Education has established the following categories of misconduct which will result in mandatory expulsion/suspension of up to 180 days.

1. Physical assault upon other students..... Grade six and above: Step 9
2. Verbal assaults against a school Employee, volunteer, or contractor.....Grade six and above: Step 9

G. Acts of Student Misconduct Which Will Result in Mandatory Permanent Expulsion for All Students.

Pursuant to State and Federal law, the Board of Education has established the following categories of misconduct which will result in permanent expulsion from the Eau Claire Community School District and all Michigan public schools, other than appropriate alternative education programs or “strict discipline academies.”

1. Possession or use of dangerous weapons in a school building, on school grounds or in school owned vehicles. The term “dangerous weapon” shall mean a firearm (including a starter gun) or any device which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; any destructive device or any explosive, incendiary device, or poison gas bomb, grenade, rocket having a propellant charge or more than four (4) ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or similar device; a dagger, stiletto, knife with a blade over three (3) inches in length, or pocket knife opened by a mechanical device; an iron bar or brass knuckles; or, any other weapon as set forth in 18 USC 921. All schools: Step 10
2. Arson in a school building or on school grounds. All schools: Step 10
3. Criminal sexual misconduct in a school building or on school grounds. All schools: Step 10
4. Physical assaults upon school employees, volunteers, or contractors. Grade six and above: Step 10

II. DISCIPLINARY PROCEDURES

A. Types of Administrative Disciplinary Actions:

1. Loss of activity privileges
 - a. Building administrators may suspend students from participating in or being present at extracurricular activities.
 - b. Sponsors of activities, including coaches, have full authority to determine who shall be participants in a given situation, but they may remove a student from a given activity only on the basis of predetermined rules which have been approved by the principal or appropriate administrative personnel. Parents and students are to be made aware of school rules or regulations affecting specific activities prior to the beginning of the activity.
 - c. Students under school suspension shall refrain from entering upon school property without prior permission from school authorities.
 - d. Students under suspension shall not participate in or be present at school functions.
 - e. Nothing in this policy is intended to limit a teacher, coach or sponsor in exercising authority requiring a student to leave a particular activity when that student’s behavior violates Board policies or school rules. A report of misconduct of such a student and the action taken by the teacher or sponsor shall be reported to the appropriate school administrator at the earliest possible opportunity, not later than the beginning of the next school day.
2. Closed class or removal from class with loss of credit.

- a. Definition
 - 1. A closed class is the denial of the right to attend a class or classes on a temporary basis during a time when a matter of immediate concern is being resolved.
 - 2. Classes may be closed by a school administrator, for a period not to exceed five (5) days, without a parent/student/administrator conference. Permanent closing of a class(es) may result if all established school procedures fail to modify student behavior.
 - b. Procedures
 - 1. A closed class may be imposed only after following the procedure applicable to short term suspension.
 - 2. The student will be notified by the proper administrator that a class or classes are closed, the reasons therefore, and what must be done prior to his or her re-entry to the class.
 - 3. Parents of students having classes closed for a period in excess of one day will be notified by mail.
 - 4. A parent/student/administrator conference shall be held prior to permanent class closure. The administrator may remove a student from the course if the nature of the offense leaves the student unable to faithfully complete the requirements of the course (Ex: loss of computer privileges in computer class, or theft from the school store, Co-Op site or other school-related activity, etc.).
3. Social Probation
- a. Definition

At times, students become habitual discipline problems involving persistent disobedience and class disruption. When efforts to effect a change in behavior, including parent contact, have been tried and the student's behavior continues to disrupt the educational progress of others, it may be necessary to place the student on social probation. During the period of social probation, the student will be given assignments but will be restricted from the school building or school activities during the period of social probation.
 - b. Procedures
 - 1. The student will be made aware of the "Social Probation" procedures, the reason for being considered for probation, and the steps necessary for removal from probation and re-entry into the regular school program.

A student may be placed on social probation only after following the procedure applicable to short term suspension.

2. Written notice outlining the specific violations and the conditions of "Social Probation" will be forwarded to the student, parent, or guardian by mail prior to the actual placement. A committee made up of two of the students' teachers, the counselor, and a school administrator shall be appointed by the principal, or designee, to serve as a Social Probation Committee. The purpose of this committee is to monitor the progress of the student and to make recommendations as to future status. If the academic program is recommended, the student will follow a program similar to the following:
 - a. The student will be given one week's assignments, books, and supplies necessary to carry out the assignments and sent home for one week.
 - b. At the end of one week, an appointment will be made, at which time the student will bring in the finished work, meet with the teachers to be advised of necessary work, and be given the next week's assignments. The student will, in addition, be seen by the counselor, then be returned home for one more week.
 - c. At the end of the second week, the student will return all completed work, along with a written explanation of why he or she should be allowed back into a regular program. The entire committee will meet to evaluate the work and to determine whether the student should return to school.
 - d. The student may be returned to a regular class schedule for an additional two week probationary period or be required to return home for an additional two week period.
 - e. If the student is returned to school for the probationary period, the committee shall meet at the end of the two weeks to evaluate the student's progress. The probation may be lifted or continued. In all cases where the probation is continued, or the student is returned home for an additional period, the parent and student shall be made aware of the rationale for such action. In cases where the committee feels it necessary, the process may be reinitiated.
3. Students will be given full credit for work completed and for credits earned during this period.
4. It may be necessary under certain circumstances to recommend additional support agencies to assist in effecting a desirable change during the period of "Social Probation."
5. A written record of all aspects of the case will be documented and will reflect all steps taken by the school.

4. Short Term Suspension

a. Definition

A short-term suspension is the denial of a student's right to attend school. A short-term suspension may be one, two, three, five, seven or ten school days. For suspensions ranging from one to three days, the in-school suspension program may be utilized as an alternative to out of school suspension.

Students serving in-school suspension report directly to the suspension room and spend the entire day working independently on schoolwork. Students are responsible for bringing their schoolwork for the day and will receive credit for assigned work completed while in this program. Students are expected to remain on task and be productive. (At the high school level, students serving in-school suspension will receive ½ credit for "daily" work completed and full credit for tests, quizzes and exams.)

Students serving suspensions may not participate in or attend after school or extra curricular activities on the day or days of suspension.

- b. Authority
A principal or designee (hereafter "Building Administrator") has the authority to impose a short-term suspension based upon misconduct.
- c. Procedure
 - 1. A suspension may be imposed by a building administrator following an informal hearing involving the administrator and the student in which the student is advised of the misconduct with which he or she is charged and the evidence supporting the charge and is given an opportunity to present his or her version of the alleged incident(s).
 - 2. At the discretion of the building administrator, other persons may be permitted to attend the hearing or otherwise provide information which will tend to assist in the resolution of the charge.
 - 3. Upon the conclusion of an informal hearing, if the building administrator determines that the student has not engaged in misconduct, the charge shall be dismissed and all documents reflecting the charge, if any, shall be removed from the student's records.
 - 4. Upon the conclusion of an informal hearing, if the building administrator determines that the student has engaged in misconduct, an appropriate suspension not to exceed ten (10) school days may be imposed upon the student by the building administrator.
 - 5. Parents will be notified as soon as possible by telephone or letter of the student's suspension and the reasons for the suspension.
 - 6. During an out of school suspension, the student will be given the opportunity to complete school assignments. The following conditions will apply:
 - a. It shall be the responsibility of the student and/or the parents to initiate the request for schoolwork.
 - b. The student or parent shall have the responsibility for obtaining the assignments in a manner prescribed by the school.
 - c. Work assigned is due upon the student's return to school. At the high school level, students will receive no credit for work while on out-of-school suspension. Students serving in-school suspension will receive ½ credit for daily work.
 - 7. Major projects, quizzes, tests and exams, as defined in the high school attendance policy under the category of make-up work, will be accepted for full credit.
 - a. At the high school level, during suspensions up to 20 days, assignments may be completed for one half credit.
 - b. At the elementary and middle school level, students suspended up to twenty days may complete assignments for full credit.

III. SHORT TERM SUSPENSION APPEAL PROCEDURES

- A. Should the student and parent or guardian request a review for the student regarding the suspension, that review shall be held before the building principal.*
- B. A review at the building level shall be held within three (3) school days of the suspension unless the parents request a delay. A delay may be granted for as long as one week. If a review does not occur within a week, the disciplinary action will go into effect.
- C. During the appeals process, said student shall remain in class unless the offense is deemed a threat to others or so extremely disruptive that the student's presence interferes with the rights of others. Students who have appealed a suspension may not attend or participate in after school activities, clubs, sports, etc. while the appeal is pending.
- D. The building principal is the final level of appeal on short term suspensions, except in cases where the principal was the suspending administrator or a witness against the student. In such cases, the appeal shall be directed to the designated central office administrator, whose decision shall be final.

IV. LONG TERM SUSPENSION OR EXPULSION PROCEDURES

A. Definition

1. A long-term suspension is the denial of a student's right to attend school, be present on school grounds, and attend any school function for a period in excess of ten (10) school days. The Superintendent/central office designee shall have the authority to suspend a student for up to twenty (20) school days. Any suspension beyond twenty (20) school days shall be approved by the Board of Education.
2. Expulsion is the total and permanent exclusion of a student from the Eau Claire Community School District.

B. Authority

1. The Superintendent/central office designee has the authority to impose a long-term suspension up to twenty (20) school days based upon misconduct.
2. The Board of Education has the authority to long-term suspend or expel based upon misconduct.

C. Procedure

1. A long-term suspension or expulsion may be recommended to the Superintendent/central office designee by a building administrator following an investigation of charges of misconduct by a student and an offer to the student and his or her parents or guardians of a meeting involving the administrator and the student in which the student shall be advised of the misconduct with which he or she is charged and the evidence supporting the charges and is given the opportunity to present his or her version of the alleged incident(s). At the discretion of the building administrator, other persons may be permitted to attend or otherwise provide information which will tend to assist in the resolution of the charges.
2. Upon the conclusion of an investigation of the charges by the building administrator and upon the conclusion of the meeting, when requested, if the building administrator determines that the student has not engaged in misconduct, the charges shall be dismissed and all documents reflecting same, if any, shall be removed from the appropriate academic records of the student.
3. Upon the conclusion of an investigation of the charges by the building administrator and upon the conclusion of a parent meeting, when requested, if the building administrator determines that the student has engaged in misconduct which merits the imposition of a long-term suspension or expulsion, the building administrator shall recommend in writing to the Superintendent or designee that the student be so disciplined, identifying the basis(es) upon which the building administrator's recommendation is founded. The building administrator may also, upon making such determination, impose an immediate suspension of the student, pending further review of the recommendation.
4. Upon receipt of a recommendation from a building administrator for a long-term suspension or expulsion of a student, the Superintendent or designee shall review such recommendation and shall determine, based upon the information before the Superintendent, whether to forward the matter to the Board of Education for a hearing to determine the appropriateness of expulsion or to retain the matter for a parent meeting to determine the appropriateness of a long-term suspension or to take such lesser action as is appropriate.
5. If the Superintendent or designee determines that it is appropriate to pursue either a long-term suspension (beyond twenty [20] days) or expulsion, then the Superintendent or designee shall schedule a hearing before the Board of Education.
6. Prior to the hearing before the Board of Education, the Superintendent shall notify the student and his or her parents or guardians of their opportunity for a hearing on the charges in closed or open session, at their election, and the date the hearing has been scheduled.
7. RE-ADMISSION: Following expulsion, the student shall not be readmitted to any school within the Eau Claire Community School District except by action of the Board of Education. After an expelled student's absence from school for the remainder of the following semester, the student or, on his or her behalf, the parent or guardian thereof, may seek re-admission by applying to the Board of Education through the Superintendent or designee. The Board of Education may readmit the student if he or she can satisfactorily demonstrate that he or she has made a sincere effort at rehabilitation subsequent to the expulsion and will not represent a threat to the safety and welfare of the students of the Eau Claire Community School District. The Board of Education shall base its decision in part on the severity of the incident leading to expulsion. The Board of Education may further qualify re-admission upon specified conditions which it determines are appropriate.

An application for re-admission shall be filed no earlier than forty-five (45) days but no later than fifteen (15) days prior to the commencement of the semester for which re-admission is sought. The decision of the Board of Education is final. If, as a result of the recommendation for expulsion, the parents and/or student(s) voluntarily withdraw the student from school, the student shall follow the re-admission procedure applicable to the expelled student.

D. Expulsion for possession of dangerous weapon, arson or criminal sexual misconduct.

1. If a student possesses or uses a dangerous weapon in a school building or on school grounds, or commits arson in a school building or on school grounds, or engages in criminal sexual misconduct in a school building or on school grounds, the school board, or its designee, shall expel the student from the school district permanently (subject to potential reinstatement as described below).
2. Procedure
 - a. If student is expelled pursuant to this policy, that fact shall be entered on the student's permanent education record. Within three (3) days of the expulsion of a student under this policy, the school board or its designee shall refer the student's name to the County Department of Social Services of the County Community Mental Health Agency. The school board or its designee shall notify the student's parent or guardian of the referral, or notify the student of the referral if the student is at least age eighteen (18) or is an emancipated minor.
 - b. If a student is expelled pursuant to this policy, the parents or legal guardian of the student, or the student if at least eighteen (18) years of age or if an emancipated minor, may petition the school board for reinstatement to public education in the school district, but only in accordance with the terms of this subsection. (These reinstatement terms shall also apply to students expelled from another school district for possession of a dangerous weapon, arson, or criminal sexual misconduct, and who may be seeking to be reinstated to public education in the Eau Claire Community School District).
 1. For a student who was enrolled in grade 5 or below at the time of expulsion, a petition for reinstatement may be initiated at any time after sixty (60) school days from the date of expulsion. Such a student shall not be reinstated before the expiration of ninety (90) school days from the date of expulsion.
 2. For a student who was enrolled in grade 6 or above at the time of expulsion, a petition for reinstatement may be initiated at any time after one hundred-fifty (150) school days from the date of expulsion. Such a student shall not be reinstated before the expiration of one hundred-eighty (180) school days from the date of expulsion.
 3. The school district shall make the state approved form of reinstatement available to the parent or guardian of a student expelled under this policy, or to a student if at least eighteen (18) years of age or an emancipated minor. The school board or its designee is not required to assist in the preparation of any petition or reinstatement.
 4. Within ten (10) school days after the receipt of a petition for reinstatement under this subsection, the school board or its designee shall appoint a committee to review the petition and any supporting documentation. The committee shall be comprised of two (2) school board members, one (1) school administrator, one (1) teacher, and one (1) parent of a student enrolled in the school district. The superintendent or his or her designee may submit a recommendation to the committee for or against reinstatement, along with supporting documentation.
 5. Within ten (10) days following the appointment for the reinstatement committee, the committee shall review the petition for reinstatement any supporting documentation and any recommendation and supporting documentation submitted by the superintendent or his or her designee on the issue of reinstatement, and shall submit a recommendation to the school board regarding reinstatement. The recommendation shall either be for unconditional reinstatement, or conditional reinstatement, or against reinstatement. The recommendation shall be based upon consideration for all of the following factors:

- a. The extent to which reinstatement of the individual would create a risk of harm to students or school personnel.
- b. The extent of which reinstatement of the individual would create a risk of school district or individual liability for the school board or school district personnel.
- c. The age and maturity of the individual.
- d. The individual's behavior since the expulsion and the prospects for remediation of the individual.
- e. The individual's attitude concerning the incident that caused the expulsion.
- f. The individual's behavior since the expulsion and the prospects for remediation of the individual.
- g. If the petition was filed by a parent or legal guardian, the degree of cooperation and support that has been provided by the parent or legal guardian and that can be expected if the individual is reinstated, including, but not limited to, receptiveness toward possible conditions placed on the reinstatement.

6. Not later than the next regularly scheduled Board of Education meeting following the receipt of the recommendation of a reinstatement committee, the school board shall render a decision either to reinstate an individual unconditionally, or reinstate an individual conditionally, or deny an individual reinstatement. The decision of the school board is final, and not subject to reconsideration or appeal.

7. If the school board renders a decision to reinstate an individual conditionally, the school board may require an individual, or the parent or legal guardian if the petition was filed by the parent or legal guardian, or agree in writing to specific conditions before conditionally reinstating an individual to public education in the school district. (Such proposed conditions may also be included in support of a petition for reinstatement). The conditions may include but are not limited to, any of the following:

- a. Agreement to a behavior contract, which may involve the student, a parent or legal guardian, or an outside agency;
- b. Participate in or completion of an anger management program or other appropriate counseling;
- c. Periodic progress reviews; and,
- d. Specific immediate consequences for failure to conform to condition(s), including, but not limited to, immediate re-expulsion.

8. Nothing in this policy shall diminish or be in derogation of the due process rights accorded to students who have been determined to be eligible for special education services under Federal and State Laws.

3. Continued Educational Opportunities

Efforts shall be made to offer information regarding opportunities to students on suspension to continue their education.

4. Suspension/Expulsion of a Student Enrolled in Special Education

If a student is handicapped, or suspected of being handicapped, according to state and federal mandates, rules and/or regulations, the Board shall not conduct the hearing prior to the completion of a review and evaluation by an Individualized Education Planning Committee (IEPC). The student shall not be excluded from school longer than ten (10) school days or otherwise changed in his/her educational program placement during the pendency of the review or evaluation by the IEPC and the exhaustion of the appeal procedures related thereto without the written agreement of the parents to an interim change in placement or obtaining a court order excluding the student from attending school in an appropriate case where the safety of students is involved.

5. Title IX / VI Disclaimer

Eau Claire Community Schools will comply with all federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88352) which prohibits discrimination on the basis of race, color, or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683 and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794) which prohibits discrimination on the basis of handicaps; (d) The Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-2555), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) Sections 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290dd-3 and 290ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VII of the Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.), as amended relating to nondiscrimination in the sale rental or financing of housing; (i) any other nondiscrimination provision in the specific statute(s) under which application for federal assistance is being made; and (j) the requirements of any other nondiscrimination statute^{9S0} which may apply to the application. Any alleged violation of the above stated laws should be reported to the Superintendent, Eau Claire Community Schools 6190 West Main Eau Claire MI 49111, or by telephoning (269) 461-6947.

Student Handbook Acknowledgement

I have received a copy of the Student/Parent Handbook. I have read the handbook and understand all the rules and expectations. I agree to be responsible for following all of the rules and expectations of the school and understand the consequences for failing to follow the requirements.

I understand that this handbook may be amended during the year without notice. This handbook in the latest version is applicable to all students upon the implementation of any change. The administration will notify all parents and students in writing, where possible, of any changes to the handbook as soon as is practicable.

Signature of Student

Date

Parent/Guardian Handbook Acknowledgement

Dear Parent/Guardian,

Please complete the following form and return to the office by September 12, 2014.

Shane Lausch
Eau Claire High School Principal

From: The Parent/Guardian of:

(1). _____

(2). _____

(3). _____

(4). _____

(5). _____

To: Eau Claire High School

I have reviewed the Student/Parent Handbook with my child(ren) in an effort to promote a better understanding of Eau Claire High School rules and expectations. My signature below acknowledges receipt of the Student/Parent Handbook.

I understand that this handbook may be amended during the year without notice. This handbook in the latest version is applicable to all students upon the implementation of any change. The administration will notify all parents and students in writing, where possible, of any changes to the handbook

Signature of Parent or Guardian

Date

Comments:

