

Port Huron Schools
STUDENT EDITION 2018-19
STUDENT CODE HANDBOOK

NOTICE

The Port Huron Area School District does not discriminate on the basis of race, color, religion, sexual orientation, gender and gender identity, disability, age, and national origin, gender, disability, or age in its programs or activities.

The following person has been designated to handle inquiries regarding nondiscrimination policies:

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The following person has been designated to handle inquiries regarding Section 504 of the Rehabilitation Act of 1973:

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PREFACE

This document is designed to be used for grades 6 - 12. All administrators are encouraged to use this code as a guide, but consider age appropriateness and individual student needs in its use.

Suspension and expulsions are only for the most serious offenses and deemed absolutely necessary.

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PORT HURON AREA SCHOOL DISTRICT

STUDENT CODE HANDBOOK

I. STATE CODE

Every school district is required by law to adopt a code, as set forth in the Revised School Code, MCL 380.1312(8): “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 pupil 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.”

II. DISTRICT GOAL

Port Huron Schools supports the Michigan State Board of Education’s mission: “All students graduate ready for careers, college, and community.”

Port Huron Schools is committed to integrating proactive steps through a plan to implement evidence-based practices of School Wide Positive Behavior Interventions and Supports (SWPBIS) in all district schools by the end of the 2017-2018 school year. Promoting positive school climate throughout the district schools can be accomplished when school staff, students, parents and community work together.

This Student Code Handbook will be reviewed, updated, and/or revised annually.

III. POLICY

The authority of the Board of Education to authorize suspension or expulsion and to make reasonable rules and regulations regarding student conduct and discipline is granted in the Michigan Revised School Code.

IV. PHILOSOPHY

Port Huron students, in all of their diversity, must be educated in a safe and supportive environment that fosters academic success and healthy development. Port Huron Schools will create positive school climates and environments by fostering student connectedness, establishing clear behavioral expectations, and employing preventative measures with constructive discipline that prioritizes keeping students in school through graduation.

When determining the consequences of student misconduct, school officials may use intervention strategies and/or disciplinary actions. Discipline must be treated as an individual matter for each student. Recognizing the importance of keeping students in school learning as much as possible, educators will consider discipline history, the severity or repetition of misconduct, age and grade level of the student, circumstances surrounding the misconduct, impact of the student's misconduct on others in the school community, and any other relevant factors in determining how they will address misconduct. We will strive to address disciplinary matters as opportunities for learning and reserve exclusion for only the most serious offenses.

V. RESPONSIBILITIES

Port Huron Area School District is dedicated to creating and maintaining a positive learning environment for all students. All members of our learning community - including students, educators (including teachers, secretaries, custodians, aides, paraprofessionals, and other school personnel), parents, and engaged service providers - must assume a responsible role in promoting behavior that enhances academic and social success. Courteous, respectful, and responsible behavior fosters a positive climate for the learning community.

Those responsibilities include, but are not limited to, the following:

Students have the responsibility to:

1. Take responsibility for your learning and recognize that it is a process.
2. Attend school regularly, arrive on time, and be prepared to learn.
3. Respect yourself and others in class, on school grounds, on buses, and at any school-related activity.
4. Respect the rights and feelings of fellow students, parents, educators (including teachers, secretaries, custodians, aides, paraprofessionals, and other school personnel), visitors, and guests.
5. Work within the existing structure of the school to address concerns.
6. Know and comply with school district rules and policies.
7. Participate in your learning communities, including engaging in school-related activities and fostering a culture of respect for learning and for others.

Parents/Guardians have the responsibility to:

1. Take responsibility for your child(ren)'s development as learners by, as much as possible, providing a home environment suited for learning and developing good study habits.
2. See that your child(ren) attends school regularly and on time.

3. Provide for your child(ren)'s general health and welfare as much as possible.
4. Teach and model respect for yourself, your child(ren), and all members of the school community.
5. Support the school's efforts to provide a safe and orderly learning environment.
6. Know and support the school and district rules and policies and work within the existing structure of the school to address concerns.
7. Advocate for your child(ren) and take an active role in the school community.
8. Attend your child(ren)'s parent/teacher conferences.

Educators have the responsibility to:

1. Take responsibility for students' development as learners, including their academic success and positive social-emotional development, recognizing that children should be subject to behavior management and discipline policies appropriate to their ages and levels of understanding.
2. Model and provide a mutually respectful and accountable atmosphere for learning that includes all members of the school community.
3. Cooperate and schedule conferences with students, parents, and other school personnel in an effort to understand and resolve academic and behavioral problems. Make every effort to accommodate families whose work schedules, access to transportation, or distance from school limits their ability to meet or participate.

4. Keep parents informed of their students' challenges, effort, and success.
5. Encourage students to participate in classroom, extracurricular, and other school-related activities.
6. Know and enforce the rules and policies consistently, fairly, and equitably.
7. Participate in formulating rules and procedures and other learning and developmental opportunities in the school.

Board of Education has the responsibility to:

1. The Board of Education, acting through the Superintendent, hold all school employees responsible for the control of pupils while they are legally under the supervision of the schools.
2. The Board of Education will support all personnel acting within the framework of the Student Code Handbook.

The Code of Student Conduct sets forth student rights and responsibilities while at school and school-related activities, and the consequences for violating school rules. It defines behaviors that undermine the safety and learning opportunities for all members of the school community and favors actions that encourage positive behavior and learning over actions designed to punish. When determining the consequences of student misconduct, school officials may use intervention strategies and/or disciplinary actions. The Code of Student Conduct will be administered fairly, without partiality or discrimination. The Code of Student Conduct does not diminish any rights under federal law (20 U.S.C. 1400 et seq.) of a student determined to be eligible for special education programs and services.

VI. STUDENTS' RIGHTS

Right to Assembly, Expression and Speech

1. Students are encouraged to assemble and express themselves in an orderly fashion and in a manner that does not disrupt the educational process nor infringe on the rights of others.
2. Activity and speech in the classrooms are expected to relate to the classroom instruction and activities and are subject to the control of the teacher.
3. Activity and speech that are obscene, profane, defamatory, threatening, abusive, harassing or that interferes with the orderly operation of the school or classroom are prohibited.
4. Student groups are permitted to conduct non-curriculum related meetings in school buildings during non-instructional time. These meetings require the approval of the school principal and are subject to the District's building use policies.
5. Some schools provide media (social or other) for publication of student works or articles. These media are school publications and are not public forums for indiscriminate use by students or the public. School personnel have educational control over the style and the content of these publications.
6. The distribution of non-school related material by students in school requires the approval of the school principal. Students are prohibited from distributing material that reflects the special interest of a political candidate or political organization on school property.

Right to Publish

1. Students are entitled to express in writing (digital or other) their personal opinions. The distribution of such material may not interfere with or disrupt the educational process. Such written expression must be signed by the authors. (See item #3 below.)
2. Students who edit, publish or distribute digital, handwritten, printed or duplicated matter among their fellow students within the schools must assume responsibility for the content of such publications.
3. Threatening, libelous or obscene statements and personal attacks of a school-related or personal nature are prohibited in all communications and publications (social media included) within the school's extent of jurisdiction as defined in this handbook. (See page 20-21.)
4. Unauthorized commercial solicitation will not be allowed on school property at any time.
5. The distribution (digital or other) by students in school buildings, on school grounds, or during school times of unlawful or political material, whose content reflects the special interest of a political candidate or political organization, is prohibited.

Freedom of Petition

Any **student** has the right to petition. However, the collecting of signatures shall not disrupt school or classroom procedures nor interfere with the educational process or the orderly operation of the school.

Right to be Protected from Illegal Search and Seizure

1. Searches of Students and Personal Belongings:

General searches, including canine searches, of students and their belongings may be conducted at any time if the school official has a reasonable suspicion of an illegal possession. This includes searches of students, their personal belongings and vehicles parked on school property. The following policy shall apply:

- a. There should be reasonable suspicion for school authorities to believe that the student is in possession of contraband which might endanger that student, other students or members of the general public, or that the search is necessary to maintain school discipline.
- b. Illegal items (e.g., firearms, weapons, controlled substances) or other possessions reasonably determined to be a threat to the safety or security of others may be seized by school authorities, using force if necessary.
- c. Items which are used to disrupt or interfere with the educational process may be removed from student possession.

2. Searches of School Property (e.g. lockers and desks):

The school assigns storage space, including but not limited to lockers and desks, to its students for their convenience and temporary use. Students are to use these spaces exclusively to store school-related materials and authorized personal items such as outer garments, footwear, grooming aids or lunch. Students shall not use the storage space for any other purpose unless specifically authorized by school board policy or specific permission is given by the principal or his/her

designee, in advance of students bringing the items to school. Students are solely responsible for the contents of their storage space and should not share their storage space with other students not assigned to the same storage space, nor divulge locker combinations to other students, unless authorized by the school principal or his/her designee.

Searches of school property, including but not limited to lockers and desks and their contents, have a positive impact on deterring violations of school rules and regulations, ensure proper maintenance of school property, and provide greater safety and security for students and personnel. Accordingly, **the Board authorizes the principal or his/her designee to conduct periodic searches of these storage spaces at any time, without notice, and without consent of the parent/guardian or student. This includes canine (dog) searches.**

3. Law Enforcement Involvement

The principal or his/her designee shall not be obligated to but may request the assistance of a law enforcement officer in conducting a search. The principal or his/her designee shall supervise the search. In the course of a search, the principal or his/her designee shall respect the privacy rights of the student regarding any items discovered that are not illegal or against school policy and rules.

4. Seizure of Items

When conducting searches, the public school principal or his/her designee may seize any illegal or unauthorized items, items in violation of Board policy or rules, or any other items reasonably determined by the public school principal or his/her designee to be a potential threat to the safety or security of others. Such items include but are not limited to the following: pornographic or other inappropriate material, firearms,

explosives, weapons, flammable material, illicit substances, illegal controlled substances, controlled substance analogues, component materials, look-alikes, other intoxicants, contraband, poisons, and stolen property. Law enforcement officials shall be notified immediately upon seizure of such items, or items that schools are required to report to law enforcement agencies.

Right to Due Process

This system of constitutionally and legally sound procedures is developed with regard to the administration of discipline in the Port Huron Area School District.

1. The hallmark of the exercise of disciplinary authority shall be reasonableness and fairness.
2. Every effort shall be made by administrators and faculty members to resolve problems through effective utilization of school district resources in cooperation with the student and his/her parent or guardian.
3. A student must be given an opportunity for a hearing with the appropriate school administrator if the student or his/her parent or guardian indicates the desire for one. A hearing shall be held to allow the student and his/her parent or guardian to contest the facts, to contest the appropriateness of the sanction imposed by a disciplinary authority, or if the student and his/her parent or guardian allege prejudice or unfairness.
4. By law, students over 18 years of age shall be entitled, if they so elect, to take action and make decisions under this code without participation in or concurrence by parents or guardian.

Right to Appropriate Dress and Appearance

Student dress and appearance shall be governed by appropriateness and cleanliness.

1. Dress and appearance must not present health or safety problems, cause disruption, contain profanity or depict or make references to obscene, illegal or immoral behavior.
2. Students must wear foot attire such as shoes, boots or sandals.
3. Individual schools have the right to develop more specific standards of dress and appearance appropriate for their school population.

Right to Attend School

Daily attendance of all who are enrolled in the Michigan Public Schools is required in accordance with state law and school board rules. Students have the right to expect to be allowed to attend school unless specifically restricted, suspended or expelled by the appropriate school officials.

Homeless Rights Information

The right to attend school applies to students even if they or their families live in any of the following situations:

- In a shelter, motel, vehicle or campground;
- On the street;
- In an abandoned building, trailer, or other inadequate accommodations; or

- Doubled up with friends or relatives because the student or student's family cannot find or afford housing.

Students have certain rights or protections under the McKinney - Vento Homeless Education Assistance Act. The building principal or school counselor may be contacted for further information.

VII. ELECTRONIC COMMUNICATION DEVICES

Students may use cell phones or other electronic devices before and after school, during their lunch break, in between classes as long as they do not create a distraction, disruption or otherwise interfere with the educational environment, during after-school activities (e.g., extra-curricular activities) and at school-related functions. Use of cell phones or other electronic devices, except those approved by a teacher or administrator, at any other time is prohibited and they must be powered completely off (i.e., not just placed into vibrate or silent mode) and stored out of sight.

Due to potential distractions, students may not use cell phones while riding any form of transportation provided by the District. At any time (during school day, at events or activities), students must turn off phones and put them away if directed to do so by authorized school personnel. Individual buildings may establish additional guidelines regarding the use of phones at school during the day. Lack of adherence to this policy may result in disciplinary action.

Possession of a cell phone or electronic device is a privilege which may be forfeited by any student who fails to abide by the terms of this handbook. A misused cell phone or electronic device will be considered contraband and subject to search. Violations will result in disciplinary action.

The student who possesses a cell phone or electronic device shall assume responsibility for its care. At no time shall the PHASD be responsible for theft, loss or damage to cell phones or electronic device brought onto its property (including during confiscation).

VIII. INTERNET SAFETY POLICY / ACCEPTABLE USE

The Port Huron Area School District has the capability of offering Internet access to its students. Use of the Internet and other online information services is a privilege extended to students, faculty, and staff to enhance learning opportunities. Although the Internet offers valuable resources and opportunities for learning, some material accessible online may be illegal, defamatory, inaccurate or potentially offensive to some people. Internet content deemed as obscene, pornographic, or harmful to minors, is filtered. Although filters are in place, some inappropriate sites may be accessible. Upon discovery, these sites should be reported to administration and the technology department so that they can be blocked.

Any student issued a Port Huron Schools mobile device, please refer to the District's Mobile Device Handbook for further information and requirements.

The Port Huron Area School District has made computer networks, including the Internet, available to all students and staff in an effort to support the District's mission and goals. The District believes that computer technology and its use can enhance and improve learning in the classroom. All online activity initiated by staff is monitored indirectly by teachers and is electronically logged by the technology department. The District respects each family's right to decide whether or not to allow their child access to the Internet and other on-line information services. Parents who do not want their child to have access to the Internet are required to notify the building principal in writing (must request and use appropriate form).

Building principals at the elementary level shall notify parents of this option along with the guidelines below. The following guidelines have been established regarding the Internet and other online services:

1. Students are responsible for good behavior on school computer networks, just as they are in classrooms and school hallways.
2. Port Huron Area School District administrators will deem what is inappropriate use of the Internet and other on-line information services, and their decisions are final.
3. The administration, faculty, and staff of the Port Huron Area School District may deny, revoke, or suspend student access accounts for inappropriate use of the Internet and other online information services.
4. The Port Huron Area School District reserve the right to review any material stored in files and may edit or remove any material which the staff, in its sole discretion, believes may be unlawful, obscene, abusive or otherwise objectionable.
5. Transmission of any material in violation of U.S. or state regulations, including copyrighted threatening, or obscene materials, is prohibited.
6. Use for commercial activities by for-profit organizations, product promotion, political lobbying or illegal activities is prohibited.
7. The following uses of the Internet and other online information services are not permitted (includes text messaging) and may result in disciplinary action:
 - a. Sending, receiving, printing or displaying any media that is obscene or harmful to minors, or

- which contains child pornography or offensive messages or pictures (includes “sexting”).
- b. Using obscene language.
 - c. Harassing, bullying, insulting or threatening others.
 - d. Damaging computers, computer systems, or computer networks.
 - e. Violating copyright laws.
 - f. Using another person's account and/or password.
 - g. Giving your account and/or password to another person.
 - h. Cheating or trespassing in another person's folders, work or files.
 - i. Intentionally wasting limited resources.
 - j. Employing the network for commercial purposes.
 - k. Divulging personal information about yourself or others to strangers. This includes address, telephone number, credit card numbers, passwords or other confidential information.
 - l. Using proxy servers or other means to circumvent District filters.
8. Using, attempting to use, storing and/or downloading programs which, by their nature, are generally used for illegal or unethical purposes. For example, software used for cracking or hacking, software used for obtaining passwords, software used to create and/or modify viruses, worms, Trojan horses, software designed to monopolize servers or network services, etc.
9. Out of school conduct that significantly impacts the day- to-day educational environment may result in school consequences.

Social Media Guidelines for Students

Due to the wealth of new social media tools available to students, student products and documents have the potential to reach audiences far beyond the classroom. This translates into a greater level of responsibility and

accountability for everyone. Below are guidelines that students in the Port Huron Area School District should adhere to when using these tools in the classroom.

1. Be aware of what you post online. Social media venues are very public. What you contribute leaves a footprint for all to see. Do not post anything you wouldn't want friends, enemies, parents, teachers, or a future employer to see.
2. Follow the school's code of conduct when writing online. It is acceptable to disagree with someone else's opinions, however, do it in a respectful way. Make sure that criticism is constructive and not hurtful. What is inappropriate in the classroom is inappropriate online.
3. Be safe online. Never give out your personal information, including, but not limited to, your last name, phone number, address, exact birthdate and picture. Do not share your password with anyone besides your teacher and parents.
4. Linking to other websites to support your thoughts and ideas is recommended. However, be sure to read the entire article prior to linking to ensure that all information is appropriate for a school setting.
5. If you run across inappropriate material that makes you feel uncomfortable, or is not respectful, tell your teacher right away.

Reminder: Violations will result in loss of access as well as other disciplinary or legal action, as appropriate.

IX. VIDEO SURVEILLANCE AND ELECTRONIC MONITORING

Recording of students will be treated as confidential, to the extent allowed by law. Copies of video recordings

containing personally identifiable information about students shall not be released except as required or authorized by law. Parents or guardians of minor students and students who are eighteen (18) years of age or older, who are charged with disciplinary violations, may view relevant portions of any video recording related to the charge, upon written request to the building principal, provided that viewing the recording does not violate State and/or Federal law (i.e., the privacy rights of any students whose images appear on the recording).

X. CHEATING

Cheating involves submitting or claiming work that is not the student's own. Cheating includes but is not limited to:

- Copying someone else's work;
- Allowing someone else to copy your work;
- Having someone else complete your work for you;
- Using unauthorized material to help complete your work.
- Inappropriate use of personal electronic devices.

Plagiarism is a special kind of cheating in which the student basically steals someone else's work and presents it as his/her own. Credit must always be given to the person or source of the ideas or material used.

Consequences for cheating will be at the discretion of the building administration, but may result in:

- A reduced grade for the written assignment or exam;
- No credit for the written assignment or exam;
- A reduced grade for the entire class;
- A failing grade for the entire class;
- Suspension.

Penalties for stealing (theft) of homework, tests, projects, etc. from students or teachers will result in

additional disciplinary action and could result in expulsion.

XI. EXTENT OF JURISDICTION

The school district will be concerned with and will take action on the types of behavior prescribed by the code in the following situations:

1. On or in school property, school buses, at bus stops, during and immediately before or after school hours and en route to and from school.
2. At school functions, activities or events, or immediately before or after such events, even if not held on or in school property.
3. Under such circumstances (whether or not on school grounds or while school is in session) that the administrator responsible for imposition of disciplinary action determines that the behavior has or potentially has a detrimental effect on the school, or poses or potentially poses an unreasonable risk of harm to students or school district personnel. This includes issues stemming from conflicts outside of school or via electronic transmissions, for example but not limited to Facebook, YouTube, SnapChat, Instagram, cell phones.

XII. SCHOOL VISITORS

All school visitors are to check in at the school's main office upon entry into the building. After signing in, visitors will receive a Guest Pass. Before leaving the building, the Guest Pass is to be returned to the main office and the visitor must check out. Visitations by students from other schools are strongly discouraged unless expressly for educational purposes and with approval of the building administrator.

Tobacco Products on School Grounds

Due to the hazards caused by exposure to environmental tobacco smoke, as well as the life-threatening diseases linked to the use of all forms of tobacco, it shall be the policy of the Port Huron Area School District to provide a tobacco-free environment for all employees, students and visitors. This policy covers the smoking of any tobacco product, the use of oral tobacco products or “spit” tobacco, or any “new emerging tobacco products”. These products include but are not limited to electronic cigarettes, cigars, pipe tobacco, certain dissolvable products that are not “smokeless tobacco” gels, and water pipe tobacco (hookah). This applies to all students, employees and non-employee visitors of the Port Huron Area School District.

Definitions:

- No use of tobacco products is permitted within the facilities or on the property of the Port Huron Area School District or at any school-sponsored event at any time.
- No tobacco use in any District vehicle or bus.

Procedures:

- Employees will be informed of this policy through signs posted in the Port Huron Area School District facilities and vehicles, newsletters, the policy manual, e-mail and/or orientation and training provided by their supervisors.
- Students will be informed of this policy through the student code handbook.
- Visitors will be informed of this policy through signs, newsletters and school administrators.
- Any violations of this policy will be handled through the standard disciplinary procedure for students. Visitors who violate this policy will be reminded of the policy. Repeat violations may result in banning

from school property and/or referral to law enforcement.

XIII. STUDENT RECORDS

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

1. The right to inspect and review the student’s educational records within 45 days of the day the Port Huron Area School District (the “District”) receives a request for access. Parents or eligible students should submit to the school principal a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
2. The right to request the amendment of a student’s education records that the parent or eligible student believes are inaccurate, misleading or in violation of the student’s rights of privacy. Parents or eligible students should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate, misleading or a violation of their privacy rights. If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent the law authorizes disclosure without consent.

The District will disclose personally identifiable information contained in education records without consent as permitted or required by law, including under the following circumstances:

- a. To school officials with legitimate education interests. A school official has a legitimate education interest if the official needs to review an educational record in order to fulfill his or her professional responsibility.
- b. Upon request by the parent or eligible student, to officials of another educational agency or institution in which a student seeks or intends to enroll.
- c. Directory information will be disclosed unless a parent or eligible student notifies the building principal in writing that he/she wishes to exercise his/her right to refuse to let the District designate any or all information about the student as directory information. Directory information is defined as information which would not generally be considered harmful or an invasion of privacy if disclosed, and includes, but is not limited to, the student's name, address, telephone listing, electronic mail address, photograph, date and place of birth, major field of study, dates of attendance, grade level, enrollment status, participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees, awards and honors received, the most recent previous educational agency or institution attended and other information that is generally found in directories, yearbooks and athletic programs.
- d. Names, addresses and telephone numbers of high school students will be made available to recruiting representatives of the armed forces and service academies of the United States to be used to inform students of educational and employment

opportunities unless a parent or eligible student notifies the school principal in writing he/she does not want this information to be accessible to such recruiting representatives.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failure by the District to comply with the requirements of FERPA. The name and address of the office that administers FERPA is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Ave. S.W., Washington DC 20202-4605.

The Protection of Pupil Rights Amendment (PPRA)

The Protection of Pupil Rights Amendment (PPRA) gives parents and students who are 18 years old or emancipated minors (“eligible students”) certain rights regarding:

1. The school district’s conduct of student surveys, analysis, or evaluation that concerns one or more of the following areas: political affiliations or beliefs of the student or student’s parent; mental or psychological problems of the student or student’s family; sexual behavior or attitudes; illegal, anti-social, self-incriminating, or demeaning behavior; critical appraisals of others with whom respondents have close family relationships; legally recognized privileged relationships, such as with lawyers, doctors or ministers; religious practices, affiliations, or beliefs of the student or parents; or income, other than as required by law to determine program eligibility.
2. The collection and use of students’ personal information for marketing purposes, sales or other distribution; and certain rights regarding any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision or scoliosis screenings, or

any physical exam or screening permitted or required under State law.

Athletic Team Exception: The MHSAA requires all athletes to have physicals prior to participation in interscholastic athletic practice or contests.

Rights include:

1. The right to consent before a student is required to submit to a survey in whole or in part that concerns the above list;
2. The right to receive notice and an opportunity to opt the student out; and
3. The right to inspect, upon request and before administration or use, the protected information surveys of students, instruments used to collect the personal information from students, and the instruction material used as part of the educational curriculum.

Questions or concerns regarding the above PPRA may be addressed to the building principal.

XIV. ATTENDANCE

Port Huron Schools is committed to improving student achievement. The process of education requires instruction that is based on skill building, class participation, learning experiences, and interaction with peers and educators. Frequent absences for any reason may adversely affect the student's schoolwork and can be disruptive to other students' educational process. Lack of attendance may have an adverse effect on final grades. Regular and punctual school attendance promotes school success.

Compulsory school attendance is required under state law. The law states that a parent or legal guardian who

fails to comply with the compulsory school attendance section of the Revised School Code is guilty of a misdemeanor [MCL 380.1571- 380.1599].

Excused Absences (count toward absence limits)

For an absence to be excused, the parent/guardian must notify the main office (elementary) or the attendance office (middle and high school) of the absence in person or by phone no later than the end of the day of the absence. Students will be allowed to make up work and the absence will count toward the limit.

- Personal illness or injury (each occurrence counts as one toward absence limits if days are consecutive and medical documentation is provided)
- Death in the family
- Verifiable chronic illness (each occurrence counts as one toward absence limits if days are consecutive)
- Religious holidays
- Pre-arranged family vacations (parents are encouraged not to take their child out of school for vacations)
- Medical/dental/legal appointments that can't be made outside of the school day

Exempt Absences (do not count toward absence limits)

- College visits for high school students
- School-sponsored activities
- School-imposed suspensions

Expectations for Elementary and Secondary Attendance

Missing 10% or more of the days a student should be in attendance is cause for concern. If there is no medical documentation provided by a physician or other acceptable documentation, the school must act on the attendance concerns.

When a student misses 10 to 15% of the school year, a notification letter will be sent home. For example, if there has been 40 days of school and a student misses more than 4 days in that timeframe, the parent/guardian will receive a letter from the principal reminding the parent/guardian of the compulsory education law. Parent is encouraged to communicate with the teacher and/or principal to help problem solve with the student, as appropriate.

When absences continue without medical documentation or other acceptable documentation and continue to exceed 15%, the parent will receive a second letter from the Superintendent and the St. Clair County Prosecutor. The student may be placed on an attendance probationary contract or referred to a Student Support Team. Parent is encouraged to communicate with the teacher and/or principal to help problem solve with the student, as appropriate.

After receiving the letter from the Superintendent and St. Clair County Prosecutor, if attendance doesn't improve, the parent/guardian will be referred to the St. Clair County Truancy Officer. The Truancy Officer will hold a meeting with the student and parent/guardian to problem solve the attendance issues and provide information regarding next steps. Parents and/or students can be prosecuted for the failure to comply with the Compulsory School Attendance Law.

Students and Parents/Guardians who had chronic absences and a hearing was held with the Truancy Officer the previous school year will be sent a letter upon reaching 10-15% and will be referred to the Truancy Officer immediately.

Tardy Policy

Students are expected to be in class promptly in order to maximize instructional learning time. Students entering class late or being called out early not only disrupts that student's learning, but creates a disruption for the entire class. By encouraging promptness, the school and parents are aiding the students in developing self-discipline and a sense of responsibility. A student is considered tardy if he/she is not in the classroom when the tardy bell rings. It is also important that students stay in class until the final dismissal bell at the end of the day.

Elementary students who are more than 90 minutes late in the morning or are picked up more than 90 minutes early in the afternoon before dismissal are considered a half day absent. Elementary parents will receive a letter to inform them when their child has reached 10 tardies. After 15 tardies, the parents will receive another letter and there may be a referral to the Attendance Officer at St. Clair County RESA.

Middle and High School students who are more than 10 minutes late without a pass from a staff member are considered absent from that class.

Excessive tardiness may result in disciplinary action and there may be a referral to the St. Clair County RESA Attendance Officer.

XV. MAKE-UP WORK

Make-up work, as a result of being absent, is the responsibility of the student. Immediately upon return to school following an absence, the student is to make arrangements with his/her teacher(s) to obtain assignments and to establish reasonable deadlines for the completion of make-up work. Whenever possible, this will be done at the convenience of the teacher(s).

Differences of opinion in establishing deadlines will be resolved by the building Principal or his/her designee. Assignments missed as a result of a verified absence can be made up for full credit. If the absence is for a period of more than three consecutive days, it is imperative that the parent/guardian contact the student's counselor to obtain make-up work at that time.

During a suspension, students will be allowed to make up work for credit. However, make-up work must be requested and picked up during the suspension and submitted for credit within three days of the assigned date. The last of such assignments must be submitted within two days of the student's return to school. Alternative assignments may be given for participation classes (i.e. band, gym) at the teacher's discretion; such assignments must be turned in upon return to school. Class presentations missed (virtual field trips, guest speakers, movies, etc.) will not be able to be made up. Tests and projects completed during the time of suspension may be made up for credit by arrangement with the teacher.

XVI. FRATERNITIES, SORORITIES AND GANGS

Secret societies, although very much a part of the history of this country, are usually discriminatory in membership and questionable in terms of purposes and goals. A gang, generally speaking, is a group of individuals that bands together to engage in some form of antisocial, criminal activity or to commit violations against rules and/or regulations of the community or school. For these reasons, among others, the school district will not authorize, support, create or allow the existence of such organizations.

XVII. ALTERNATIVE EDUCATION OPTIONS

Circumstances may exist when the traditional educational setting is not effective for individual students. Efforts shall be made by the school to identify academic alternatives for these students-which may include, but are not limited to, online learning or transfer to an alternative education program. A student transferred to alternative education that fulfills the District's graduation requirements will receive a high school diploma and be eligible to participate in all related activities at the alternative learning program.

XVIII. ADULT EDUCATION

An adult education program is available for adults to complete their high school diploma, earn a GED (General Educational Development Certificate), obtain employability skills, or improve basic reading or math skills. To enroll, an adult must be at least eighteen years of age, without a high school diploma, and out of school for at least one semester. Deviations from this policy require the approval of the Director of Student Services and Behavior Support.

Adult students shall be subject to the same rules that relate to all K–12 students in the Port Huron Area School District. The Administrator of Alternative Programs is authorized to impose sanctions up to and including permanent suspensions.

XIX. EXTENDED HIGH SCHOOL PROGRAM

The Extended High School Program is available to students who have failed one or more high school courses and desire to make up credits outside the normal school day. A tuition fee is required for each class, and students must have permission from their building's administrator and/or counselor to enroll. A strict attendance policy is enforced.

XX. CO-CURRICULAR ACTIVITIES POLICY

Students who are involved in school co-curricular activities are in a leadership role representing their school and the school district. Involvement is a privilege. Adolescents are affected by the misuse and abuse of alcohol, tobacco products, steroids and performance enhancing substances, and other mood or mind-altering chemicals. The school and school district will not condone the use of these illicit substances or involvement in other severe inappropriate behavior by participants in co-curricular activities.

Students shall not use, possess, buy, sell, share or give away illicit substances, including but not limited to illegal drugs, inhalants, alcohol, tobacco products (including but not limited to e-cigarettes or vapor pens), drug paraphernalia, caffeine pills, medication (except the possession or use of prescription medication when authorized under the District's medication policy), steroids or other performance enhancing substances, and fake and look-alike drugs or alcohol.

Severe inappropriate behavior that includes but is not limited to larceny, assault, drug or alcohol use/distribution/possession and vandalism, will not be tolerated. Students found to be in violation of these rules will lose the privilege of participating in co-curricular activities. This rule is in effect for students whether at school, outside of school hours, and during vacations (including summer).

Students transferred to the Alternative Education program at Harrison Center will not be allowed to participate in athletics and other co-curricular activities. However, after one complete semester at the Harrison Center, the student may apply for readmission to his/her home school. If approved and the student meets all other eligibility requirements, the student would be eligible to participate in the athletic and co-curricular programs at that school upon his/her return.

XXI. HIGH SCHOOL GRADUATION ACTIVITIES POLICY

A number of formal and informal school activities are provided for graduating seniors in recognition of their school accomplishments. Prior to graduation activities, seniors will receive a handbook that contains a schedule and description of all planned activities, as well as a policy regarding alcohol/drugs and other severe inappropriate behavior.

Graduation activities are a privilege, not a right. If any senior chooses to become involved with alcohol/drugs in school or out of school, or violates the student code of conduct at any time from the date of the distribution of the senior activities handbooks, he/she will be removed from all (or all remaining) senior activities. Other severe inappropriate behavior in school or outside of school can also lead to removal from all (or all remaining) activities.

XXII. DISCIPLINARY ACTIONS SHORT OF SUSPENSION/EXPULSION

Prior to suspending or expelling a student, Michigan Revised School Code Section 1310d requires the administrator or his/her designee to consider the following 7 factors (except in the case of firearm possession):

1. The student's age
2. The student's disciplinary history
3. Whether the student has a disability
4. The seriousness of the behavior
5. Whether the behavior posed a safety risk
6. Whether restorative practices are a better option
7. Whether lesser interventions would address the behavior

Efforts shall be made by the staff to solve disciplinary problems within the school setting whenever possible. The following lesser interventions will be considered prior to a suspension/expulsion from school. These suggested actions do not preclude the use of other methods or approaches which are reasonable and purposeful.

1. **Warning** - A verbal or written notice to a student that has a specific behavior is unacceptable and may result in stronger action if the behavior is not corrected.
2. **Student Conference** - A conference involving a student and staff member(s) for the purpose of discussing and solving behavioral problems.
3. **Parent Conference** - A conference involving the parent(s) and staff member(s) for the purpose of discussing and solving behavioral problems. The emphasis is upon enlisting the assistance of the parent(s). The student may also be involved in a parent conference.
4. **Referral to a Resource Agency or Person** - Referral to an in-school (counselor, social worker, behavior interventionist, school resource officer) or out-of-school agency or person may be made whenever it is felt that such an agency or person may be of assistance in the solution of a behavior problem. A referral should be made with the cooperation of the student and/or parent(s).
5. **Behavior Plan** - The administrator may work with staff, student and parent to create a behavior support plan (general ed) or an IEP team may create a behavior implementation plan (special ed) to address the behaviors and implement interventions. The administrator should notify the parent(s) whenever a student is placed on a behavior plan. Parents will be encouraged to discuss and assist in the creation of a behavior plan.

6. **Detention** - A student in violation of a school rule or policy may be required to spend a specific period of time after school, before school or during an unassigned class period at a specific location assigned by the principal or his/her designee representative. Such detention will be actively supervised by a staff member.
7. **Removal from Activities** - A student in violation of a school rule or policy may not be allowed to attend or participate in school-sponsored activities.
8. **In School Suspension** - A student in violation of a school rule or policy may be required to spend a specific period of time during the school day at a location assigned by the principal or his/her designee representative. The duration of the in-school suspension will be based on the nature of the infraction and in accordance with procedures outlined in the Student Code.

The principal or designee will determine whether a student is suspended in-school or out-of-school.

NOTE: Principals are the final level of appeal for discipline short of out-of-school suspensions.

XXIII. SUSPENSION/EXPULSION

When other interventions or discipline fail to attain satisfactory behavioral changes, or where required by the nature of the violation, a student may be suspended for a period of 10 days or less by a school administrator or recommended by the school administrator for long term suspension (11 to 59 days) or expulsion (60 to 180 days) from school.

Student Suspension by an Administrator (Due Process)

A building principal and his/her assistant may not suspend a student for a period of more than ten (10) consecutive school days, except for suspension where a long term suspension or an expulsion is recommended to the Superintendent; in that circumstance, the suspension is ongoing until the matter is resolved.

Students suspended from school shall not be allowed to participate in any curricular activities or co-curricular activities. Suspended students may not appear on any school district grounds or at district school functions without the permission of the building principal.

The Director of Student Services and Behavior Support shall be notified in writing of the suspension.

Prior to making a decision to suspend, the administrator shall thoroughly investigate the situation by:

1. Informing the accused of complaint against him/her.
2. Providing the accused the opportunity to express his/her side of the problem.
3. Accepting information from persons having knowledge of the situation.
4. Completing the suspension paperwork, if necessary.

Following a suspension, a student and parent conference with the administrator may be required as a condition of readmission.

All disciplinary hearings will be conducted in accordance with due process requirements.

Student Suspension by a Teacher

A teacher is authorized to immediately remove and suspend a student from class, subject or activity when the student's behavior is so unruly, disruptive or abusive that it materially interferes with the teacher's ability to teach effectively the class, subject or activity, or the student's behavior interferes with the ability of other students to learn.

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 day shall be permitted during the term of the suspension to attend other classes taught by other teachers only when the student's conduct does not rise to the level of requiring a multiple-day suspension or expulsion in accordance with the Code of Conduct.

The teacher shall immediately report the suspension and the reason for the suspension to the school principal and send the pupil to the school principal or the school principal's designee for appropriate action. As soon as possible after a suspension under this section, the teacher shall ask the parent or guardian of the pupil to attend a parent-teacher conference regarding the suspension. Whenever requested, a school counselor or school social worker shall attend the conference. A school administrator shall attend the conference if the teacher or the parent/guardian so requests.

Appeal Procedure for Disciplinary Action Resulting in Suspensions of Ten (10) Days or Less

- A. Appeals may be concerned with the matter of guilt or innocence, the length of suspension, the nature of the disciplinary action or the procedures utilized in the process.

Regardless if there is or is not an appeal, the suspension will take place immediately. If a decision is made in favor of the appeal, the suspension will be removed from the student's record.

- B. If the suspending official is the administrative designee, the initial appeal shall be to the building principal.
 - 1. In such cases, the building principal shall conduct a hearing, informal in nature, utilizing the procedure set forth in this Code under Suspension.
 - 2. Such an appeal must be requested, in writing, within five (5) school days of the suspension.
 - 3. The requested appeal hearing must be scheduled within two (2) school days of the request.
 - 4. If the building principal is unavailable, the hearing shall be conducted by the Director of Student Services and Behavior Support.
 - 5. The person conducting the hearing shall render a decision in writing within two (2) school days of the hearing.

- C. A parent/guardian or student 18 or over who wishes to appeal the decision of the building principal can do so through the Department of Student Services and Behavior Support.
1. Request for such an appeal shall be made in writing by the parent/guardian or student if the student is 18 years old or older to the Director of Student Services and Behavior Support within five (5) school days following the final decision at the building level.
 2. Upon receipt of such a request, the Director of Student Services and Behavior Support shall convene a formal hearing within ten (10) school days.
 3. At a formal hearing, the burden is on the student (or parent/guardian). The procedure will require that the student (or parent/guardian) shall present information or evidence to overcome the presumption that the suspension was appropriate and due process was provided. If the hearing officer requests it, information or evidence will be presented by the administrator.
 4. The decision of the Director of Student Services and Behavior Supports will be communicated to involved parties within ten school days. This decision is final, and there shall be no further appeals.

Long Term Suspension and Expulsion

An exclusion from school for disciplinary reasons for a period of more than eleven (11) but fewer than 60 school days is considered a long term suspension. An expulsion is to exclude a pupil from school for disciplinary reasons for a period of 60 to 180 school days.

The long term suspension or expulsion of a student by the Superintendent shall require removal of the student from school attendance in the District. Students suspended or expelled from school shall not be allowed to participate in any curricular activities or co-curricular activities. Suspended or expelled students **may not** appear on school grounds or at school functions without the express written permission of the building principal.

The school administration shall recommend the long term suspension or expulsion (11+days) of a student, or of students, to the Superintendent through his designee (Director of Student Services and Behavior Support). Such recommendation shall be based on appropriately documented school code violations.

If there is reasonable suspicion or documentation that the student is disabled as defined by law, the District will make the appropriate referrals, as regulated by law, and comply with the Due Process Rights of Disabled Students.

Parents shall be informed of the recommendation for long term suspension or expulsion, in writing, by the school administrator and Superintendent. The student or parent/guardian shall be invited to appeal with legal counsel if desired.

Authority to long term suspend or expel (11 to 180 days) belongs to the Superintendent, who is vested with final authority in all cases of long term suspension and expulsion.

The Superintendent or his/her designee shall notify the parent/guardian in writing of the decision of the District to suspend or expel (11+ days).

Hearing Procedure for Suspension or Expulsion (11+ days)

A. Notice of Long Term Suspension or Recommendation of Expulsion (11+ days) - The notice of recommendation will be sent to the parents/guardian of students under the age of 18. Students over the age of 18 will be notified directly.

1. The notice of recommendation shall contain the written charges against the student in sufficient detail to place the student and/or parent on notice of the conduct complaint and the specific rules or regulations that are alleged to have been violated.
2. The notice shall advise the parent/adult student that the charges may be contested by filing a written request within five (5) school days of expected receipt of the notice that a hearing be held before the Superintendent or his/her designee. The purpose of this hearing is to contest the charges and/or present contrary evidence before a final determination is made. It is not to debate the District's rules or procedures.
3. The notice shall also indicate that the student has a right to be present at the hearing, to be represented by counsel, to present evidence on his/her own behalf, to contest the allegation, and to cross-examine the parties present at the hearing.
4. The notice shall be sent to the student's address that is listed in Skyward OR that is provided to the school from the parent.

- B. **Hearing** - The hearing shall be held before the Superintendent or his/her designee within ten (10) school days of the receipt of the request for hearing, or at a mutually agreed upon time.
1. The student, the Superintendent or his/her designee, and the administration may be represented by counsel if desired.
 2. The hearing shall be presided over by the Superintendent or his/her designee.
 3. At the commencement of the hearing, the charges shall be read. The administration shall present testimonial and physical evidence (where applicable) and the student shall have the right of cross-examination.
 4. The student may present any evidence, and the administration shall have the right of cross-examination. Court Rules and Rules of Evidence shall not apply, and evidence shall be received and considered as a person would in the careful conduct of everyday business and affairs as long as there are sufficient indicators of reliability.
 5. The administration shall have the burden of showing by a preponderance of the evidence that the charges are true and that the charges are sufficient to justify long term suspension or expulsion.
- C. **Decision** - The Superintendent shall have the final decision on the issue of expulsion. This decision will be based on all competent and relevant evidence presented at the hearing and the recommendation of the person presiding over the hearing, if a designee of the Superintendent.

1. The decision will be rendered in writing and will be based on specific factual findings made by the person presiding over the hearing and present a conclusion regarding whether, based on the facts, there was or was not a violation of the District's rules and regulations.
2. The decision shall be rendered and sent by mail to the student and/or the student's parent within ten (10) school days of the date of the hearing.

For the purposes of this section and the section on appeals from suspensions, a school day shall mean a day counted as a school day toward the statutory minimum number of instruction days.

XXIV. SCHOOL CODE VIOLATIONS WITH DESIGNATED PROCEDURES

Violations - A list of behaviors constituting violation of school rules and regulations is given below with suggested disciplinary action. These actions may constitute inappropriate behavior or persistent disobedience as defined in the Michigan School Code. Please note that the following list is not all-inclusive or exhaustive, and behaviors not listed may also result in disciplinary action. Also, depending on the seriousness of the violation, more severe discipline than that suggested may be imposed. Any individual who aids, assists, counsels, induces, encourages or persuades another to participate in any of the behaviors outlined below may be subject to the same penalties and/or consequences to which the person actually involved is subject.

NOTE: Discipline Procedures A, B, C, and D are found in Section XXV.

1. Disorderly Conduct

Conduct and/or behavior which is disruptive to the orderly educational procedure of the school. This includes but is not limited to the student use of profanity, obscenity, inciting others to engage in disruptive behavior, and verbal altercations short of a fight.

- First Violation - Procedure A
- Repeat Violation - Procedure B

2. Defiance of Authority

Refusal to comply with reasonable requests of school personnel. Displayed disrespect and/or contempt toward school personnel.

- First Violation - Procedure A
- Repeat Violation - Procedure B or C

3. Fighting

Fighting poses an immediate threat to student safety. The discipline imposed will depend on severity or repetition. Encouraging, promoting or provoking such behavior may also result in disciplinary action. Students who engage in physical contact for the purpose of inflicting harm on each other are fighting. Self-defense or defense of others may be taken into account in determining whether this provision has been violated.

- First Violation - Procedure B
- Repeat Violation - Procedure C

4. Physical Assault

- A. Physical Assault Pupil to Pupil - Physical attack, by one person or a group of people, upon another who does not wish to engage in the conflict, and who has not provoked the attack

Violation - Pupil to pupil - Procedure C

- B. Physical Assault - Pupil to Employee, Volunteer or a Person Contracted by the District

The act of intentionally causing or the attempt to cause physical harm to another through force or violence.

Permanent Expulsion, subject to *possible* reinstatement after 180 days, will be considered for students who commit physical assault toward a district employee, volunteer or person contracted by the district.

Violation - Pupil to employee, contractor or volunteer of school - Procedure C

5. Theft

The taking of (or the attempt to take) property not belonging to the student. This includes the knowing possession of stolen goods and/or the use of counterfeit coin or currency, as well as the unauthorized entry or such an attempt on District property with or without the intent to commit either theft, larceny or damage.

First Violation - Procedure B

Repeat Violation - Procedure C

6. Destruction or Defacement of Property

Destroying or defacing objects or materials belonging to the school district or other students and school district personnel. Restitution and/or repair may be required from the offending student and/or that student's parents.

- First Violation - Procedure B
- Repeat Violation - Procedure C

7. Use/Possession of Tobacco Products or Incendiary Devices; Tobacco Products on School Grounds

It is the policy of the Port Huron Area School District to provide a tobacco-free environment for all employees, students and visitors.

This policy covers the smoking of any tobacco product, the use of oral tobacco products or "spit" tobacco, or any new emerging tobacco products.

These products include, but is not limited to, electronic cigarettes, cigars, pipe tobacco, certain dissolvables that are not "smokeless tobacco" gels, water pipe tobacco, hookah pens, and vapor pens. This applies to all students, employees and non-employee visitors of the Port Huron Area School District.

Student use/possession of tobacco in any form, or the possession of incendiary devices including matches or lighters, is prohibited on school property and District vehicles or buses.

- First Violation - Procedure A
- Repeat Violation - Procedure B

8. Gambling

Any activity that involves a wager, risk, or the betting of money or other valuables on an activity of chance where there is an unpredictable outcome, which may result in the loss of money or valuables.

- First Violation - Procedure A
- Repeat Violation - Procedure B

9. Possession and/or Use of Weapons

A student shall not possess, handle, transfer or use a gun/firearm or any instrument such as knife, club, shank, taser, chain, BB gun, gun/firearm, razor blades, pepper spray, or other dangerous device whether or not it can actually be used to inflict bodily injury to another person.

Weapons Exemption - School need not expel if pupil has NO history of suspension or expulsion AND establishes in a clear and convincing manner one of the following:

- *Not possessed as a weapon, or for delivery for use as a weapon*
- *Not knowingly possessed*
- *Pupil did not know it was a weapon*
- *Weapon is possessed at the suggestion, request or permission of school or police.*

- Weapon Violation - Procedure C
- Gun/Firearm Violation - Procedure D

Weapon Look-A-Likes: A student shall not possess, use, sell, or distribute a toy weapon, a look-a-like or replica weapon except with the prior approval of an administrator for appropriate educational use. Intent is considered when deciding upon discipline. If the student uses the weapon to imitate a real weapon to intimidate,

frighten, or make others believe it's real for the purpose of harming someone, expulsion may be considered.

Violation - Procedure B or C

10. Extortion

Extortion is the solicitation of money, or something of value, from another regardless of the amount, in return for protection or in connection with a threat to inflict harm.

First Violation - Procedure B

Repeat Violation - Procedure C

11. Possession, Use or Distribution of Illicit Substances

Illicit substances including but not limited to illegal drugs, inhalants, alcohol, drug paraphernalia, caffeine pills, steroids or other performance enhancing substances, medication (except the possession or use of prescription medication when authorized under the District's medication policy), and fake or look-alike drugs or alcohol.

Possession includes bringing to the bus stop, on the bus, while walking to or from school, in a school building, at a school-related function, or holding for a friend or holding briefly to examine.

Violation - Procedure C

12. Possession or Use of Fireworks or Other Explosive Materials

Students having possession of or setting off any explosive device which is illegal or dangerous to themselves or others.

Violation - Procedure B or C

13. Aggressive Misbehavior - Pupil to Employee, Volunteer or a Person Contracted by the District

Physical contact or a threat of physical contact toward school employees with the potential of doing bodily harm by a student or group of students.

Violation - Procedure C

14. Bomb or Similar Threat (with/without intention to carry out)

A bomb or similar threat is any verbal or written statement that indicates a bomb or similar object is or may be placed or may explode at or near a school building, school bus, school staff, school grounds or school-related function or conveys any intent to harm others (includes, but is not limited to a "hit list"). Threats can be, but is not limited to, the form of a telephone call, voice mail message, text message, written statement, drawing or writing on a bathroom wall or elsewhere, comment to staff or another student, e-mail message, Internet message, or other means of communication.

Violation - Procedure C

15. False Alarm

Falsely alerting by any means (including 911 calls) the Fire Department, Police, any emergency unit, or school to a non-existent fire or other non-existent emergency.

First Violation - Procedure B

Repeat Violation - Procedure C

16. Gangs

Students participating in gang membership, gang signs, gang graffiti, and/or other known gang activities (e.g. wearing beads or bandanas).

- First Violation - Procedure B
- Repeat Violation - Procedure C

17. Intimidation of Witness

Any physical or verbal intimidation of any witness to any violation of school rules or regulations or any person appearing or to appear at any hearing provided for in this code.

- Violation - Procedure C

18. Leaving School Without Permission

Students are not to leave school grounds without authorization by a school administrator. Leaving school grounds without permission is considered truancy.

- First Violation - Procedure A
- Repeat Violation - Procedure B and possible referral to attendance officer

19. Misuse of Electronic Devices

The use of cell phones and other personal technology devices is allowed in class if approved by the teacher and the device is being used for appropriate educational purposes.

Cell Phones and Electronic Devices: Ringing, buzzing, and/or vibrating or any interruption of class due to cell phone or electronic device use/misuse is prohibited. Recording, sending and/or viewing inappropriate images (including but not limited to threats, fights, assaults,

indecent or explicit pictures) or messages that may disrupt the educational process or the orderly conduct of school are prohibited. This also includes requesting or agreeing to assist another in the above activities. Taking pictures or video recording any person (staff or student) without consent is a violation of this code. The school district's jurisdiction policy applies.

At any given time, upon request of school personnel, students are required to stop using cell phones or other electronic devices.

First Violation - Procedure A

Device is confiscated and will be returned to student upon request at the end of that school day if the device is personal property.

Repeat Violation - Procedure A or B

Device is confiscated and will be returned when the parent comes to school to retrieve it if the device is personal property. At administrator discretion, student may not be allowed to possess a phone or electronic device at school for a period of time determined by the administrator.

20. False Accusations

Students making accusations against any staff or student which, after appropriate investigation, are shown to be false.

First Violation - Procedure B

Repeat Violation - Procedure C

21. Harassment

The Port Huron Area School District Board of Education has approved an extensive anti-harassment, intimidation and bullying policy. A copy of the policy is available online on the District website at www.phasd.us in the Parent/Student section or by contacting the secretary/principal at your child's school or by stopping in to the District Central Office.

Harassment, including bullying, intimidation and pranks, involves actions, writings, or statements directed at an individual or identifiable group which are intended to be or which a reasonable person would perceive as ridiculing, insulting or demeaning. This includes but is not limited to acts perceived as being motivated by religion, race, color, national origin, age, sex, sexual orientation, disability, height, weight, or socio-economic status, or any other distinguishing characteristic. Hazing is considered a form of harassment. Derogatory and demeaning comments to a person about their sexual orientation or use of racial slurs are prohibited.

- First Violation - Procedure B
- Repeat Violation - Procedure B or C

22. Inappropriate Sexual Conduct

This includes but is not limited to improper touching of an offensive or sexual nature and/or the intentional exposure of private parts of one's body (this includes but is not limited to "mooning" and ("sex-texting/ sexting," explicit images), sexual activity and/or simulating sexual acts, and aiding, assisting or encouraging another to participate in the conduct. In addition, the creation, possession or attempted possession, sale, purchase or delivery of pornographic, obscene or materials harmful to children are strictly prohibited. Referral to proper police authorities will be made, if appropriate.

NOTE: Consensual sex with a person under sixteen (16) is still a crime punishable by imprisonment and listing on the Sexual Offenders Registry on the Internet or at least twenty-five (25) years. (Sec. 166a – Public Act 158)

Violation - Procedure C

Criminal Sexual Conduct– includes committing or attempting to commit an offense rising to the level of criminal nature. This also includes aiding, assisting, or encouraging such conduct.

Because the conduct approximates that described in Revised School Code Section 1311(2), the District reserves the right to further review this matter and impose disciplinary consequences consistent with Section 1311(2) if the student pleads guilty or no contest to, or is convicted of criminal sexual conduct. This may include permanent expulsion for up to 180.

Violation - Procedure C

23. Inappropriate Physical Contact

Actions including but not limited to horseplay, play fighting, pushing, shoving, slapping, hitting, “checking”, and “pantsing.” These activities would include physical contact short of a fight or assault.

First Violation - Procedure A or B
Repeat Violations - Procedure B or C

24. Arson, Fire Setting or Their Attempt

A student shall not intentionally or recklessly start a fire, prepare to, or otherwise attempt to start a fire. A fire set or attempted to be set to disrupt or jeopardize the safety of staff or students or with the intent to cause damage to

any property or injury to any person will be deemed arson.

Violation - Procedure C

Criminal "Arson" means a felony violation as set forth in Chapter X of the Michigan Penal Code.

Because the conduct approximates that described in Revised School Code Section 1311(2), the District reserves the right to further review this matter and impose disciplinary consequences consistent with Section 1311(2) if the student pleads guilty or no contest to, or is convicted of arson. This may include permanent expulsion for up to 180.

25. Verbal/Written Threats

Any verbal, written, or otherwise transmitted statement that implies the intent to inflict harm on any staff member or student, under such circumstances which create reasonable fear of retribution, intimidation or injury.

Violation - Procedure C

26. Computer Fraud

Intentionally accessing a computer, computer program, computer network or system to acquire, alter, damage, delete or destroy property or information, and/or any other unauthorized use of the computer. This includes but is not limited to identity theft and/or sending false information to an intended victim. Violations may be reported to the proper legal authorities.

First Violation - Procedure B

Second Violation - Procedure C

NOTE: Illegally accessing District programs or systems for any reason could be considered an expellable offense.

XXV. DISCIPLINE PROCEDURES

Note: Parent contact may not be appropriate if the student is 18 years of age or older.

Procedure A

1. a. Notify parents by phone, email, suspension slip or letter
 - b. Conference with administrator or designee and parties concerned.
 - c. Consequence that may include but not limited to detention.
2. At administrator discretion, suspension until parent conference or contact and/or suspension up to three (3) school days.

Procedure B

1. a. Notify parents by phone, e-mail, suspension slip and/or letter.
 - b. Referral to proper police authorities (if appropriate). A ticket may be issued at this time.
 - c. Conference with administrator and parties concerned.
2. Suspension for up to five (5) school days .

Procedure C

1. Follow written procedural memorandums, if appropriate, under the circumstance presented.
2.
 - a. Notify parents immediately by phone, e-mail, suspension slip and/or letter.
 - b. Referral to proper police authorities (if appropriate).
3. A suspension of up to ten (10) school days (administrator discretion).
4. A recommendation for long term suspension or expulsion, if appropriate.

Procedure D

The district will comply with the federal Gun-Free Schools Act and Revised School Code MCL 380.1311(2), 380.1311(11) , 380.1311a. If a student possesses a firearm in a weapon-free school zone, the student will be Permanently Expelled, subject to *possible* reinstatement after 180 days.

APPENDIX A
PORT HURON AREA SCHOOL DISTRICT
COMPLAINT/GRIEVANCE PROCEDURE

Title VI of the Civil Rights Act of 1964
Title IX of the Education Amendment Act of 1972
Title II of the Americans With Disability Act of 1990
Section 504 of the Rehabilitation Act of 1973
Age Discrimination Act of 1975
Michigan's Elliott-Larsen Civil Rights Act of 1977

Section 1

Any person believing that the Port Huron Area School District, or any part of the school organization, has inadequately applied the principles and/or regulations of (1) Title VI of the Education Amendment Act of 1972, (2) Title IX of the Education Amendment Act of 1972, (3) Title II of the Americans With Disability Act of 1990, (4) Section 504 of the Rehabilitation Act of 1973, (5) Age Discrimination Act of 1975, and Michigan's Elliott-Larsen Civil Rights Act of 1977, may bring forward a complaint, which shall be referred to as a grievance, to the local Civil Rights Coordinator of the following address:

Director of Student Services and Behavior Supports
Port Huron Area School District
2720 Riverside Drive, P.O. Box 5013
Port Huron, MI 48061-5013

*Note: General information regarding Section 504 and Special Education may be addressed to the Department of Special Education.

Section 2

The person who believes a valid basis for a grievance exists shall discuss the grievance informally and on a verbal basis with the local Civil Rights Coordinator, who shall in turn investigate the complaint and reply with an answer to the complaint within five (5) business days. The complainant may initiate formal procedures according to the following steps:

Step 1

A written statement of the grievance signed by the complainant shall be submitted to the local Civil Rights Coordinator within five (5) business days of receipt of answers to the informal complaint. The coordinator shall further investigate the matters of grievance and reply in writing to the complainant within five (5) business days.

Step 2

If the complainant wishes to appeal the decision of the local Civil Rights Coordinator, he/she may submit a signed statement of appeal to the Superintendent of Schools or Superintendent's Designee within five (5) business days after receipt of the Coordinator's response.

The Superintendent or administrator shall meet with all parties involved, formulate a conclusion, and respond in writing to the complainant within ten (10) business days.

The local Coordinator, on request, will provide a copy of the District's grievance procedure and investigate all complaints in accordance with this procedure.

A copy of each of the acts and the regulations on which this notice is based may be found in the Civil Rights Coordinator's office.

Step 3

If unsatisfied, the complainant may appeal through a signed, written statement to the Board of Education within five (5) business days of his receipt of the Superintendent's response in Step 2. In an attempt to resolve the grievance, the Board of Education shall meet with the concerned parties and their representative within forty (40) days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting.

Step 4

If at this point the grievance has not been satisfactorily settled, further appeal may be made to the Michigan Department of Civil Rights and/or the Office for Civil Rights, Department of Education, Washington, D.C. 20202.

Inquiries concerning the nondiscriminatory policy may be directed to Director, Office for Civil Rights, Department of Education, Washington, D.C. 20202.

The local Coordinator, on request, will provide a copy of the District's grievance procedure (see below) and investigate all complaints in accordance with this procedure.

A copy of each of the acts and the regulations on which this notice is based may be found in the Civil Rights Coordinator's office.

**PORT HURON AREA SCHOOL DISTRICT
COMPLAINT/GRIEVANCE PROCEDURE**

Title VI of the Civil Rights Act of 1964
Title IX of the Education Amendment Act of 1972
Title II of the Americans with Disability Act of 1990
Section 504 of the Rehabilitation Act of 1973
Age Discrimination Act of 1975
Michigan's Elliott-Larsen Civil Rights Act of 1977

Date _____ Name _____

Address _____

(Street)

(City)

(State)

(Zip Code)

Telephone _____

(Home)

(Cell)

Status of person filing complaint/grievance:

_____ Student _____ Employee

_____ Parent _____ Other: _____

Statement of complaint/grievance (include type of discrimination charged and the specific incident(s) in which it occurred):

Signature of Complainant Date Complaint/Grievance Filed

Signature of person receiving complaint _____

Date Received _____ Complaint Number _____

1st copy - School Civil Rights Coordinator

2nd copy - Complainant