

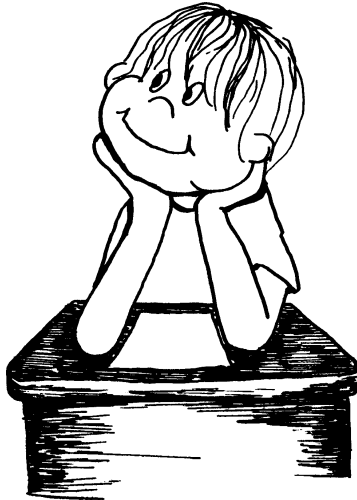


**Wayne-Westland**  
COMMUNITY SCHOOLS

2009-2010

**Elementary Student Handbook**  
and  
**Code of Conduct**

Wayne-Westland Community Schools  
Gregory J. Baracy, Ed.D., Superintendent



Accredited by the  
North Central Association  
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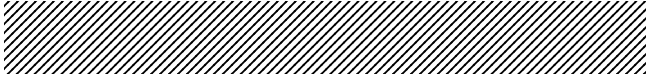
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# **District Mission Statement**

The Wayne-Westland Community Schools, in cooperation with parents and the community, will educate and prepare all of our students to be knowledgeable, responsible, contributing members of a global society.

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## **ARTICLE I - INTRODUCTION**

The primary objective of the Wayne-Westland Community Schools is to assist each student to develop into a responsible, self-controlled individual, willing to assume his/her role as a productive member of society. An important aspect of this learning process is learning to respect the rules and regulations that are established for the protection of the rights of all members of the school community.

## **ARTICLE II - SCHOOL ATTENDANCE**

### **A. Ages of Attendance**

Compulsory school attendance in the State of Michigan includes all students from ages 6-16. Truancy is defined as the willful non-attendance of school and will result in disciplinary actions at the building level.

The School District will work cooperatively with all parents and students to assure positive student attendance. In an extreme case of student nonattendance, however, the District may seek court action against the student and/or his or her parent(s)/guardian(s) to assure compliance with state law.

### **B. Necessary Absence**

When health problems or other emergencies require a student to be absent from school, the school may request verification from the parents/guardians.

### **C. Emergency Release**

An individual student may be released from school in an emergency situation to a custodial parent, guardian, legal authorities, or other person properly authorized by the parent/guardian to accept custody.

### **D. Student Detention**

A student shall not be required to stay beyond regular school hours for disciplinary reasons unless a parent has received prior notification of such action by the School District.

## **ARTICLE III - STUDENT HEALTH**

Ideally, all medication should be given to students at home. The second most desirable would be for students to administer their medication themselves. Since that is not always possible, school personnel can assist a student during the school day. Only those medications which are necessary to maintain the student in school, and which must be given during school hours, will be administered. In order for school personnel to administer medication (even aspirin) to a student, the School District's "Medication Authorization Form" must be completed and on file in the school office. The "Medication Authorization Form" must be completed annually for students receiving ongoing medications.

## **ARTICLE IV - STUDENT RIGHTS, RESPONSIBILITIES & LIMITATIONS**

### **A. Student Expression**

School District administrators and teachers may exercise control over or otherwise limit student expression that may be reasonably attributed to the School District by the general public, parents or students for any legitimate educational reason. Additionally, other types of student expression that occur on school premises may be controlled or otherwise limited in order to avoid material and substantial interference with school work, student discipline, the rights of others, or the proper functioning of the educational process.

### **B. Academic Freedom**

Without minimizing the importance of established truths and values, it shall be the policy of the district to foster dispassionate, unprejudiced, scientific studies of controversial issues in an atmosphere free from bias and prejudice throughout the scope of the District's curriculum and instructional program. Students and parents shall be encouraged to serve on curriculum committees and systematically advise the administration of new areas of interest directed toward developing more comprehensive and meaningful learning experiences.

### **C. Learning Materials**

The Board of Education shall encourage the development of programs and the selection of materials, which will foster socially responsible citizenship in the students through precept, example, and practice. The content of all such materials shall be such as to constitute fair treatment for all racial, religious, and multi-ethnic groups.

### **D. Student Dress**

The style and manner in which a student dresses while he/she attends school shall be the responsibility of his/her parents. Parental discretion shall be the major criteria for student dress.

The District, however, maintains the right to impose reasonable restrictions on dress for the following reasons:

1. If the style of dress or grooming is disruptive to the educational process.
2. If the style of dress or grooming is detrimental to the health, safety, or welfare of the student or other students with whom he/she attends school:
3. If the dress is of a type, which may cause physical damage to the school plant.

### **E. Student- School Board Relationships**

Your Board of Education solicits your views and encourages your attendance at the public Board meeting. Accordingly, the Board invites student representative from each Elementary school to attend its meetings.

## **F. Student Records**

Teachers, guidance counselors and school administrators who maintain student records, or who have them in their custody, may not disclose them, or any information contained in them, unless, permitted by law without a written release from the parent or legal guardian. Records will be kept secure at all times and will be available to parents with legal guidelines and with prior notice.

## **G. Search and Seizure**

From time to time, school property, such as lockers and desks, is assigned to a student. Students do not, however, acquire a reasonable expectation of privacy in such property. The District reserves the unrestricted right to search and seize property assigned to a student at any time, for any reason, with or without notice to the student. The privacy rights of students shall be respected regarding any items that are not illegal or against school policy.

The District does make parking available to students who are licensed drivers on the condition they, consent in advance, to the search of their vehicles by District personnel at any time, for any reason, with or without notice to the student.

District personnel may, to the full extent permitted by law, search and seize students and their personal effects. Illegal items and items inappropriate in the educational environment may be confiscated by District personnel and, when appropriate, delivered to police authorities.

## **H. Police Investigations and Arrest**

The District's practice is to cooperate with local police authorities in the interest of the welfare of all citizens and the school community. Parents will be notified if police arrest or wish to question students in school. The timing of parental notification will depend on the circumstances taken as a whole.

## **I. Transportation**

1. A student who rides the school bus must abide by the driver's direction and the Student Code of Conduct or face the loss of bus privileges.

Examples of misconduct that may lead to temporary or permanent suspension of bus privileges include, but are not limited to:

1. Insubordination
2. Smoking
3. Fighting
4. Profane or Foul Language
5. Destruction of Property
6. Repeated Offenses

## **J. Acceptable Use of Technology and Network Policy**

Wayne Westland Community Schools encourages and promotes the educational use of technology in our schools. To ensure students, staff and parents take full advantage of the technologies available, all uses of technology in the school district must have proper authorization and adhere to district policies. All use of technology is a privilege, not a right and must be in support of and consistent with the purposes and stated goals of the school district. There are no inherent warranties for technological resources that Wayne-Westland is providing. Wayne -Westland reserves the right to monitor network activity.

### **Guidelines:**

- \* Students will use technology as authorized by appropriate school personnel.
- \* Only software legally owned and/or authorized by the district may be put on district computers.
- \* All network activities will be legal and appropriate use.
- \* Prior approval of the building principal and district web manager is needed to place anything on the building or district web pages.

### **Technology users will:**

- \* Comply with district policies, rules and regulations.
- \* Use networks and technology in support of Wayne-Westland's educational goals.
- \* Obey all district, state and national copyright laws.
- \* Report to the building administrator or teacher any misuse of networks and/or technology.
- \* Use district equipment responsibly; respect individual work, files, programs and security.
- \* Hold harmless Wayne-Westland Community Schools from any and all claims or damages of any nature arising from access, use or inability to access or use the technology or network system.

### **Technology users will not:**

Intentionally tamper with computer or network components in a way that makes them temporarily or permanently inoperable.

- \* Access, vandalize, or modify anyone else's account, data, files and/or password without authorization of the network administrator or building principal.
- \* Use district technology for commercial or 'for profit' purposes.
- \* Use district technology to impersonate another, obtain illegal copies of software or audio, text, video materials for which Wayne-Westland does not have ownership.
- \* Use district technology to send or intentionally receive messages that are inflammatory, harassing in nature, sexist, racist or otherwise inappropriate.
- \* Disclose confidential information, passwords, or access codes.

- \* Post-personal information (such as address or phone number), credit card numbers, bank account numbers, or any other financial information.
  - \* Use district technology to distribute materials that:
    1. Violates the Family Education Rights and Privacy Act, which affords students certain rights with respect to their education records.
    2. Jeopardizes the health and safety of students; is obscene, pornographic or libelous;
    3. Causes disruption of school activities;
    4. Plagiarizes the work of others;
    5. Is a commercial advertisement or
    6. Has not been approved by the building administrator, network administrator or web manager.
- Any attempt at performing one of the aforementioned prohibited acts is also prohibited.

## **ARTICLE V - FREEDOM FROM DISCRIMINATION**

It is the policy of the Board of Education and the School District not to unlawfully discriminate on the basis of sex, race, color, national origin, religion, height, weight, marital status, handicap or disability. The School District reaffirms its long-standing policy of compliance with all applicable federal and state laws and regulations prohibiting discrimination, including, but not limited to, Title VI and Title VII of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973; Americans with Disabilities Act of 1990; Michigan Handicappers' Civil Rights Act; and the Elliott-Larsen Civil Rights Act. The Board of Education will not tolerate harassment of students by fellow students or by any of its employees, Board members, vendors, contractors or others doing business with the School District, parents, visitors, invitees, guests, etc. Unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct relating to a student's sex, race, color, national origin, religion, height, weight, marital status, handicap or disability is strictly prohibited and disciplinary action will be taken against the offender, regardless of the offender's position with the School District.

Any student who believes that he/she has suffered harassment shall report the incident to his/her principal and the student is guaranteed that he/she will not suffer any form of reprisal by school officials for reporting the incident. The School District has the responsibility of investigating and resolving all complaints of harassment and discrimination.

# CODE OF CONDUCT

## ARTICLE VI - STUDENT DISCIPLINE

### A. Preamble

The Student Code of Conduct establishes the rules governing the most serious and obvious types of student misconduct. The prohibited acts listed in this Student Code of Conduct are not to be construed as an all-inclusive list or as a limitation upon the authority of school officials to deal appropriately with violations of a school building's individual rules and regulations, or other types of conduct which interfere with the good order of the school system, the proper functioning of the educational process, or the health and safety of students.

The Student Code of Conduct does not cover the School District's attendance and tardiness policies, the School District's requirements for credit and graduation, or the School District's authority to regulate the participation of students in extracurricular and athletic activities.

Each prohibited act listed in the Student Code of Conduct sets forth the discipline, which may be imposed for a violation. The discipline for violating some prohibited acts ranges from administrative intervention to expulsion: for other prohibited acts, the penalty ranges from suspension to expulsion; and for violation of the most serious prohibited acts, the penalty is expulsion. In cases where the stated penalty is not expulsion but is set forth in terms of a range, then the actual penalty imposed will depend upon the nature and severity of the offense, the particular facts involved, the age of the student, the student's prior behavioral record, the persistent and/or chronic nature of the misconduct, the recommendation of school personnel, and all other circumstances deemed relevant.

A student violating any of the prohibited acts listed in this Student Code of Conduct shall be deemed to be guilty of a gross misdemeanor and will be disciplined. Additionally, a student who engages in a prohibited act, which violates law, may be referred to the appropriate police authority.

The prohibited acts and penalties listed below are applicable when a student:

1. engages in a prohibited act on school property;
2. engages in a prohibited act in a motor vehicle being used for a school related purpose;
3. engages in a prohibited act at a school-related activity, function or event;
4. engages in a prohibited act enroute to or from school
5. engages in a prohibited act involving another student who is enroute to or from school:

6. engages in a prohibited act off school premises, which act, in the judgment of the building administrator, is of such seriousness that the student's continued attendance in school would present a danger to the health and safety of students or employees and/or would endanger the proper functioning of the educational process:  
or
7. engages in a prohibited act when the student was not enrolled in the Wayne-Westland Community Schools or was enrolled in another school district, if the act of misconduct would constitute a sufficient basis for suspension or expulsion had it occurred while the student was attending the Wayne-Westland Community Schools District.

## **B. Definitions of Discipline**

1. **Administrative Intervention** - Disciplinary action which does not result in a student being suspended from school. Administrative intervention may include the removal of a student from a class period, in-school suspension, a reprimand, detention and/or work assignment before or after school, additional classroom assignments, revocation of the privilege of attending after school functions and activities, events etc..
2. **Suspension** - Exclusion of a student from school for a specific period of time or exclusion of a student from school which exclusion terminates upon the fulfillment of a specific set of conditions.
3. **Expulsion** - The permanent exclusion of the student from the school system.

## **C. Prohibited Acts**

1. **Failure to Cooperate**  
A student shall not refuse to cooperate with School District administrators and/or teaching staff investigating a possible violation of this Code of Conduct and/or building rules, and no student shall make false statements or give false evidence to School District administrators and/or teaching staff. A student shall not refuse to testify or otherwise cooperate with School District personnel in any disciplinary proceeding.  
**Penalty** - administrative intervention to expulsion.
2. **False Allegations**  
A student shall not libel or slander, or make false allegations against another student, School District employee (including substitute and student teachers), Board of Education: members; or volunteers.  
**Penalty** - administrative intervention to expulsion
3. **Failure to Comply With Directions of School Personnel**  
A student shall not be insubordinate or fail to comply with instructions and directions of School District employees (including substitute and student teachers), volunteers or persons acting in a chaperone or supervisory capacity.  
**Penalty** - administrative intervention to expulsion.

#### **4. Falsification of Records**

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

**Penalty** - administrative intervention to expulsion.

#### **5. Scholastic Dishonesty**

A student shall not engage in academic cheating. Cheating includes, but is not limited to, the actual giving or receiving of any unauthorized aid or assistance or the actual giving or receiving of unfair advantage on any form of academic work. A student shall not engage in plagiarism, which includes the copying of language, structure, idea and/or thought of another and represent it as one's own original work.

**Penalty** - administrative intervention to expulsion.

#### **6. Copyrighted Material**

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

**Penalty** - administrative intervention to expulsion.

#### **7. Improper Communications**

A student shall not make threatening, annoying, nuisance, vulgar and/or obscene communications, verbally, in writing, or by gestures, to School District employees (including substitutes and student teachers), Board of Education members, chaperones, volunteers or visitors to the school building. The prohibition against such communications shall apply whether the communications are made in a school building or on school premises or outside of a school building or off school premises, and regardless of whether such communication are made during, before, or after school hours or during times when school is not in session.

**Penalty** - administrative intervention to expulsion.

#### **8. Indecency**

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

**Penalty** - administrative intervention to expulsion.

#### **9. Disruption of School**

A student shall not, by any type of conduct (violence, force, noise, coercion, threat, intimidation, fear, passive resistance, etc.), cause the disruption or obstruction of any function of the school, nor shall he or she engage in any such conduct if such disruption or obstruction is reasonably likely to result. Neither shall a student urge other student to engage in such conduct for the purpose of causing such disruption or obstruction.

While the following acts are not intended to be exclusive, they illustrate the kinds of offenses encompassed within this rule, but it must be remembered that any conduct, which causes disruption, is likely to result in disruption, or interferes with the educational process, is forbidden.

- \* Occupying any school building, school grounds, or a part thereof, without the permission of a school building staff member, which deprives others of its use:
- \* Blocking normal pedestrian or vehicle traffic, the entrances or exits of any school building or corridor or room, without the permission of a building principal:
- \* Preventing, attempting to prevent, or interfering with, the convening or continued functioning of any class, activity, meeting or assembly;
- \* Instigating or participating in a disturbance, or causing a disturbance, which interrupts the educational opportunities of others or threatens the general health, safety and welfare of others on school property or at a school sponsored activity.

**Penalty** - administrative intervention to expulsion.

#### 10 **Discriminatory Harassment**

A student shall not engage in unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct relating to a person's sex, race, color, national origin, religion, height, weight, marital status, or handicap or disability (e.g., sexual or racial comments, threats or insults, unwanted sexual touching, etc.)

**Penalty** - administrative intervention to expulsion.

#### 11. **Violations of Building's Rules and Regulations**

A student shall not commit or participate in any conduct or act prohibited by a school building's rules and regulations.

**Penalty** - administrative intervention to expulsion.

#### 12. **Bullying and Hazing**

Students are prohibited from engaging in conduct, whether written, verbal or physical, that unreasonably interferes in another's participation in or enjoyment of school or school-related activities, such as bullying or hazing. Bullying means intimidating or attempting to intimidate others by any means or methods, including: taunts, name-calling, put-downs, discriminatory harassment, extortion or exclusion. Hazing means initiating another student into any grade, school or school-related activity by any means or methods that may cause physical or emotional pain, embarrassment or discomfort.

**Penalty** - administrative intervention to expulsion.

#### 13. **Dress**

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

**Penalty** - administrative intervention to expulsion.

14. **Smoking/Tobacco**

A student shall not smoke, chew or otherwise use tobacco. A student shall not, while on school property, have in his/her possession or under his/her control, tobacco in any form.

**Penalty** - administrative intervention to expulsion.

15. **Trespassing, Loitering**

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

**Penalty** - administrative intervention to expulsion.

16. **Suspended Student On School Property Or Attending School Activities**

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

A student, while on suspension, shall not participate in, or attend any school related activity, function or event, held on or off school property, without permission of a building administrator.

**Penalty** - administrative intervention to expulsion.

17. **False Alarms**

A student shall not knowingly cause a false fire alarm, or make a false fire, bomb or catastrophe report.

**Penalty** - suspension to expulsion.

18. **Electronic Communication Devices and Laser Pointers**

Students are prohibited from using or possessing active (i.e., turned on) electronic communication devices (e.g., pager, cellular telephone, etc.) on school premises from the beginning until the end of the instructional day, including passing times, lunch times and after school detention. Students are also prohibited from openly possessing inactive electronic communication devices from the beginning until the end of the instructional day, and such devices shall be stored in the student's book bag, locker, purse, etc. Student use and possession of active electronic communication devices before and after the instructional day shall be limited to areas designated in writing by school administration. Students are prohibited from using or possessing active electronic communication devices, at any time, in the locker rooms and bathrooms and on school buses.

Students are prohibited from possessing or using laser pointers on school premises and at school-related activities without the express permission of school administration.

**Penalty** - administrative intervention to expulsion.

19. **Damage of Property or Theft/Possession**

A student shall not intentionally cause or attempt to cause damage to school property or the property of another person, or steal, attempt to steal, or knowingly be in the unauthorized possession of, school property or the property of another person.

**Penalty** - suspension to expulsion.

20. **Coercion, Extortion or Blackmail**  
A student shall not commit or attempt to commit extortion, coercion or blackmail. A student shall not engage in the act of securing or attempting to secure money or other items of value by the use of threats and/or violence, nor shall a student, by threats and/or violence, force another person to perform an unwilling act.  
**Penalty** - suspension to expulsion.
21. **Arson**  
A student shall not burn, or attempt to burn, any tangible property or intentionally set a fire on school property or cause or attempt to cause an explosion on school property.  
**Penalty** - suspension to expulsion.  
This section is supplemental to, and does not limit or supercede, sections 19, 23, and 33.
22. **Fireworks, Explosives, Chemical Substances**  
A student shall not possess, handle or transmit any substance or prepared chemical that can explode, is capable of inflicting bodily injury or is reasonably likely to cause physical discomfort to another person.  
**Penalty** - suspension to expulsion.
23. **Criminal Acts**  
A student shall not commit or participate in any conduct or act defined as a crime by federal or state law or local ordinance.  
**Penalty** - suspension to expulsion.
24. **Alcohol/Chemical Substances**  
A student shall not manufacture, sell, handle, possess, use, deliver, transmit or be under any degree of influence (legal intoxication not required) of any alcoholic beverages or intoxicant of any kind. A student shall not inhale glue, aerosol paint, lighter fluid, reproduction fluid or other chemical substance for the purpose of becoming intoxicated or under the influence (legal intoxication not required).  
**Penalty** - suspension to expulsion.
25. **Look-A-Like Weapons**  
A student shall not possess, handle or transmit any object or instrument that is a "look-a-like" weapon or instrument (e.g., starter pistol, rubber knife, toy gun, etc.).  
**Penalty** - administrative intervention to expulsion.
26. **Weapons and Dangerous Instruments**  
A student shall not possess, handle or transmit a knife with a blade of three (3) inches or less, blackjack, baton, marshal arts device, paint ball or splat gun, or other object or instrument that can be considered a weapon or is capable of inflicting bodily injury.  
**Penalty** - suspension to expulsion.
27. **Personal Protection Devices**  
A student shall not possess, handle or transmit a personal protection device (e.g. pepper gas, mace, stun gun, electric shock device, etc.) capable of inflicting bodily injury or causing physical discomfort to another person.

**Penalty-** suspension to expulsion.

28. **Drugs, Narcotic Drugs and Counterfeit Substances**

A student shall not manufacture, sell, possess, use, deliver, transfer or be under the influence (legal intoxication not required) of any drug, narcotic drug, marijuana, hallucinogen, stimulant, depressants controlled substance, counterfeit substance or a controlled substance analogue intended for human consumption.

A student shall not sell, deliver or transfer, or attempt to sell, deliver or transfer, any prescription or non-prescription drug, medicine, vitamin or chemical substance (e.g., pain relievers, stimulants, diet pills, pep pills, No-Doze pills, cough medicines, laxatives, stomach or digestive remedies), nor shall a student use or possess these substances for an improper purpose.

A student shall not sell or represent a legal substance as an illegal or controlled substance (e.g., selling NODOZ as "Speed" or "Crack") or sell, manufacture, possess, use, deliver or transfer "designer" drugs).

**Penalty** - suspension to expulsion.

29. **Fighting, Assault and/or Battery on Another Person**

A student shall not physically assault, or cause, behave in such a way to cause, or threaten to cause physical injury to a school employee, (including substitute and student teachers), student, volunteer, chaperone or other person (e.g., fighting).

**Penalty** - suspension to expulsion.

30. **Violation of Acceptable Use Policy**

A student shall not violate or attempt to violate the Acceptable Use of Technology Policy. Violation of any of the rules and responsibilities may result in a loss of: access privileges / technology privileges / computer usage and may result in other disciplinary or legal actions including restitution.

**Penalty** - administrative intervention to expulsion.

31. **Gang Insignia/Activity**

A student shall not wear or possess any clothing, jewelry, symbol or other object that may reasonably be perceived by any student, teacher or administrator as evidence of membership in or affiliation with any gang; a student shall not commit any act, verbal or non-verbal (gesture, handshakes, etc.), that may reasonably be perceived by a teacher or administrator as evidence of membership in or affiliation with any gang; a student shall not commit any act, verbal or non-verbal, in furtherance of the interests of any gang or gang activity, including, but not limited to, a) soliciting others for membership in any gang or gang related activity b) requesting any person to pay protection or otherwise intimidating or threatening any person c) committing any other illegal act or violation of School District rules or policies, or; d) inciting other students to act with physical violence on any person.

The term "gang", means a group of two or more persons whose

purpose or activities include the commission of illegal acts or violations of this Code of Conduct, School District rules or policies, or whose purpose or activities cause disruption or is likely to cause disruption to the educational process.

**Penalty** - administrative intervention to expulsion.

32. **Dangerous Weapons**

A student shall not possess a dangerous weapon in a weapon free school zone.

**Penalty**- expulsion

A dangerous weapon, for purpose of this section only, means a firearm, dagger, dirk, stiletto, knife with a blade over three (3) inches in length, pocketknife opened by a mechanical device, iron bar or brass knuckles. The word "firearm", for purposes of this section only, means any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by action of any explosive; or any destructive device which includes any explosive, incendiary or poison gas (i) bomb (ii) grenade (iii) rocket having a propellant charge of more than four (4) ounces (iv) missile having an explosive or incendiary charge of more than one-quarter (1/4) ounce or (v) mine. A weapon free school zone means school property, which includes a building, playing field or property used for school purposes to impart instruction to children or used for functions and events sponsored by a school or vehicle used by a school to transport students to and from school property.

This section is supplemental to, and does not limit or supersede, section 26.

33. **Arson Prohibited by Law**

A student shall not commit an act of arson, prohibited by MCL 750.71 through MCL 750.80.

**Penalty** - expulsion.

This section is supplemental to, and does not limit or supersede, sections 19, 21 and 23.

34. **Criminal Sexual Conduct**

A student shall not commit criminal sexual conduct, as defined by MCL 750.520 b-e and g.

**Penalty** - expulsion.

This section is supplemental to and does not limit, sections 7-11,20,23 and 29

35. **Misconduct Prior to Enrollment**

An otherwise eligible resident may be suspended or expelled for an act of misconduct committed while the student was (a) a resident of another district, (b) enrolled in another school, (c) outside of school hours or (d) off school premises if the

misconduct would have constituted a sufficient basis for suspension or expulsion had it occurred while the student was enrolled in the District.

**Penalty** - suspension to expulsion.

## **ARTICLE VII - DUE PROCESS PROCEDURES**

### **A. Introduction To The Rules Of Due Process**

The following due process procedures only govern the suspension or the expulsion of a student from the School District's regular educational program. Discipline in the form of administrative intervention is solely within the discretion of the building principal or his/her designee and is not subject to the procedures of due process as provided in this Student Code of Conduct.

If a student charged with violation of this Code of Conduct has been returned to the regular school program pending a decision by either the principal, hearing officer, or Superintendent, then such action of reinstatement shall not limit or prejudice the District's right to suspend or expel the student following a decision by the principal, hearing officer or Superintendent.

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

### **B. Suspension Of Ten School Days Or Less**

1. **Step One.** As a general rule, prior to any suspension of the student, the building administrator shall provide the student with the following due process:

- a. The administrator shall inform the student of the charges against him/her, and if the student denies the charges, the administrator shall provide the student with an explanation of the evidence the administrator possesses.
- b. The student shall be provided an opportunity to explain to the administrator his/her version of the facts.

If a student's presence in school poses an immediate danger to persons or property or an ongoing threat of disruption to the educational process, the building administrator may immediately suspend the student, and as soon thereafter as reasonable, provide the student with his/her due process rights as set forth in subparagraphs a. and b. above.

If, after providing the student with his/her due process rights, the administrator determines that the student has engaged in a prohibited act under this Student Code of Conduct, then he/she may impose a disciplinary penalty of a suspension not to exceed ten (10) days. Any disciplinary suspension over five (5) school days, but less than eleven (11) school days, must have the prior approval of the Executive Director of Elementary Education.

The principal, or his/her designee, shall inform (in person or by

phone) the student's parent of the suspension and of the reasons and conditions of the suspension. A district "Student Suspension Notice" is to be completed, with copies going to the parent and the student's file. A building administrator's decision to impose a penalty of five (5) or less school days, or six (6) to ten (10) school days with prior approval of the Executive Director of Student and Legal Affairs, is final and not subject to further review or appeal.

**C. Suspension For Eleven (11) Or More School Days And Expulsion**

1. **Step One.** If the building administrator decides that a suspension for eleven (11) or more school days or expulsion is warranted and the Superintendent of Schools or his/her designee agrees with the administrator's decision, the student and the parent(s) or guardian shall be notified of:

- a. the charges against the student;
- b. the recommended disciplinary action;
- c. the fact that a hearing will be held before an impartial school employee (i.e., hearing officer);
- d. the time, place, location and procedures to be followed at the hearing;
- e. the right to appeal any adverse decision of the hearing officer if the hearing officer recommends a suspension for more than 30 school days or recommends expulsion.

If the building administrator decides that the student's presence in school would present a danger to the student her/himself, or to other students, school personnel or the educational process, then the student shall be suspended pending the decision of the hearing officer. If the student would not present a danger as described above, the student may be returned to school pending the decision of the hearing officer. If the student is suspended pending a decision of the hearing officer, the Superintendent or designee shall appoint the hearing officer and schedule the hearing to commence within ten (10) school days following the initial suspension of the student. If the student is not suspended pending the decision of the hearing officer and the Superintendent or designee shall appoint the hearing officer and schedule the hearing to be held within fifteen (15) school days following the completion of the building principal's investigation of the charges. The timelines for commencement of the hearing may be enlarged upon the request of the administrator, student, parent(s) or guardian for caused approved by the hearing officer.

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

The student and/or his/her parent(s) or guardian may notify the school district that they waive their right to a hearing before a hearing officer. In such cases, the principal's recommended

disciplinary penalty shall be imposed. Provided, however, if the recommended penalty is expulsion, the Superintendent will nevertheless make the final decision on expulsion, but the decision will be based upon information submitted to him/her by appropriate school officials;

The hearing officer may amend the principal's charges upon motion of the building administrator, student, parent(s) or guardian, or amend the charges upon his/her own motion to conform to the evidence presented at the hearing. Additionally, the hearing officer may impose a greater or lesser penalty than that imposed or recommended by the building administrator.

- 3. Step Three.** The hearing officer's decision shall be given orally to the student and parent(s) or guardian not later than two (2) business days after the close of the hearing. A written decision shall be mailed not later than four (4) business days after the close of the hearing. These timelines, however, may be enlarged by the hearing officer due to extenuating circumstances.

If the hearing officer's decision imposes a suspension of thirty (30) school days or less, then the decision of the hearing officer shall be final and not subject to further appeal. If the hearing officer's decision imposes a suspension in excess of thirty (30) school days or recommends expulsion, the student and/or his/her parent(s) or guardian may appeal the hearing officer's decision to the Superintendent of Schools.

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

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

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

Upon a timely appeal, the Superintendent of Schools shall consider the decision and record made before the hearing officer and shall provide for a meeting to take place for the purpose of

allowing the administration and the student, parent(s) or guardian to present oral argument(s) in support of or in opposition to, the hearing officer's decision. The Superintendent of Schools may permit the administration or student, parent(s) or guardian to introduce in the appeal meeting newly discovered material evidence, which could not, with reasonable diligence, have been discovered and presented at the hearing before the hearing officer.

The Superintendent of Schools, shall within seven (7) days of the conclusion of the appeal hearing, notify the student, parent(s) or guardian and administration of his/her decision in writing. The Superintendent may affirm, reverse or modify the hearing officer's decision. The Superintendent may also, upon motion of the student, parent(s), guardian or administration, or upon his/her own motion, amend the principal's charges to conform to the evidence or argument presented at the appeal hearing.

## **ARTICLE VIII - MISCELLANEOUS PROVISIONS**

### **A. Voluntary Agreements Of Discipline**

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

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

A suspended or expelled student who enters onto school property without the permission of a building administrator shall be deemed to be trespassing.

### **C. Maintaining Class Progress**

A suspended student has the right to maintain progress, when practical in the judgment of the building principal, during the period of suspension.

# Wayne-Westland

## COMMUNITY SCHOOLS

It is the policy of the Wayne-Westland Community Schools Board of Education to prohibit any acts of unlawful discrimination in all matters dealing with students, employees or applicants for employment. The Wayne-Westland Community Schools reaffirms its policy of equal educational and employment opportunities for all persons without regard to race, age, color, religion, sex, weight, height, marital status, national origin or disability and/or handicap which is unrelated to an individual's qualifications for employment or promotion, or which is unrelated to an individual's ability to utilize and benefit from the School District's educational opportunities, programs and facilities. Inquiries concerning the application of Section 504 legislation should be directed to the coordinator (734-419-2645). Inquires concerning the application of Title VI, Title VII or Title IX legislation should be directed to the Deputy Superintendent/ Educational Services (734-419-2015).

**Notes:**

**Notes:**

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*Great...*

**Futures Start Right Here!**

**Wayne-Westland Community Schools**

36745 Marquette • Westland, MI 48185 • 734-419-2000