

# Fitzgerald Public Schools



## Students' Rights & Responsibilities & Code of Conduct

### **Fitzgerald Public Schools Mission Statement**

*"Inspiring, empowering, and preparing today's learner to become tomorrow's leader."*

### **Fitzgerald Public Schools Vision Statement**

*"FPS Educating Our Future: Focused, Progressive, Successful"*

**2023-2024**

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## INTRODUCTION

We are happy to present you with the Fitzgerald Public Schools - Students' Rights, Responsibilities and Code of Conduct (also known as the Student Code of Conduct). This booklet contains the rights, rules and responsibilities for all students, in grades PreK-12, who attend Fitzgerald Public Schools.

Under Michigan law, every school district is required to adopt a student code of conduct. Pursuant to the State Board of Education directive, the Fitzgerald Board of Education, on April 22, 1971, adopted a policy on Conduct and Discipline of Students and a Code of Student Conduct. The Fitzgerald Public Schools Student Code of Conduct was established to ensure that every student in every school will be provided with a safe and secure environment in which to pursue the excellent educational opportunities available in the Fitzgerald District. This Student Code of Conduct governs student behavior at all Fitzgerald schools or programs, including career technical and alternative schools. School administrators and staff are responsible for addressing student behavior and administering the code of conduct at their locations. Disciplinary action taken at a student's home school extends to career and alternative attendance and all other Fitzgerald programs.

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

## MISSION

Inspiring, empowering and preparing today's learner to become tomorrow's leader.

## VISION

**FPS** Educating our future ~

**F**ocused

**P**rogressive

**S**uccessful

As you know, the safety and security of students in our buildings and school campuses are of the utmost importance. The Board believes that the primary objective of student conduct and control is to produce a school environment which offers the most favorable setting for teaching-learning activities. To produce such an environment, the school and its personnel shall continually study and develop a code of student conduct and the process and means by which it is to be implemented.

The Board believes that requiring student behavior which is consistent with the code of student conduct is essential for maintaining an appropriate educational environment. The Board, therefore, views violations of that code as serious threats to the educational environment. Thus, any student who is found to be in violation of the code of student conduct may be subject to discipline, including suspension or expulsion.

The Board further believes that the Code of Student Conduct and control must consider the welfare and development of (1) the individual, and (2) the student body collectively, and that it should include the entire program of adapting the child to life in his/her society and involve two (2) major emphases:

1. To guide the pupil so that he/she benefits from the immediate efforts of teachers and does not threaten the classroom or the instruction that is taking place.
2. To guide the pupil so that he/she may become a responsible, productive and self-disciplined citizen in preparation for assuming adult responsibilities.

**Application** - The Student Code of Conduct covers all students enrolled at Fitzgerald Public Schools (including during summer school), and is applicable to the student's conduct:

1. On any premises owned, leased or used by the District.
2. In any motor vehicle owned or leased by the District or being used for a school related purpose.
3. At a school-related event, activity or function;
4. Traveling (by vehicle, on a bicycle, on foot, or in any other way) to or from school or a school-related event, activity or function.
5. In any other location, where the conduct has a sufficient connection to or with the District, District personnel or students, or District property that it adversely and significantly affects, interferes with, or endangers good order or the educational environment at school, or the proper functioning of the educational process; or where application to non-school locations is expressly provided for.
6. Whenever a student engages in remote conduct or activities, for example by texting, email, internet, social media, or other electronic means, which may have an adverse impact on school safety, the District's need to maintain good order and discipline during school, and/or the rights and feelings of other students or school district staff.

All staff employed by Fitzgerald Public Schools are required to function in accordance with this code of conduct. Thus, whenever an employee discovers a student engaging in unacceptable conduct, the employee is expected to take prompt action in accordance with District policies and this code of conduct. Prompt action may include directly addressing and correcting the student, intervening to stop the behavior, seeking the assistance of other staff persons and/or reporting the incident to an administrator.

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. The fact that the Student Code of Conduct applies to all students in the District does not mean that all offenses are to be handled in the same way, regardless of the age and grade level of the student. When determining the consequences of student misconduct, school officials may use intervention strategies and/or disciplinary actions. Recognizing the importance of keeping students in school learning as much as possible, educators will consider multiple factors, including those required to be considered by state law or Board Policy.

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.

## **STUDENT RIGHTS**

Students in the Fitzgerald Public School District are guaranteed the right to a public education under the Michigan Constitution. While in school, students retain the rights and responsibilities common to all citizens with some limitations. These include the right to due process, fair administration of discipline, freedom of expression, freedom from discrimination, freedom to partake of educational opportunities free from interference, and freedom from unreasonable search and seizure.

### **Freedom from Discrimination, Harassment & Bullying**

Consistent with federal and state law, students shall not be discriminated against, denied benefits or excluded from participation in any programs, activities or employment on the basis of race, gender, color, national origin, creed, religion, disability or any other basis prohibited by law. Students also have a right to be free from bullying, cyber-bullying and harassment of any kind. Students shall be free to exercise these rights without fear of retaliation.

### **The Right to Due Process**

Due process safeguards apply in instances where the behavior or rights of students are being evaluated. Students shall be treated with fairness and in light of the total circumstances. Students have the right to be appropriately informed of the alleged breach of behavior and be provided an opportunity to respond to such charges as set forth herein. Any permanent record that results from the student's actions should clearly state whether the charges were or were not substantiated. The Student Code of Conduct (the "Code") sets forth the procedural rules for student discipline in the Fitzgerald Public School District.

### **Use of Unlawful Corporal Punishment**

Students are protected under Michigan law ([MCL 380.1312](#)) from the use of unlawful corporal punishment by staff. Under specific circumstances, reasonable physical force may be used as necessary to maintain order and control in a school.

### **Expression of Beliefs or Opinion**

Students have the right to express their beliefs and opinions on issues orally, symbolically and through publication, so long as such expression is made in a manner that does not disrupt the educational environment. Furthermore, written expressions must bear the name of the circulator. Students may disagree with the school and its operations. Such disagreement, however, must not infringe in any way upon the orderly administration of the educational environment. The right to disagree does not include participation in student sit-ins, assemblies not authorized by the principal or the obstruction of halls and stairways, building entrances and exit pathways.

### **Student Dress**

The Fitzgerald Public School Dress & Grooming Code was adopted to provide students with an educational environment that is conducive to the learning process. The policy was created to prevent distractions and health or safety hazards that disrupt classroom settings. Fitzgerald retains the right to monitor student attire and take corrective action when such distractions, in the sole judgment of Fitzgerald, present a health or safety

hazard, or disrupt the educational environment. The District will not impose suspensions or any other disciplinary action for dress code violations unless such violations substantially interfere with the educational environment or create a health or safety hazard. A parent or guardian of a student may request the student be exempted from the mandatory dress code requirement on the basis of a religious or medical accommodation. (Refer to the Board of Education “Policies” page, on the district website)

### **Freedom from Unreasonable Searches & Seizures**

Fitzgerald Public Schools follows a detailed process for student searches and seizures. Important search and seizure directives include: Searches shall be based on reasonable, individual suspicion; shall be limited in scope to such suspicion and should always be conducted by a school official of the same sex as the student being searched. Individualized student searches may be conducted by Police Officers, Fitzgerald security contractors/agents, school officials or school staff.

There is no expectation of privacy in student desks and lockers, as these areas are school property. Fitzgerald reserves the right to conduct random searches of desks and lockers.

All persons who refuse to cooperate with school officials during a search should be referred to the principal of the respective school.

Principals are authorized to permit police officers and identified representatives from the court to interview pupils on official business. When appropriate, such interviews may be conducted in the presence of the principal or a designee. When appropriate, the principal or his/her designee shall inform parents of this request prior to allowing questioning. Students may be searched or arrested when such action is authorized by a warrant or otherwise permitted by law.

Some agencies are, by law, permitted to interview students without prior notification and outside the presence of school administrators. (Refer to the Board of Education “Policies” page, on the district website.)

## **STUDENT RESPONSIBILITIES**

### **Student Participation**

Students have the responsibility of participating fully in the learning process. Students must report to school and to all scheduled classes on time with appropriate supplies and come prepared to work. Students are expected to pay attention to instruction, complete assignments to the best of their ability and request help when needed.

### **Student Behavior**

Students have the responsibility to reasonably avoid any behavior that is detrimental to achieving their own or other students’ educational goals by disrupting the educational environment. Students must cooperate in taking reasonable care of books, other instructional materials, technology, and encourage a climate where learning is cherished. Most particularly, students must refrain from engaging in behavior that violates the provisions of the Code of Conduct. Illegal activity conducted on school property may result in removal from school or referral to law enforcement for criminal prosecution.

### **Respect for Staff**

Students have the responsibility of showing respect for the knowledge and the authority of school staff. Students must obey lawful directions; use only acceptable and courteous language; and avoid actions that show contempt and appeal decisions through the channels as described in this Code of Conduct. Assaults on school staff will not be tolerated. Bullying, harassment and/or cyber-bullying towards school staff are equally prohibited.

### **Respect for Students**

Students have the responsibility of showing respect for the rights and human dignity of fellow students. For example, students must not engage in name-calling, fighting, harassment, bullying, belittling or engaging in deliberate attempts to embarrass or harm another student. These behaviors disrupt the educational environment.

### **Student Identification**

All students must identify themselves upon request of school staff. All middle and high school students are required to wear student ID badges on campus and at Fitzgerald Public School facilities. The ID badge must be clearly displayed on the front of the student. (Refer to the Board of Education "Policies" page, on the district website.)

## **STUDENT, PARENT, EDUCATOR COMPACT**

In order to accomplish our vision, students and teachers need to work together. We share the responsibility of guiding each child in achieving her or his greatest potential, in a safe and caring environment, so that every student will possess the skills needed to enter society as responsible citizens. We ask that you promise to do this by completing and signing the part of this agreement that belongs to you.

### **Students in grades PreK-12 have the responsibility to:**

- Attend school regularly and arrive at class on time each day.
- Come to school dressed in attire that meets the dress code.
- Return my assignments and home activities on time.
- Display positive behavior towards peers, staff, teachers, visitors and administrators.
- Follow school and classroom rules and expectations.
- Come to school with all the materials needed for learning.
- Show respect for myself and others, and for their belongings.
- Do my best at all times, even when this seems difficult.
- Believe that I **can** learn and that I **will** learn.
- Do my part to keep my school environment clean and safe.

### **Parents/Guardians have the responsibility to:**

- See that my child attends school regularly and is in the classroom on time each day.
- Support all school rules and policies.
- Supervise the completion of homework and check to see that it is returned.
- Read and review all information my child brings home from school.
- Provide a quiet place for learning at home.
- Attend at least 3 parent-teacher/school functions a year.
- Support the school staff and respect the diverse populations.
- Have ongoing communication with my child's teacher and be actively aware of his or her academic progress using the parent portal.

**Educators have the responsibility to:**

- Provide a caring learning environment where children can be responsible for learning.
- Provide a safe, positive, healthy, creative, well-managed environment where children are respected and appreciated.
- Support and attend school functions.
- Maintain open lines of communication with students, parents, and school administration.
- Seek ways to involve parents in educational activities.
- Provide students with strategies to increase competence, both in academics and in interactions with others.
- Make effective use of instructional/academic learning time.
- Provide appropriate and meaningful assignments.
- Continue to participate in staff development, keeping current with best practices in the field of education.

**DUE PROCESS PROCEDURES**

The rules governing student conduct apply to all students. Students with disabilities are afforded additional due process protection in cases of suspension or expulsion under state and federal law. The district will fully comply with the Individuals with Disabilities Act (IDEA), Section 504 of the Rehabilitation Act of 1973 and the Michigan Mandatory Special Education Act when considering discipline for students with disabilities. As a consequence of a violation of the Code of Student Conduct by a student with an IEP, specific procedures may apply to ensure student's disabilities are considered when determining appropriate actions. Information about these procedures is available at [www.michigan.gov/ose-eis](http://www.michigan.gov/ose-eis). (Refer to the Board of Education "Policies" page, on the district website.)

Unless otherwise required by law, during periods of exclusion from school, it will be the student's responsibility to make up the work in order that he/she may be in step with the class. Absence for reason of suspension will be considered unexcused, and grades for the days missed will be adjusted as the situation warrants.

**Considerations Before Imposition of Discipline: Restorative Practices**

In accordance with state law and Board Policy, and except as specifically provided below, before a student may be suspended, expelled or permanently expelled, the District administrators making the disciplinary decision shall consider each of the following factors:

1. the student's age;
2. the student's disciplinary history;
3. whether the student is a student with a disability;
4. the seriousness of the violation or behavior committed by the student;
5. whether the violation or behavior committed by the student threatened the safety of any student or staff member;
6. whether restorative practices will be used to address the violation or behavior committed by the student; and
7. whether a lesser intervention would properly address the violation or behavior committed by the student.

The fact that consideration of these factors has occurred shall be documented in the record of the disciplinary decision. The Superintendent has developed an appropriate checklist to be used to document consideration of these factors.

Except as provided below, the District has discretion over whether to suspend, expel or permanently expel a pupil. In exercising this discretion, there is a rebuttable presumption that a suspension, expulsion or



permanent expulsion is not justified unless the administration can demonstrate that it considered each of the factors listed above.

The obligation to consider the factors listed above shall not apply to a student being permanently expelled under state law for possessing a firearm in a weapon-free school zone.

The District shall consider using restorative practices as an alternative or in addition to suspension or expulsion of a student. If the District suspends or expels a student, the District shall consider using restorative practices in addition to suspension or expulsion. The obligation to consider restorative practices shall not apply to a mandatory expulsion for possession of a firearm in a weapon-free school zone.

“Restorative practices” means practices that emphasize repairing the harm to the victim and the school community caused by a student’s misconduct. Restorative practices shall be considered as an alternative or in addition to suspension or expulsion of a student. The Superintendent has established procedures for the use of restorative practices within the District.

## **DISCIPLINE**

The school system has a responsibility to assist each pupil to assume more responsibility on his/her own as he/she matures and gains experience. For this reason:

- I. Discipline and control of students will be treated as an individual matter for each pupil. Each case shall be dealt with according to age, maturity, experience, ability, interest, and values. Disciplinary methods used include but are not limited to the following:
  - A. Parent/Teacher Conferences
  - B. Counseling with the student
  - C. Reprimands
  - D. In-school suspensions
  - E. Out of school suspensions
  - F. Referrals to other agencies or law enforcement
  - G. Other discipline as mandated by state and/or federal law.
  
- II. The best discipline is preventative in nature and shall be an integral part of the counseling process.
  
- III. The Board believes that each pupil and his/her parent or guardians have the right to know what is expected of them in the way of student conduct and behavior. To that end, the entire policy and code shall be published annually.

The consequences for severe and/or chronic misbehavior have been set up to emphasize the seriousness of such behavior. The administration has the discretion to determine what behaviors constitute “severe or chronic” misbehavior. Some consequences which may occur for misbehavior include but are not limited to the following:

- A. Parent conference to plan what can be done to improve behavior and avoid more severe disciplinary action;
- B. Development of behavioral action plan;
- C. Loss of privileges;

- D. In-school suspension;
- E. One to ten days out-of-school suspension;
- F. Long term suspension;
- G. Referral to superintendent for expulsion;
- H. Referral to agencies and/or law enforcement;
- J. Restorative Practices, as defined under the Due Process Procedure section

## **LEVELS OF CONSEQUENCE**

### **Suspension**

The Superintendent, the Superintendent's designee, or a building administrator may suspend a student for a period of up to 60 days. Ordinarily a suspension will be imposed by a building administrator.

### **Expulsion of 61 to 180 days**

The Superintendent, the Superintendent's designee, or a building administrator may expel a student for a period of 61 to 180 days. Ordinarily an expulsion will be imposed by a building administrator.

### **Permanent Expulsion or Expulsion of Greater Than 180 Days**

Upon the recommendation of a building administrator, the Superintendent or the Superintendent's designee may permanently expel a student or expel a student for greater than 180 days.

Note: The imposition of penalties for infractions other than mandatory permanent expulsion is subject to consideration of certain factors established by state law and Board Policy, as discussed above.

### **Responsibility of the Excluded Student**

**Students Excluded for 10 Days or Less:** Students who are assigned to in-school suspension, including students excluded by emergency removal for one (1) class, subject, or activity, and students who are suspended for 10 days or less, will be provided the course content (*i.e.*, worksheets, handouts, assignments), except for notes and other information provided by the teacher during the class period that would be considered part of the in-class lesson. A student shall be offered make-up privileges during the time of the exclusion. It shall be the responsibility of the student to contact each teacher for course content and/or to arrange for make-up opportunities as determined by the teacher.

**Students Excluded for 11 to 90 Days:** Students who are suspended for more than 10 days or expelled for up to 90 days shall have access to course content and are encouraged to keep up with the work of their classes. A student shall be offered make-up privileges during the time of the exclusion. It shall be the responsibility of the student to contact each teacher for course content and/or to arrange for make-up opportunities as determined by the teacher.

**Students Expelled for More Than 90 Days or Permanently Expelled:** Students under 18 years old who are expelled for more than 90 days or permanently expelled from school remain subject to the state compulsory education law, [MCL §380.1561](#). It is the responsibility of the student and the student's parent(s) or legal guardian(s) to locate a suitable alternative educational program and to enroll the student in such a program unless/until the student is reinstated to school in the District or the student reaches the age of 18. The

Michigan Department of Education Office of Safe Schools is charged with compiling information and options for alternative schooling.

Students who are expelled for more than 90 days or permanently expelled are required to return to the principal all school-owned property in their possession as soon as possible.

### **Discipline of Students with Disabilities**

The rules governing student conduct apply to all students. Students with disabilities are afforded additional due process protection in cases of suspension or expulsion under state and federal law. The district will fully comply with the Individuals with Disabilities Act (IDEA), Section 504 of the Rehabilitation Act of 1973 and the Michigan Mandatory Special Education Act when considering discipline for students with disabilities. **Refer to Procedural Safeguards notice, Part B.**

### **“Snap” Suspensions**

A student may be removed from any class, subject or activity for up to one (1) day by his/her teacher for creating a safety threat. A student so removed will be allowed to attend other classes taught by other teachers during the term of the one (1) day removal. **(Refer to the Board of Education “Policies” page, on the district website.)**

A safety threat is defined one of the following: weapons, arson, criminal sexual conduct, verbal assault, bomb threat, and/or physical assault.

### **Students subject to suspensions of 10 days or less**

Suspensions of 10 days or less may be implemented by the building administrator. Students subject to suspensions of 10 days or less shall be provided with verbal notice of the infraction as well as an opportunity to respond and tell their side of the story. If a suspension of 10 days or less is imposed, the student's parents shall be notified promptly of the action taken.

### **Students subject to suspensions greater than 10 days or expulsion of 180 days or less**

Except in emergency situations, prior to the implementation of a suspension or expulsion a student shall be given due process, consisting of oral or written notice of the charges against him or her, a summary of the evidence supporting the charges, and the opportunity to respond. When such suspension or expulsion has already occurred, notice and opportunity to respond shall occur as soon as reasonably possible. The building administrator shall be responsible for making the suspension decision and shall provide the student the opportunity to be heard.

A suspension or expulsion of 180 days or less may be appealed by the student and/or the student's parent or guardian to the Superintendent or Superintendent's designee, using the following procedure:

1. A student or parent wishing review of a suspension or an expulsion shall first request a conference with the principal to review the expulsion within five (5) school days of the mailing of written notice of the expulsion. If no such conference is requested, the suspension or expulsion shall be deemed final.
2. If a conference takes place, the principal shall issue a written determination affirming or modifying the suspension or expulsion. The determination shall be mailed to the student and parent within 5 (five) school days following the conference, along with a written notice of the right of appeal to the Superintendent or designee.
3. A suspension or expulsion which has been the subject of a review conference with the principal may be appealed to the Superintendent or the Superintendent's designee by the student or parent by filing

with the Superintendent's office a written request for appeal within 5 (five) school days following mailing of the principal's written determination affirming or modifying the suspension or expulsion. If no such appeal is filed, the suspension or expulsion shall be deemed final.

4. The Superintendent or designee may enforce a suspension or expulsion while an appeal is pending.
5. Upon receipt of a request for appeal to the Superintendent or designee, the Superintendent or designee shall provide the student or parent written notice of the following:
  - a. The time, date, and location of the appeal hearing.
  - b. The student may be represented by an attorney or advisor of the student's choosing.
  - c. Witnesses may attend the hearing and present evidence to the Superintendent or designee.
6. The principal and other administrators from the student's school, Board attorney, and any other persons the Superintendent or designee believes are necessary may attend the appeal hearing as witnesses or advisors.
7. A record of the appeal hearing shall be made. The hearing shall be closed to the public.
8. During the hearing, the principal or other administrator shall first present to the Superintendent or designee the facts of the case and the basis for the suspension or expulsion. Thereafter, the student (and/or the student's representative and parent(s)) may present their defense. The Superintendent or designee and other participants in the hearing may ask questions of witnesses. While the hearing process is subject to due process and may have some similarities to a court proceeding, it is not conducted in a court of law and court rules are not applicable.
9. After conducting a hearing, the Superintendent or designee may:
  - a. Affirm the expulsion; or
  - b. Modify the terms and conditions of such expulsion, with or without new conditions. In modifying the expulsion, the Superintendent or designee may impose consequences that are greater, lesser or different than imposed by the principal, but the Superintendent or designee may not impose an expulsion greater than 180 days or a permanent expulsion; or
  - c. Set aside the suspension or expulsion.
10. The Superintendent or designee shall issue a decision in writing within a reasonable time following the appeal hearing. The Disciplinary Review Panel's decision shall be final.

### **Students subject to permanent expulsion or expulsion greater than 180 days**

Before a recommendation to the Superintendent or designee that a student be permanently expelled or expelled for more than 180 days, the student shall be provided at the building level oral or written notice of the charges against him or her, a summary of the evidence supporting the charges, and the opportunity to respond. If such a recommendation is to be made, the student and the student's parent or guardian must also be notified that the Superintendent or the Superintendent's designee will conduct a hearing to determine whether to accept the recommendation for expulsion. The following hearing procedure shall be followed:

1. Upon receipt of a recommendation from an administrator that a student be expelled for more than 180 days or permanently expelled, the Superintendent or the Superintendent's designee shall promptly schedule a hearing to review the recommendation, and shall provide the student or parent written notice of the following:

- a. the time, date and location of the hearing.
- b. that the student or parent may be represented by an attorney or advisor at the hearing.
- c. that witnesses may attend the hearing and present evidence to the Superintendent or designee.

*If the student or parent fails to attend a hearing after receiving notice, the Superintendent or designee may proceed with the hearing and to a determination of whether to accept the recommendation.*

2. The principal and/or other administrators from the student's school, the Board attorney, and any other persons the Superintendent or designee believes are necessary may attend the hearing as witnesses or advisors to the Superintendent or designee.
3. At the hearing, the student or parent shall be provided:
  - a. notice of the charges against the student;
  - b. a summary of the evidence supporting the recommendation and the reasons for the recommendation; and
  - c. an opportunity to be heard in his/her own defense.
4. During the hearing, the principal or other administrator shall first present to the Superintendent or designee the facts of the case and the basis for the expulsion recommendation. Thereafter, the student, the student's parent and/or the student's representative may present their defense. The Superintendent or designee and other participants in the hearing may ask questions of witnesses. While the hearing process is subject to due process and may have some similarities to a court proceeding, it is not conducted in a court of law and court rules are not applicable.
5. After conducting the hearing, the Superintendent or designee shall mail to the student or parent a written decision with respect to the recommendation within five (5) school days following the hearing. The Superintendent or designee may:
  - a. accept the recommendation and expel the student;
  - b. impose consequences other than expulsion (including a suspension of each duration and with such terms as the Superintendent believes are justified);
  - c. return the matter to the principal for imposition of consequences other than expulsion; or
  - d. decline to impose discipline.
6. A permanent expulsion or an expulsion greater than 180 days may be appealed to the Board of Education by the student or parent within fifteen (15) days of the mailing of the letter of expulsion or the letter following a review conference with the superintendent, pursuant to the provisions of Board Policy 5610.01. The Superintendent or designee may stay enforcement of the expulsion or discipline pending the appeal.
7. A student who has been permanently expelled from the District may seek reinstatement in accordance with the provisions of Board Policy 5610.01.

## **VIOLATIONS OF THE CODE OF STUDENT CONDUCT**

Various types of student misconduct are defined below. These definitions of misconduct are not all inclusive and should only be interpreted as examples. A student who commits an act of misconduct not listed herein is nonetheless subject to disciplinary action, including a teacher initiated suspension for misconduct in a class, subject or activity.

School district staff may contact parents/guardians for any violation listed below, or use intervention strategies including preventative measures such as intensive instruction, social-emotional learning, PBIS, restorative practices, teacher/student conferences, or auxiliary staff/student intervention. As required by law, the staff will refer the last group of violations directly to school administrators due to the serious and/or unlawful nature of the misconduct. At the option of a school administrator, a student accused of any violation of the code of student conduct may be referred to a school social worker or counselor, in conjunction with or in lieu of other disciplinary procedures. Where the misconduct is subject to mandatory discipline under state law, however, the school board will act to impose any mandatory sanctions.

### **LEVELS OF INTERVENTIONS/DISCIPLINE**

The Code of Student Conduct shall apply to all students at all times on all Fitzgerald Public Schools property, including:

- In school buildings / On school grounds / In all school vehicles
- At all school, school-related, or Board-sponsored activities, including by not limited to: School field trips / School sporting events

As with any incident of student behavior, school administrators must exercise informed judgment as to whether a student's actions constitute a violation of Board policy and/or regulation. The levels, shown on the following page, guide administrators to use progressive interventions to change student behaviors. Interventions include a continuum of proven activities, supports and programs to support students' social, emotional, and behavioral health. Interventions are aimed at reducing continued and/or escalation of inappropriate behaviors or violations of the code of conduct. Consequences are the actions taken by school administrators in response to a violation of the Code of Conduct. Interventions and Consequences may be used simultaneously. Levels of consequences and options for progressive interventions follow. Repeated chronic or cumulative offenses may require higher levels of interventions/consequences. For serious violations, interventions/consequences may begin at a higher level.

## INTERVENTIONS AND CONSEQUENCES PRE-K TO 5TH

### Supports and Interventions: Grades Pre-K to 5th

(This list of sample supports and interventions is not exhaustive of all possibilities for supporting students' behavioral needs.)

<b>Tier 1 - Universal (All)</b> Core Curriculum	<b>Tier 2 - Targeted (Some)</b> Targeted intervention programs as appropriate to ensure instructional match	<b>Tier 3 - Intensive (Few)</b> Targeted intervention programs as appropriate to ensure instructional match
<p><b>Differentiated Culturally Responsive Practices</b></p> <ul style="list-style-type: none"> <li>● Mindfulness practices</li> <li>● Flexible seating</li> <li>● Opportunities for movement</li> <li>● Calm down corners or opportunity for a calm down space</li> <li>● Break tasks into chunks</li> <li>● Offer choice and voice</li> <li>● Trauma-informed practices</li> <li>● Planned transitions</li> </ul>	<p><b>Increased Adult Support</b></p> <ul style="list-style-type: none"> <li>● Check In/Check Out (CICO)</li> <li>● Group mentoring</li> <li>● Scheduled breaks</li> <li>● Mentor staff</li> <li>● Explicit training for student transition time</li> <li>● SST referral</li> <li>● Reteach on behavior expectations</li> <li>● Mediation/Restorative questions</li> </ul>	<p><b>Intensive Adult Support</b></p> <ul style="list-style-type: none"> <li>● Individualized Mentoring referral to Student Services staff (Counselor, School Psychologist, Social Worker, Behavior Specialist, etc)</li> <li>● SST referral</li> <li>● Care referral</li> <li>● Doctor referral/ HF referral</li> <li>● MiBEST</li> <li>● Community resource referral</li> <li>● Individualized break</li> </ul>
<p><b>Clearly Stated Behavioral Expectations</b></p> <ul style="list-style-type: none"> <li>● Social contract (CKH)</li> <li>● Modeling and practicing rules and expectations</li> <li>● SPARTY expectations</li> <li>● STAR expectations explicitly taught and reviewed</li> <li>● Proximity control</li> <li>● Redirection</li> </ul>	<p><b>Clearly Stated Behavioral Expectations</b></p> <ul style="list-style-type: none"> <li>● MTSS behavior contract</li> <li>● If -Then statements</li> <li>● Re-teaching behavior expectations</li> <li>● Restorative questions</li> <li>● Explicit teaching of replacement behaviors</li> <li>● Visual schedules</li> <li>● Token boards</li> <li>● Social stories/Video modeling</li> <li>● Navigate 360 lessons</li> <li>● Behavior reflection sheets</li> <li>● Teacher conferencing</li> </ul>	<p><b>Clearly Stated Behavioral Expectations</b></p> <ul style="list-style-type: none"> <li>● MTSS behavior plans</li> <li>● Behavior Intervention Plans (SE)</li> <li>● Frequent reminders of rules/expectations</li> <li>● Focus on mastery of 1-2 behaviors at a time with adult support</li> <li>● Individualized opportunities for practice with increased frequency</li> <li>● Navigate 360 lessons</li> </ul>
<p><b>Acknowledgement of Positive Behaviors &amp; Response to Unexpected Behaviors</b></p> <ul style="list-style-type: none"> <li>● Behavior specific praise</li> <li>● MTSS/PBIS incentives and rewards</li> <li>● Positive office referrals</li> <li>● Gold goal bell</li> <li>● Spartan of the week/month</li> <li>● SPARTY parties</li> <li>● Restate expected behaviors</li> <li>● Redirection</li> <li>● Reteach &amp; practice replacement behaviors</li> <li>● Calm down corners/calm space</li> <li>● Whole class reminder</li> </ul>	<p><b>Response to Unexpected Behaviors</b></p> <ul style="list-style-type: none"> <li>● Retraining of skills</li> <li>● Redirection</li> <li>● Increased ratio of positive to negative acknowledgments</li> <li>● Private discussions (use 5 restorative questions or 4 CKH questions)</li> <li>● Targeted incentives</li> <li>● Warning</li> <li>● Navigate 360 lesson</li> <li>● Increased wait time</li> </ul>	<p><b>Response to Unexpected Behaviors</b></p> <ul style="list-style-type: none"> <li>● MiBest</li> <li>● Threat assessment</li> <li>● CPI</li> <li>● Restorative room</li> <li>● Navigate 360 lessons</li> <li>● MTSS behavior plan</li> <li>● BIP (SE)</li> </ul>

## Supports and Interventions: Grades Pre-K to 5th

(This list of sample supports and interventions is not exhaustive of all possibilities for supporting students' behavioral needs.)

Tier 1 - Universal (All) Core Curriculum	Tier 2 - Targeted (Some) Targeted intervention programs as appropriate to ensure instructional match	Tier 3 - Intensive (Few) Targeted intervention programs as appropriate to ensure instructional match
<p><b>Restorative Practices (if trained)</b></p> <ul style="list-style-type: none"> <li>● Conflict resolution with teach</li> <li>● Explicit instruction of problem-solving</li> <li>● Teaching replacement behaviors</li> <li>● Behavior specific praise</li> <li>● Opportunities to repair harm using 5 restorative questions or 4 CKH questions</li> </ul>	<p><b>Restorative Practices (if trained)</b></p> <ul style="list-style-type: none"> <li>● Conflict resolution with support staff</li> <li>● Opportunities to repair harm using 5 restorative questions or 4 CKH questions</li> <li>● Group mediation with coach ending in restoration</li> <li>● "Fix it and Improve it"</li> </ul>	<p><b>Restorative Practices (if trained)</b></p> <ul style="list-style-type: none"> <li>● Conflict resolution with the admin</li> <li>● Opportunities to repair harm using 5 restorative questions or 4 CKH questions</li> <li>● Individual mediation (Teacher to student, student to student) with coach ending in restoration</li> <li>● "Fix it and Improve it"</li> </ul>
<p><b>Social-Emotional / Behavioral Instruction</b></p> <ul style="list-style-type: none"> <li>● Sparten Skills for Success</li> <li>● SPARTY expectations (1st-5th) explicitly taught and reviewed 3 to 4 times a year</li> <li>● STAR expectations (PreK-K) explicitly taught and reviewed 3 to 4 times a year</li> <li>● Calm classroom</li> <li>● Norms and contracts explicitly taught and reviewed</li> <li>● Trauma informed practices</li> <li>● SEL Lessons</li> </ul>	<p><b>Targeted Social-Emotional / Behavioral Skill Instruction and Supports</b></p> <ul style="list-style-type: none"> <li>● CICO</li> <li>● Scheduled/Structured breaks</li> <li>● Token boards</li> <li>● Sensory diet with OT/PT guidance</li> <li>● First/Then board</li> <li>● Fidgets</li> <li>● Visual schedule</li> <li>● Navigate 360 Lessons</li> <li>● Referral to SST</li> <li>● Skill-focused groups</li> </ul>	<p><b>Intensive Social-Emotional / Behavioral Skill Instruction and Supports</b></p> <ul style="list-style-type: none"> <li>● Individual skill-focused training</li> <li>● FBA to develop BIP (SE)</li> <li>● SAEBRS to develop MTSS behavior plan (GE)</li> <li>● CARE referral</li> <li>● Doctor/HF Health Clinic referral</li> <li>● Safety plan/contract</li> <li>● Schedule changes</li> </ul>
<p><b>Universal Communication (sent to all parent / guardian)</b></p> <ul style="list-style-type: none"> <li>● Newsletters</li> <li>● Flyers</li> <li>● Social Media Blast</li> <li>● Parent engagement events/nights</li> <li>● Preemptive communication/teachable moments</li> <li>● Social contract</li> </ul>	<p><b>Communication</b></p> <ul style="list-style-type: none"> <li>● Parent meetings</li> <li>● Support referrals</li> <li>● MTSS letter</li> <li>● Parent follow-up</li> </ul>	<p><b>Communication</b></p> <ul style="list-style-type: none"> <li>● Parent mediation</li> <li>● Daily progress reports</li> <li>● In-person or virtual conference with student, parent/guardian, teacher, and administrator</li> <li>● MTSS letter</li> </ul>



## Consequences: Progressive Options to Address Student Behaviors - Grades PK-5th

Level 1	Level 2	Level 3	Level 4	Level 5
<p><b>Classroom level interventions</b> If these interventions are successful, referral to the school administrator may not be necessary.</p>	<p><b>Appropriate when level 1 intervention has been ineffective</b> In some cases, referral to the school administrator may be necessary.</p>	<p><b>Appropriate when level 2 intervention has been ineffective or due to the severity of the infraction.</b> Referral to the school administrator is necessary.</p>	<p><b>Appropriate when level 3 intervention has been ineffective or due to the severity of the infraction.</b> Referral to the school administrator is necessary.</p>	<p><b>Appropriate when level 4 intervention has been ineffective or due to the severity of the infraction.</b> Referral to the school administrator is necessary.</p>
<ul style="list-style-type: none"> <li>● Warning</li> <li>● Logical consequence</li> <li>● Seat change</li> <li>● Cool-down within class/ Calm-down corner</li> <li>● Opportunity to apologize</li> <li>● Peer mediation</li> <li>● Verbal/Visual cues/reminders</li> <li>● Restorative practices</li> <li>● Use of think-sheet</li> <li>● Teacher/student conference</li> <li>● Reinforcement, reminding or redirecting of appropriate behavior</li> <li>● Written reflection about incident</li> <li>● Restitution</li> <li>● Explicitly teaching appropriate behavior</li> <li>● Classroom service assignment</li> <li>● Parent/guardian notification if behavior is repeated</li> </ul>	<ul style="list-style-type: none"> <li>● Confiscate item</li> <li>● Logical consequences</li> <li>● Temporary removal</li> <li>● Campus beautification</li> <li>● Supervised cool-down out of class</li> <li>● Restorative practices</li> <li>● Buddy classroom</li> <li>● Think-sheet with adult</li> <li>● Apology letter with adult</li> <li>● Check in with adult</li> <li>● Loss or suspension of privilege</li> <li>● Lunch detention</li> <li>● Teacher detention</li> <li>● Short term suspension (1-3 days, except for attendance related offenses)</li> <li>● Mentoring/check-in with another adult in the building</li> <li>● Mentoring</li> <li>● Teacher and/or administrator conference with student and/or parent/guardian</li> <li>● Threat determination</li> <li>● Class or schedule change</li> </ul> <hr/> <p><b>Required:</b></p> <ul style="list-style-type: none"> <li>● Parent contact</li> </ul>	<ul style="list-style-type: none"> <li>● Lunch detention</li> <li>● After-school detention</li> <li>● Temporary removal</li> <li>● Short term suspension (1-3 days, except for attendance related offenses)</li> <li>● Student re-entry plan</li> <li>● Restitution</li> <li>● Rest and return</li> <li>● Restorative practices</li> <li>● Restrict activities</li> <li>● Loss or suspension of privilege</li> <li>● SIGMA threat assessment</li> <li>● Campus beautification</li> <li>● Logical consequences</li> </ul> <hr/> <p><b>Required:</b></p> <ul style="list-style-type: none"> <li>● Parent contact</li> <li>● SWIS discipline referral</li> <li>● PowerSchool Log Entry for suspension</li> <li>● MTSS Referral required</li> <li>● Review SE BIP or determine if FBA is needed</li> <li>● Determine if manifestation determination review (MDR) is required</li> <li>● Determine if MTSS behavior plan/contract is needed</li> </ul>	<ul style="list-style-type: none"> <li>● Short term suspension (1-3 days, except for attendance related offenses)</li> <li>● Long term suspension (4-10 days, except for attendance related offenses)</li> <li>● Student re-entry plan</li> <li>● Temporary removal</li> <li>● Restrict activities</li> <li>● Loss or suspension of privilege</li> <li>● Logical consequences</li> <li>● Temporary removal from class</li> <li>● Restorative practices</li> <li>● Loss or suspension of privileges</li> <li>● After-school detention</li> <li>● SIGMA threat assessment</li> </ul> <hr/> <p><b>Required:</b></p> <ul style="list-style-type: none"> <li>● Parent contact</li> <li>● SWIS discipline referral</li> <li>● PowerSchool Log Entry for suspension</li> <li>● MTSS referral required</li> <li>● Review SE BIP or determine if FBA is needed</li> <li>● Determine if manifestation determination review (MDR) is required</li> <li>● Review MTSS behavior plan/contract or create behavior plan/contract</li> </ul>	<ul style="list-style-type: none"> <li>● Extended suspension (11+ with district admin input)</li> <li>● Suspension, long term (4-10 days, except for attendance related offenses)</li> <li>● Student re-entry plan</li> <li>● Expulsion (to be considered in only the most extreme cases unless dictated by Michigan law)</li> <li>● Temporary removal</li> <li>● Loss or suspension of privilege</li> <li>● Restrict activities</li> <li>● Reduced day or modified schedule with district admin input (Grades PK-8)</li> <li>● SIGMA threat assessment</li> </ul> <hr/> <p><b>Required:</b></p> <ul style="list-style-type: none"> <li>● Parent contact</li> <li>● SWIS discipline referral</li> <li>● PowerSchool Log Entry for suspension</li> <li>● MTSS referral required</li> <li>● Review SE BIP or determine if FBA is needed</li> <li>● Determine if manifestation determination review (MDR) is required</li> <li>● Review MTSS behavior plan/contract or create behavior plan/contract</li> </ul>

### Consequences for Elementary Students (PK – 5<sup>th</sup> Grade)

Offense/Violation		Level of Consequence					Mandatory Expulsion	School will notify:
		1	2	3	4	5		
Academic Dishonesty (Cheating & Plagiarism)		•	•					
Admittance of Unauthorized Individuals Into School		•	•	•				
Alcohol and Other Drugs	Possession			•	•	•		Police/Superintendent/CPS
	Consumption			•	•	•		Police/Superintendent/CPS
	Distribution			•	•	•		Police/Superintendent/CPS
Ammunition			•	•				Police/Superintendent/CPS
Arson						•	*	Police/Superintendent/ Fire Marshall/ CPS
Attack / Assault... ...on Students ...on Staff ...on Others	Category I (Threats/Coercion – Verbal/Written)	•	•					
	Category II (No injury)		•	•	•			
	Category III (Minor)			•	•			
	Category IV (Serious)					•		Police/Superintendent
Bias Behavior	Harassment and Threats	•	•	•	•			
	Hate Crime			•	•	•		Police/Superintendent
Bomb Threat				•	•	•		Police/Superintendent
Bullying (to include Cyber-bullying)			•	•	•			
Class Cutting/Skipping/Unlawful Absences/Tuancy			•	•				Tuancy
Computer Misuse		•	•	•	•			
Demonstration / Mass Protest			•	•	•			Police/Superintendent
Destruction of Property/Vandalism		•	•	•	•	•		Police/Superintendent for levels 3-5
Disrespect Toward Others	Student to Student	•	•	•				
	Student to Staff	•	•	•				
Disruption to Classroom/School – Chronic & Extreme		•	•	•	•			
Disruptive Clothing or Appearance / Dress Code Violation		•	•					
Electronic Device/Technology/Cell Phones Misuse		•	•					
Eating and Drinking in Class (unless authorized)		•	•					
Extortion/Strong Arming/Blackmail			•	•	•			Police/Superintendent
False Fire Alarm			•	•	•			Police/Superintendent/Fire Marshall
False Identification / Information / Accusations		•	•	•				
Felony					•	•		Police/Superintendent
Fighting: Physical			•	•	•	•		
Fighting: Verbal		•	•	•				
Fireworks/ Explosives				•	•	•		Police/Superintendent/Fire Marshall
Forgery/ Counterfeit Currency / Fraud			•	•	•			Police/Superintendent
Gambling			•	•				

Gang-Related Activity				•	•	•		Police/Superintendent
Hazing			•	•	•			
Improper Physical Contact / Inappropriate Public Display of Affection		•	•	•	•			
Insubordination		•	•	•	•			
Interference with/Intimidation of School Authorities			•	•	•	•		
Leaving an Area/ Class / School Grounds without Permission		•	•	•				Police/Superintendent if unable to locate or unknown whereabouts
Loitering		•	•					
Misuse of Social Media		•	•	•				
Obscenity/Profanity/Pornography		•	•	•				
Possession of Matches / Lighters		•	•	•				
Putting substances in another person's food or drink or on a person's body				•	•	•		Police/Superintendent
Sexual Activity/Misconduct			•	•	•	•		Superintendent/Title IX Report/CPS
Sexual Assault/Criminal Sexual Conduct						•	*	Police/Superintendent/Title IX/CPS
Sexual Harassment			•	•	•	•		Superintendent/Title IX/CPS
Stealing / Theft / Robbery (to include possession of stolen property)		•	•	•	•			Police/Superintendent for level 4
Tardiness		•	•					Parent contact
Threats of Mass Violence				•	•	•		Police/Superintendent
Tobacco/Vape (Possession, Distribution, Use)			•	•	•			
Trespassing			•	•	•			Police/Superintendent
Unsafe Actions / Horseplay		•	•	•	•			
Weapons	Dangerous Weapons ( including but not limited to a firearm, dagger, dirk, stiletto, knife with blade over three inches, pocket knife opened by mechanical device, iron bar or knuckles)					•	* (see Michigan law for exceptions)	Police/Superintendent
	Dangerous Instruments ( including but not limited to chemical mace, pepper gas or like substances, stun guns, BB guns, pellet guns, razors, box cutters, or use of a legitimate tool as a weapon)		•	•	•	•		Police/Superintendent
	Other Weapon (including but not limited to look-alike, toy)		•	•	•			Police/Superintendent
	Use of Weapon to Cause or Attempt to Cause Injury					•	*	Police/Superintendent

## INTERVENTIONS AND CONSEQUENCES 6TH TO 12TH

<b>Supports and Interventions: Grades 6th - 12th</b> (This list of sample supports and interventions is not exhaustive of all possibilities for supporting students' behavioral needs.)		
<b>Tier 1 - Universal (All)</b> Core Curriculum	<b>Tier 2 - Targeted (Some)</b> Targeted intervention programs as appropriate to ensure instructional match	<b>Tier 3 - Intensive (Few)</b> Targeted intervention programs as appropriate to ensure instructional match
<b>Differentiated Culturally Responsive Practices</b> <ul style="list-style-type: none"> <li>● Mindfulness practices</li> <li>● Flexible seating</li> <li>● Opportunities for movement</li> <li>● Calm down corners or opportunity for a calm down space</li> <li>● Break tasks into chunks</li> <li>● Offer choice and voice</li> <li>● Trauma-informed practices</li> <li>● Planned transitions</li> </ul>	<b>Increased Adult Support</b> <ul style="list-style-type: none"> <li>● Check In/Check Out (CICO)</li> <li>● Group mentoring</li> <li>● Scheduled breaks</li> <li>● Mentor staff</li> <li>● Explicit training for student transition time</li> <li>● SST referral</li> <li>● Reteach on behavior expectations</li> <li>● Mediation/Restorative questions</li> </ul>	<b>Intensive Adult Support</b> <ul style="list-style-type: none"> <li>● Individualized mentoring referral to Student Services staff (Counselor, School Psychologist, Social Worker, Behavior Specialist, etc)</li> <li>● SST referral</li> <li>● Care referral</li> <li>● Doctor referral</li> <li>● Henry Ford Health Clinic referral</li> <li>● MiBEST</li> <li>● Community resource referral</li> <li>● Individualized break</li> </ul>
<b>Clearly Stated Behavioral Expectations</b> <ul style="list-style-type: none"> <li>● Social contract (CKH)</li> <li>● Classroom norms</li> <li>● Class contract / syllabus</li> <li>● Modeling and practicing rules and expectations</li> <li>● Proximity Control</li> <li>● Redirection</li> </ul>	<b>Clearly Stated Behavioral Expectations</b> <ul style="list-style-type: none"> <li>● MTSS behavior contract</li> <li>● If Then Statements</li> <li>● Re-teaching behavior expectations</li> <li>● Restorative questions</li> <li>● Social Stories/Video Modeling</li> <li>● Navigate 360 lessons</li> <li>● Behavior reflection sheets</li> <li>● Teacher conferencing</li> </ul>	<b>Clearly Stated Behavioral Expectations</b> <ul style="list-style-type: none"> <li>● MTSS behavior plans</li> <li>● Behavior Intervention Plans (SE)</li> <li>● Frequent reminders of rules/expectations</li> <li>● Focus on mastery of 1-2 behaviors at a time with adult support</li> <li>● Individualized opportunities for practice with increased frequency</li> <li>● Navigate 360 lessons</li> </ul>
<b>Acknowledgement of Positive Behaviors and Response to Unexpected Behaviors</b> <ul style="list-style-type: none"> <li>● Behavior specific praise</li> <li>● MTSS/PBIS incentives and rewards</li> <li>● Positive office referrals</li> <li>● Restate expected behaviors</li> <li>● Redirection</li> <li>● Reteach and practice replacement behaviors</li> <li>● Calm down corners or opportunity for a calm down space</li> <li>● Whole class reminder</li> </ul>	<b>Response to Unexpected Behaviors</b> <ul style="list-style-type: none"> <li>● Retraining of skills</li> <li>● Redirection</li> <li>● Increased ratio of positive to negative acknowledgments</li> <li>● Private discussions (use 5 restorative questions or 4 CKH questions)</li> <li>● Targeted incentives</li> <li>● Warning</li> <li>● Navigate 360 lesson</li> <li>● Increased wait time</li> </ul>	<b>Response to Unexpected Behaviors</b> <ul style="list-style-type: none"> <li>● MiBest</li> <li>● Threat assessment</li> <li>● CPI</li> <li>● Restorative room</li> <li>● Navigate 360 lessons</li> <li>● MTSS behavior plan</li> <li>● BIP (SE)</li> </ul>

## Supports and Interventions: Grades 6th - 12th

(This list of sample supports and interventions is not exhaustive of all possibilities for supporting students' behavioral needs.)

<b>Tier 1 - Universal (All)</b> Core Curriculum	<b>Tier 2 - Targeted (Some)</b> Targeted intervention programs as appropriate to ensure instructional match	<b>Tier 3 - Intensive (Few)</b> Targeted intervention programs as appropriate to ensure instructional match
<p><b>Restorative Practices (if trained)</b></p> <ul style="list-style-type: none"> <li>● Conflict resolution with teacher</li> <li>● Explicit instruction of problem-solving</li> <li>● Teaching replacement behaviors</li> <li>● Behavior specific praise</li> <li>● Opportunities to repair harm using 5 restorative questions or 4 CKH questions</li> </ul>	<p><b>Restorative Practices (if trained)</b></p> <ul style="list-style-type: none"> <li>● Conflict resolution with support staff</li> <li>● Opportunities to repair harm using 5 restorative questions or 4 CKH questions</li> <li>● Group mediation with coach ending in restoration</li> <li>● "Fix it and Improve it"</li> </ul>	<p><b>Restorative Practices (if trained)</b></p> <ul style="list-style-type: none"> <li>● Conflict resolution with the admin</li> <li>● Opportunities to repair harm using 5 restorative questions or 4 CKH questions</li> <li>● Individual mediation (Teacher to student, student to student) with coach ending in restoration</li> <li>● "Fix it and Improve it"</li> </ul>
<p><b>Social-Emotional / Behavioral Instruction</b></p> <ul style="list-style-type: none"> <li>● Norms and contracts explicitly taught and reviewed</li> <li>● Trauma informed practices</li> <li>● SEL Lessons</li> </ul>	<p><b>Targeted Social-Emotional / Behavioral Skill Instruction and Supports</b></p> <ul style="list-style-type: none"> <li>● CICO</li> <li>● Scheduled/Structured breaks</li> <li>● Fidgets</li> <li>● Visual Schedule</li> <li>● Navigate 360 Lessons</li> <li>● Referral to SST</li> <li>● Skill-focused groups</li> </ul>	<p><b>Intensive Social-Emotional / Behavioral Skill Instruction and Supports</b></p> <ul style="list-style-type: none"> <li>● Trained sensory breaks with OT/PT guidance</li> <li>● Individual skill-focused training</li> <li>● FBA to develop BIP (SE)</li> <li>● SAEBRs to develop MTSS Behavior Plan (GE)</li> <li>● CARE referral</li> <li>● Doctor/HF Health Clinic referral</li> <li>● Safety plan/contract</li> <li>● Schedule changes</li> </ul>
<p><b>Universal Communication (sent to all parent / guardian)</b></p> <ul style="list-style-type: none"> <li>● Newsletters</li> <li>● Flyers</li> <li>● Social Media Blast</li> <li>● Parent engagement events/nights</li> <li>● Preemptive communication/teachable moments</li> <li>● Social contract</li> </ul>	<p><b>Communication</b></p> <ul style="list-style-type: none"> <li>● Parent meetings</li> <li>● Support referrals</li> <li>● MTSS letter</li> <li>● Parent follow-up</li> </ul>	<p><b>Communication</b></p> <ul style="list-style-type: none"> <li>● Parent mediation</li> <li>● Daily progress reports</li> <li>● In-person or virtual conference with student, parent/guardian, teacher, and administrator</li> <li>● MTSS letter</li> </ul>

## Consequences: Progressive Options to Address Student Behaviors - Grades 6th - 12th

<b>Level 1</b> Classroom level interventions If these interventions are successful, referral to the school administrator may not be necessary.	<b>Level 2</b> Appropriate when level 1 intervention has been ineffective In some cases, referral to the school administrator may be necessary.	<b>Level 3</b> Appropriate when level 2 intervention has been ineffective or due to the severity of the infraction. Referral to the school administrator is necessary.	<b>Level 4</b> Appropriate when level 3 intervention has been ineffective or due to the severity of the infraction. Referral to the school administrator is necessary.	<b>Level 5</b> Appropriate when level 4 intervention has been ineffective or due to the severity of the infraction. Referral to the school administrator is necessary.
<ul style="list-style-type: none"> <li>● Warning</li> <li>● Logical consequence</li> <li>● Seat change</li> <li>● Cool-down within class/ Calm-down corner</li> <li>● Opportunity to apologize</li> <li>● Peer mediation</li> <li>● Verbal/Visual cues/reminders</li> <li>● Restorative practices</li> <li>● Use of think-sheet</li> <li>● Teacher/student conference</li> <li>● Reinforcement, reminding or redirecting of appropriate behavior</li> <li>● Written reflection about incident</li> <li>● Restitution</li> <li>● Explicitly teaching appropriate behavior</li> <li>● Classroom service assignment</li> <li>● Parent/guardian notification if behavior is repeated</li> </ul>	<ul style="list-style-type: none"> <li>● Confiscate item</li> <li>● Logical consequences</li> <li>● Temporary removal</li> <li>● Campus beautification</li> <li>● Supervised cool-down out of class</li> <li>● Restorative practices</li> <li>● Buddy classroom</li> <li>● Think-sheet</li> <li>● Apology letter</li> <li>● Check in with adult</li> <li>● Loss or suspension of privilege</li> <li>● Lunch detention</li> <li>● Teacher detention</li> <li>● Short term suspension (1-3 days, except for attendance related offenses)</li> <li>● Mentoring/check-in with another adult in the building</li> <li>● Mentoring</li> <li>● Teacher and/or administrator conference with student and/or parent/guardian</li> <li>● Threat determination</li> <li>● Class or schedule change</li> <li>● Rest and return</li> </ul> <hr style="width: 20%; margin: 10px auto;"/> <p><b>Required:</b></p> <ul style="list-style-type: none"> <li>● Parent contact</li> </ul>	<ul style="list-style-type: none"> <li>● Lunch detention</li> <li>● After-school detention</li> <li>● Temporary removal</li> <li>● Short term suspension (1-3 days, except for attendance related offenses)</li> <li>● Student re-entry plan</li> <li>● Restitution</li> <li>● Restorative practices</li> <li>● Restrict activities</li> <li>● Loss or suspension of privilege</li> <li>● SIGMA threat assessment</li> <li>● Campus beautification</li> <li>● Logical consequences</li> </ul> <hr style="width: 20%; margin: 10px auto;"/> <p><b>Required:</b></p> <ul style="list-style-type: none"> <li>● Parent contact</li> <li>● SWIS discipline referral</li> <li>● PowerSchool Log Entry for suspension</li> <li>● MTSS referral required</li> <li>● Review SE BIP or determine if FBA is needed</li> <li>● Determine if manifestation determination review (MDR) is required</li> <li>● Determine if MTSS behavior plan/contract is needed</li> </ul>	<ul style="list-style-type: none"> <li>● Short term suspension (1-3 days, except for attendance related offenses)</li> <li>● Long term suspension (4-10 days, except for attendance related offenses)</li> <li>● Student re-entry plan</li> <li>● Referral to alternative education site with district admin input (Grades 9-12)</li> <li>● Temporary removal</li> <li>● Restrict activities</li> <li>● Loss or suspension of privilege</li> <li>● Logical consequences</li> <li>● Temporary removal from class</li> <li>● Restorative practices</li> <li>● Loss or suspension of privileges</li> <li>● After-school detention</li> <li>● SIGMA threat assessment</li> </ul> <hr style="width: 20%; margin: 10px auto;"/> <p><b>Required:</b></p> <ul style="list-style-type: none"> <li>● Parent contact</li> <li>● SWIS discipline referral</li> <li>● PowerSchool Log Entry for suspension</li> <li>● MTSS referral required</li> <li>● Review SE BIP or determine if FBA is needed</li> <li>● Determine if manifestation determination review (MDR) is required</li> <li>● Review MTSS behavior plan/contract or create behavior plan/contract</li> </ul>	<ul style="list-style-type: none"> <li>● Extended suspension (11+ with district admin input)</li> <li>● Suspension, long term (4-10 days, except for attendance related offenses)</li> <li>● Student re-entry plan</li> <li>● Expulsion (to be considered in only the most extreme cases unless dictated by Michigan law)</li> <li>● Temporary removal</li> <li>● Loss or suspension of privilege</li> <li>● Restrict activities</li> <li>● Referral to alternative education site with district admin input (Grades 9-12)</li> <li>● Reduced day or modified schedule with district admin input (Grades PK-8)</li> <li>● SIGMA threat assessment</li> </ul> <hr style="width: 20%; margin: 10px auto;"/> <p><b>Required:</b></p> <ul style="list-style-type: none"> <li>● Parent contact</li> <li>● SWIS discipline referral</li> <li>● PowerSchool Log Entry for suspension</li> <li>● MTSS referral required</li> <li>● Review SE BIP or determine if FBA is needed</li> <li>● Determine if manifestation determination review (MDR) is required</li> <li>● Review MTSS behavior plan/contract or create behavior plan/contract</li> </ul>

### Consequences for Secondary Students (6<sup>th</sup>-12<sup>th</sup> Grade)

Offense/Violation		Level of Consequence					Mandatory Expulsion	School will contact:
		1	2	3	4	5		
Academic Dishonesty (Cheating & Plagiarism)		•	•	•				
Admittance of Unauthorized Individuals Into School			•	•	•			SRO/Superintendent
Alcohol and Other Drugs	Possession				•	•		SRO/Superintendent
	Consumption				•	•		SRO/Superintendent
	Distribution				•	•		SRO/Superintendent
Ammunition					•	•		SRO/Superintendent
Arson						•	*	SRO/Superintendent/Fire Marshall
Attack / Assault... ...on Students ...on Staff ...on Others	Category I (Threats/Coercion – Verbal/Written)	•	•	•				
	Category II (No injury)		•	•	•			
	Category III (Minor)			•	•	•		SRO/Superintendent
	Category IV (Serious/Criminal Assault)					•	*	SRO/Superintendent
Bias Behavior	Harassment and Intimidation	•	•	•	•			
	Hate Crime			•	•	•		SRO/Superintendent
Bomb Threat				•	•	•		SRO/Superintendent
Bullying (to include Cyber-bullying)			•	•	•			
Class Cutting/Skipping/Unlawful Absences/Tuancy		•	•	•				Parents
Computer Misuse		•	•	•	•			
Destruction of Property/Vandalism		•	•	•	•	•		Police/Superintendent for levels 3-5
Disrespect Toward Others	Student to Student	•	•	•				
	Student to Staff		•	•	•			
Disruption to Classroom/School – Chronic & Extreme		•	•	•	•			
Disruptive Clothing or Appearance / Dress Code Violation		•	•					
Electronic Device/Technology/Cell Phones Misuse		•	•					
Eating and Drinking in Class (unless authorized)		•	•					
Extortion/Strong Arming/Blackmail				•	•	•		SRO/Superintendent
False Fire Alarm				•	•	•		SRO/Superintendent/Fire Marshall
False Identification / Information / Accusations			•	•	•			
Felony					•	•		SRO/Superintendent
Fighting: Physical			•	•	•	•		SRO/Superintendent
Fighting: Verbal		•	•	•				
Fireworks/ Explosives					•	•		SRO/Superintendent/Fire Marshall
Forgery/ Counterfeit Currency / Fraud			•	•	•			SRO/Superintendent
Gambling			•	•	•			

Gang-Related Activity					•	•		SRO/Superintendent
Hazing			•	•	•			
Improper Physical Contact / Inappropriate Public Display of Affection		•	•	•				
Interference with/Intimidation of School Authorities:					•	•		SRO/Superintendent
Insubordination		•	•	•	•			
Leaving an Area/ Class / School Grounds without Permission				•	•	•		SRO/Superintendent
Loitering		•	•	•				
Misuse of Social Media			•	•	•			
Obscenity/Profanity/Pornography		•	•	•				
Possession of Matches / Lighters			•	•	•			
Putting substances in another person's food or drink or on a person's body					•	•		SRO/Superintendent
Sexual Activity/Misconduct				•	•	•		Superintendent/ Title IX Report/ CPS
Sexual Assault/Criminal Sexual Conduct						•	*	SRO/Superintendent/ Title IX Report/ CPS
Sexual Harassment				•	•	•		SRO/Superintendent/ Title IX Report/ CPS
Stealing / Theft / Robbery (to include possession of stolen property)				•	•	•		SRO/Superintendent
Tardiness		•	•					Parent Contact
Threats of Mass Violence (put alphabetically)					•	•		SRO/Superintendent
Tobacco/Vape (Possession, Distribution, Use)			•	•	•	•		
Trespassing				•	•	•		Police/Superintendent
Unlawful Demonstration / Mass Protest					•	•		SRO/Superintendent
Unsafe Actions / Horseplay		•	•	•				
Weapons	Dangerous Weapons ( including but not limited to a firearm, dagger, dirk, stiletto, knife with blade over three inches, pocket knife opened by mechanical device, iron bar or knuckles)					•	* (see Michigan law for exceptions)	SRO/Superintendent
	Dangerous Instruments ( including but not limited to chemical mace, pepper gas or like substances, stun guns, BB guns, pellet guns, razors, box cutters, use of a legitimate tool as a weapon)			•	•	•		SRO/Superintendent
	Other Weapon (including but not limited to look-alike, toy, replica)			•	•	•		Superintendent
	Use of Weapon to Cause or Attempt to Cause Injury					•	*	SRO/Superintendent



## LIST OF INFRACTIONS & ILLEGAL ACTS

The list is not intended to be all inclusive and is meant to provide clarification of definitions for common violations. Teachers and administrators shall be given broad leeway when interpreting student actions.

### **1. Academic Dishonesty (Cheating and Plagiarism) Misconduct:**

A student will not plagiarize, cheat, gain unauthorized access to, or tamper with educational materials. Discipline under this section may result in academic sanctions in addition to other discipline.

### **2. Admittance of Unauthorized Individuals Into School Buildings:**

The act of knowingly and intentionally admitting or allowing an unauthorized person(s) into any school building, without expressed permission from any authorized person, through any unopened door or unmonitored point of entry in a manner that breaches any method of established security.

### **3. Alcohol, Drugs & Narcotics:**

A student will not possess, use, offer to buy or sell, or participate to buy or sell, drug paraphernalia, a controlled substance, dangerous drug, prescription drug, counterfeit drug, pep pills, inhalants (glues, solvents, etc), intoxicating or mind altering substance (synthetic or natural), a single or combination of legal or illegal substances for the purpose of altering one's state of mind, or alcohol. A student legally in possession of prescribed medication will not be in violation of this section as long as his/her use and possession of the prescribed medication is authorized at school and the student follows the required possession and use protocols as defined by the school. [\(Refer to the Board of Education "Policies" page, on the district website\)](#)

**4. Ammunition** A projectile that can be fired from a firearm or other gun or otherwise propelled such as a bullet, arrow, pellet, etc. Any other object which by virtue of its shape or design gives the appearance of any of the aforementioned.

### **5. Arson \*SEE MANDATORY EXPULSION**

### **6. Attack/Assault on students, staff others:**

Unprovoked aggressive actions toward other person that meets one of the sub-definitions below:

#### **Category I (Threats/Coercion - Verbal/Written)**

Intentionally frightening another person with the threat of immediate offensive physical contact or physical harm. Intentionally frightening another person with the threat of immediate sexually offensive contact or sexual harm.

#### **Category II (No injury)**

A physical attack without injury but may include other aggressive physical action another

#### **Category III (Minor)**

A physical attack causing minor physical injury

#### **Category IV (Serious)**

A physical attack causing serious physical injury

**7. Bias Behavior (Harassment and Threats / Hate Crime)** Intentional conduct, including verbal, physical, graphic or written conduct, or an intentional electronic communication directed towards a person or group of persons that:

a. Creates a hostile educational environment by substantially interfering with a student's educational benefits, opportunities, or performance, or with a student's physical or psychological well-being:

b. Is based on an actual or perceived characteristic of a person or a group of persons, including race, color, religion, gender, gender identify, sexual orientation, age, national origin, ethnicity, marital status, disability, or homelessness; and

c. Occurs on school property, at a school activity or event, or on a school bus; or substantially disrupts the orderly operation of a school regardless of where the incident occurs.

Types of bias include:

- Age Bias
- Disability Bias
- Ethnicity/National Origin Bias
- Gender Bias
- Gender Identity Bias
- Homelessness Bias
- Marital Status Bias
- Racial/Color Bias
- Religious Bias
- Sexual Orientation Bias

[\(Refer to the Board of Education "Policies" page, on the district website\)](#)

**8. Bomb Threat** The making of threats or providing false information concerning the presence of explosive material or devices on school property without cause in writing, in person, or by phone.

**9. Bullying/Cyberbullying:** A student will not engage in bullying any student for any reason 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. "At school" includes conduct using a telecommunications access device or telecommunications service provider that occurs off school premises if the telecommunications access device or the telecommunications service provider is owned by or under the control of the school district or public school academy. "Telecommunications access device" and "telecommunications service provider" mean those terms as defined in section 219a of the Michigan penal code, 1931 PA 328, [MCL 750.219a](#).

"Bullying" means any written, verbal, or physical act, or any electronic communication, including,

but not limited to cyberbullying, that is intended or that a reasonable person would know is likely to harm one or more pupils either directly or indirectly by doing any of the following:

- Substantially interfering with educational opportunities, benefits or programs of one (1) or more pupils.
- Adversely affecting the ability of a pupil to participate in or benefit from the District's or school's educational programs or activities by placing the pupil in reasonable fear of physical harm or by causing substantial emotional distress.
- Having an actual and substantial detrimental effect on a pupil's physical or mental health.
- Causing substantial disruption in, or substantial interference with, the orderly operation of the school. [\(Refer to the Board of Education "Policies" page, on the district website\)](#)

### **10. Class Cutting/ Skipping/ Unlawful Absences/Tuancy**

A student will not willfully and/or repeatedly fail to report to the school's assigned class or activity without prior permission, knowledge or excuse by the school and parent/guardian. [\(MCL 712A.2\)](#)

**11. Computer Misuse** Any unauthorized or inappropriate use of technology-related resources.

**12. Demonstration/Mass Protest** Willful disturbance of school activities through a march or rally that prevents the orderly conduct of school classes or activities.

### **13. Destruction of School Property/ Vandalism:**

A student will not willfully cause defacement of, or damage to, property of the school or others. A student will not intentionally cause or attempt to cause damage to private or school property or steal or attempt to steal private or school property on the school grounds or during a school activity, function or event off school grounds. Actions such as but not limited to writing in school textbooks or library books, writing on desks or walls, carving into woodwork, desks or tables and spray-painting surfaces are acts of defacement. [\(Refer to the Board of Education "Policies" page, on the district website\)](#)

### **14. Disrespect Toward Others: (Students / Staff):**

A student will not insult, call derogatory names, dishonor or in any other manner verbally abuse another student or any staff member, volunteer or contractor at any time. Students will act in a manner that is not disruptive to the order and discipline of the educational process.

**15. Disruption of Classroom/School (chronic & extreme)/Disorderly Conduct:** A student shall not (by use of violence, force, noise, coercion, threat, intimidation, fear, passive resistance or any

other conduct) intentionally cause a disruption or obstruction of any function of the school, whether on school grounds or at off campus school sponsored activities or events. Neither shall he/she engage in such conduct or urge others to engage in such conduct if a disruption or obstruction of the educational process or activity is reasonably certain to result. A student will not harass others or misbehave in a manner that causes disruption or obstruction to the educational process. Disruption caused by talking, making noises, throwing objects or otherwise distracting another constitutes disorderly conduct. Behavior is considered disorderly if a teacher is prevented from starting an activity or lesson, or has to stop instruction to address the disruption. (Refer to the Board of Education "Policies" page, on the district website)

**16. Disruptive Clothing or Appearance / Dress Code Violation:** **26. Inappropriate Dress & Appearance:** A student will not dress or groom in a manner that disrupts the educational process or is detrimental to the health, safety or welfare of others. (Refer to the Board of Education "Policies" page, on the district website)

**17. Electronic Device/Cell Phone Misuse 4. Technology Misuse/Abuse:** A student will not tamper with or be an unauthorized user of computer hardware or software, including loading unauthorized software, making unauthorized copies of software, tampering with the hard drive, infection of computers with viruses, unauthorized internet access, unauthorized access to another's files, computers, or computer systems, and computer network "hacking." A student will not violate the district's "Technology Use Guidelines". **Inappropriate use of cell phone, use of picture or videotaping, distribution, or sharing at any time will result in one of more of the following:**

a. Electronic Device is taken for the remainder of the day and a parent/guardian may pick up the device before or after school. Failure or refusal of the student to relinquish custody of the electronic device to a requesting staff member shall result in a suspension for the remainder of the day and may result in additional disciplinary action depending on the severity of the student's defiant behavior.

b. Electronic Device is taken for the remainder of the day and a parent/guardian may pick up the device before or after school. Due to the disruption of the school environment caused by a repeat violation of this policy, the student may face disciplinary action as deemed appropriate by administration. Failure or refusal of the student to relinquish custody of the electronic device to a requesting staff member shall result in a suspension for the remainder of the day and may result in additional disciplinary action depending on the severity of the student's defiant behavior.

c. If the electronic device is confiscated by a staff member for a criminal act under state or federal law, the cell phone will be released by the district to law enforcement personnel. Parents will be responsible for contacting the appropriate law enforcement agency to receive the device.

(Refer to the Board of Education "Policies" page, on the district website)

**18. Eating and Drinking in Class (unless authorized):** Water is allowed in the classroom, all other food and drinks are prohibited unless authorized by the school staff.

**19. Extortion, Strong Arm, Blackmail or Coercion:** Obtaining money or property by violence or threat of violence, or forcing someone to do something against his/her will by threat or force. A student will not threaten another with bodily harm. A student will not coerce another to act or refrain from acting. Coercion is defined as the "intimidation of a victim to compel the individual to do some act against his/her will by the use of psychological pressure, physical force or threats." ([MCL 750.213](#)).

**20. False Fire Alarm or Bomb Report; Tampering with Fire Alarm System:** Unless an emergency exists, a student will not intentionally sound a fire alarm or cause a fire alarm to be sounded, nor will a student falsely communicate or cause to be communicated that a bomb is located in a building or on school property, or at a school-related event. These acts are prohibited, irrespective of the whereabouts of the student. A student will not destroy, damage or otherwise tamper with a fire alarm system in a school building. If a student enrolled in grade six (6) or above makes a bomb threat or similar threat directed at a school building, other school property, or a school-related event, then the school board or its designee shall suspend or expel the student from the school district for a period of time as determined at the discretion of the school board or its designee ([MCL 380.1311a\(2\)](#)).

**21. False Identification/ Information/ Accusations:** A student will not use another person's identification or give false identification to any school official with intent to deceive school personnel or falsely obtain money or property. (Refer to the Board of Education "Policies" page, on the district website)

**22. Felony:** A student will not commit a criminal act that may result in being convicted of a felony offense at any time. Felony is defined as "any serious crime for which the possible maximum sentence is more than one year in prison."

**23. Fighting/Physical:** An incident involving two or more students with physical contact such as hitting, kicking, punching, wrestling, pushing, and shoving.

**24. Fighting/Verbal:** Quarrel, wrangle, squabble, or noisy dispute marked by anger that implies a heated verbal intention stressing strained or severed relations which may persist beyond the contention.

**25. Fireworks/ Explosives:** A student will not possess, handle, transmit, conceal, or use any fireworks or firecrackers on school property or any school-related event.

**26. Forgery/ Counterfeit Currency/ Fraud:** A student will not act fraudulently by using, in writing, the name of another person, or otherwise falsifying school records. A student will not

deceive another or cause another to be deceived by false or misleading information in order to obtain anything of value.

**27. Gambling:** A student will not engage in any game of chance or contest wherein money or other items of monetary value are awarded to the winner, except for those games and contests authorized as official school functions.

**28. Gang Related Activity:** A student will not, by use of violence, force, coercion, threat of violence, or gang activity, cause disruption or obstruction to the educational process. Gangs are defined as organized groups of two or more students and/or adults who engage in activities that threaten the safety of the general population, compromise the general community order, and/or interfere with the school district's education mission.

Gang activity includes but is not limited to any of the following:

- Wearing or displaying any clothing, jewelry, colors, or insignia that intentionally identifies the student as a member of a gang, or otherwise symbolizes support of a gang.
- Using any word, phrase, written symbol, or gesture that intentionally identifies a student as a member of a gang, or otherwise symbolizes support of a gang.
- Gathering of two or more persons for purposes of engaging in activities or discussions promoting gangs.
- Recruiting student(s) for gangs.

**29. Hazing:** The act of hazing is a crime in Michigan and will not be tolerated in the district. A student will not engage in or participate in any behavior that is included in the definition of hazing. The term "hazing" is defined as "an intentional, knowing, or reckless act by a person acting alone or acting with others that is directed against an individual and that the person knew or should have known endangers the physical health or safety of the individual, and that is done for the purpose of pledging, being initiated into, affiliating with, participating in, holding office in, or maintaining membership in any organization." The term "organization" means "a fraternity, sorority, association, corporation, order, society, corps, cooperative, club, service group, social group, athletic team, or similar group whose members are primarily students at an educational institution." ([MCL 750.411f](#)) (Refer to the Board of Education "Policies" page, on the district website)

**30. Improper Physical Contact/ Inappropriate Public Display of Affection:** Students will not engage in displays of affection (kissing or long embraces of a personal nature) that disturb the peace or good order of the school or school related environment.

**31. Insubordination:** A student will not willfully ignore or refuse to comply with directions or instructions given by school authorities. Refusing to open a book, write an assignment, work with other student, work in a group, take a test or do any other class or school related activity not listed herein, refusing to leave a hallway or any other location when instructed by a school staff member, or running away from school staff when told to stop constitutes unruly conduct.

**32. Interference with/ Intimidation of School**

**Authorities:** A student will not interfere with administrators, teachers or other school personnel or volunteers by threat or violence. (Refer to the Board of Education "Policies" page, on the district website)

**33. Leaving an Area/ Class/ School Grounds**

**without Permission:** A student may not leave the school premises (school building, classroom, cafeteria, assigned area or campus) without authorization during the student's scheduled class hours and/or lunch period.

**34. Loitering:**

A student will not remain or linger on school property without a legitimate purpose and/or without proper authority. The act of loitering can be on foot or in a motor vehicle. Students picking up their younger siblings at an elementary school may not enter the school property more than 5 minutes prior to dismissal.

**35. Misuse of Social Media** Whether on or off school grounds, the use of social media in a manner that:

- Demears, condemns, or berates others, including students and staff;
- Disseminates and promotes hate crimes, threats, incites violence of any kind;
- Embarrasses, defames, harasses or bullies others or;
- Wrongful impersonation of another, including students and staff.

**35. Obscenity, Profanity, Pornography:**

A student will not verbally, in writing, electronically or with photographs or drawings direct profanity or insulting, obscene gestures toward any other student, school district staff members or adult volunteers or contractors. (Refer to the Board of Education "Policies" page, on the district website)

**36. Nexus:** Occurs when a student (or group of students) commits an act which is a violation of the Code of Student Conduct off school groups (for example, neighborhood and community incidents which violate law) and the act has a continued impact on students or staff on school ground (or on school sponsored trips or on school buses) in terms of disrupting or preventing the normal glow of the educational process.

Examples include continuing an act of bullying or cyberbullying (ie., inappropriate social media posts), continuing a physical fight or verbal altercation, continuing an act or sale or distributing of drugs or drug paraphernalia.

**37. Possession of Matches/ Lighters**

**38. Putting substances in another person's food or drink or on a person's body:** Putting any substances in another person's food or drink, which poisons or contaminates that food or drink, or on a person's body, which causes injury or

harm to the person (e.g. pepper spray, prescription medicine, over-the-counter medicine).

**39. Sexual Activity/ Misconduct:** Students will not engage in any act of sexual misconduct to include consensual sexual acts, while on school district property, at district sponsored events or activities on or off campus, or on district provided transportation. This includes, but is not limited to, sexual intercourse, penetration of genitals in any manner, oral sex, or fondling of genitals. The district reserves the right to discipline students of any age, separate from Criminal Sexual Conduct statute, for sexual misconduct if the district can show the acts were consensual. A student will not forward, send, use, share, view or possess a sexually explicit image via text message, email, social networking websites and/or other electronic means using school property (computers, devices, networks or servers) on school grounds or at school sponsored activities/events. Acts that occur off school grounds, outside of school sponsored activities or on school owned devices that result in disruption to the orderly operation of school environment are punishable under this provision. (Refer to the Board of Education "Policies" page, on the district website)

**40. Sexual Assault/ Criminal Sexual Conduct \*SEE MANDATORY EXPULSION**

**41. Sexual Harassment:** A student will not use words, pictures, objects, gestures or other actions relating to sexual activity or a person's gender that cause embarrassment, discomfort, or reluctance to participate in school activities. Furthermore, a student will not make unwelcome sexual advances, request sexual favors or engage in verbal communication or physical conduct of a sexual nature with or toward any other student, school district personnel, adult volunteers or contractors. (Refer to the Board of Education "Policies" page, on the district website)

**42. Stealing/ Theft/ Robbery (to include possession of stolen property):** A student will not, without permission of the owner or custodian of the property, take property or have it in his/her possession, by force or threat of force, expressed or implied, which does not belong to the student. (MCL 750.530).

**43. Tardiness:** Arriving late to school or class.

**44. Threats of mass violence:** A student will not communicate terroristic threats, including bomb threats, or commit terroristic acts directed at any student, employee, volunteer, contractor, physical plant or property.

**45. Tobacco/ Vape (Possession, Distribution, Use):** State law has declared that all school properties are to be smoke free zones. Students and parents should be aware that smoking in school or on school property is totally prohibited. A student will not smoke or use e-smoking

devices, use tobacco, or alternative cigarette options including but not limited to dip, snuff, hookah, "vaping" products, or possess any substance containing tobacco or nicotine in any area under the control of a school district, including all activities or events supervised by the school district. (MCL 750.473) (Refer to the Board of Education "Policies" page, on the district website)

**46. Trespassing:** A student will not enter upon the premises of the school district, other than the location to which the student is assigned, without authorization from proper school authorities. Students picking up their younger siblings at an elementary school may not enter the school property more than 5 minutes prior to dismissal. If removed, suspended, or expelled from school, a student will not return to the school premises without permission of the proper school authorities. (MCL 750.552)

**47. Unsafe Actions/ Horseplay:** Any action that has the potential to cause danger or physical harm to self or others, to include reckless vehicle use, pranks, TikTok challenges, joking, poking a person, acts of bias motivated behavior that cause a school or class disruption. Horseplay can be activities such as joking that includes physical contact, playing around, racing, grabbing, foolish vehicle operation, social pressure to participate in unsafe acts, harassment and unauthorized contests.

**48. Weapons - Dangerous Weapons \*SEE MANDATORY EXPULSION**

**49. Weapons - Dangerous Instruments:** A student will not possess, handle, transmit or use a dangerous instrument capable of harming another person. A "dangerous instrument" means any device intended to cause injury or bodily harm, any device used in a threatening manner that could cause injury or bodily harm, or any device that is primarily used for self-protection. Dangerous instruments include, but are not limited to, chemical mace, pepper gas or like substances, stun guns, BB guns, pellet guns, razors, or box cutters. (Refer to the Board of Education "Policies" page, on the district website)

**50. Weapon - Other Weapons:** 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 a teacher or an administrator for appropriate educational use. (Refer to the Board of Education "Policies" page, on the district website)

**51. Weapon - Use of Weapon \*SEE MANDATORY EXPULSION**

## **MANDATORY EXPULSION VIOLATIONS**

(Refer to the Board of Education “Policies” page, on the district website.)

1. **Arson (Starting a Fire)**: A student will not willfully and maliciously burn or attempt to burn any part of property that belongs to, or is under contract with the school district, or property of persons employed by the district or on school property or engage in the setting of fires on school property. Students found guilty of this offense are subject to mandatory expulsion. “Arson” means a felony violation as set forth in Chapter X of the Michigan Penal Code ([MCL 750.71](#) to [MCL 750.80](#)).
  
2. **Criminal Sexual Conduct**: A student will not sexually assault another person. For students in grades 6 and above, school districts may expel students who possess a dangerous weapon, commit arson or commits criminal sexual conduct in a school building, on school grounds or off campus with a victim that is enrolled in the same school district. The law allows for possible reinstatement ([MCL 380.1311](#)). The term “criminal sexual conduct” is defined in the Michigan Penal Code, 1931, PA 328 ([MCL 750.520](#) and [MCL 380.1311](#)).
  
- NOTE:** Under state law, the District **may** suspend or expel a student who **commits** criminal sexual conduct with another District student. The District **shall** suspend or expel a student who is **convicted**, by plea or adjudication, of criminal sexual conduct with another District student.
  
3. **Physical Assault**: A student will not physically assault another person. “Physical assault” means intentionally causing or attempting to cause physical harm to another through force or violence ([MCL 380.1310\(3\)\(b\)](#), [MCL 380.1311a\(12\)\(b\)](#)). A student in grade six (6) or above shall be permanently expelled for any assault against an employee, contractor, or volunteer of the district. A students in grade six (6) or above who commits physical assault against another student shall be suspended or expelled for up to 180 days.
  
4. **Weapons - Dangerous Weapons**: A student will not possess, handle, transmit, or use as a dangerous weapon an instrument capable of harming another person. A “dangerous weapon” means a firearm, dagger, dirk, stiletto, knife with a blade over three (3) inches in length, pocket knife opened by a mechanical device, iron bar or brass knuckles. ([MCL 380.1313](#)) (Refer to the Board of Education “Policies” page, on the district website.)
  
5. **Weapons - Use of Legitimate Tools as Weapons**: A student will not use a legitimate tool, instrument, or equipment as a weapon with the intent to harm another. These items include, but are not limited to, pens, pencils, scissors, compasses, or combs.

## **SEARCHES OF PUPILS' LOCKERS & LOCKER CONTENTS**

### **Lockers are School Property**

As noted above, all lockers assigned to pupils are the property of the school district. At no time does the school relinquish its exclusive control of its lockers. The building principal or his/her designee shall have custody of all combinations to all lockers or locks. Pupils are prohibited from placing locks on any locker without the advance approval of the principal or his/her designee. Random searches of school lockers 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 pupils and personnel. Accordingly, the board authorizes the principal or his/her designee to search lockers and locker contents at any time, without notice, and without parental/guardianship or pupil consent. Law enforcement may be involved to the extent deemed appropriate by the administration, which involvement may include the use of drug dogs in hallways, lockers, school property or other public areas. (Refer to the Board of Education "Policies" page, on the district website.)

### **Legitimate use of school lockers:**

The school assigns lockers to its pupils for the pupils' convenience and temporary use. Pupils are to use lockers exclusively to store school-related materials and authorized personal items such as outer garments, footwear, grooming aids, or lunch. Pupils shall not use the lockers for any other purpose, unless specifically authorized by school board policy or the principal or his/her designee, in advance of pupils bringing the items to school. Pupils are solely responsible for the contents of their lockers and should not share their lockers with other pupils, or divulge locker combinations to other pupils, unless authorized by the principal or his/her designee.

### **Search of locker contents:**

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

### **Seizure:**

When conducting locker searches, the 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 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: firearms, explosives, dangerous weapons, flammable material, illegal controlled substances or controlled substance analogues or other intoxicants, contraband, poisons, and stolen property.

Law enforcement officials shall be notified immediately upon seizure of such dangerous items or seizure of items that schools are required to report to law enforcement agencies under the Statewide School Safety Information Policy. Any items seized by the principal or his/her designee shall be removed from the locker and held by school officials for evidence in disciplinary proceedings and/or turned over to law enforcement officials. The parent/guardian of a minor pupil, or a pupil eighteen (18) years of age or older, shall be notified by the principal of items removed from the locker. (Refer to the Board of Education "Policies" page, on the district website.)

**Notice of Policy**

A copy of this school board policy regarding searches shall be provided annually to each pupil and parent/guardian of the pupil assigned a school locker.

**References:**

*The Revised School Code*, MCL 380.1306, 2000 PA 87 (Locker Searches) - *New Jersey v. T.L.O.*, 469 U.S. 325 (1985) U. S. Constitution, Amendment IV

\* If the board of a school district, local act school district, or intermediate school district or board of directors of a public school academy operates a school that has pupil lockers, the board or board of directors shall adopt a policy on searches of pupils' lockers and locker contents. The board or board of directors shall provide a copy of this policy to each pupil at a school that has lockers and to the parent or legal guardian of each of those pupils. The board... shall also provide a copy of the policy to the department upon request by the department. (MCL 380.1306(2))

**SECURITY MONITORING DEVICES**

The Board takes very seriously the responsibility of maintaining a safe environment for teaching, learning, and working. Regular monitoring of commonly accessible areas such as entrances, corridors, lobbies, parking lots, and vehicles is an important preventative measure. In addition, adherence to board-established directions, practices, and procedures is essential in maintaining an orderly district.

Therefore, in order to ensure a safe and secure environment for students, staff, and community, Fitzgerald Public Schools will utilize all legal means at its disposal, including, but not limited to electronic and non-electronic surveillance, to enforce board policies, procedures, governing rules, contract language, work rules and department directives.

**TECHNOLOGY**

The student will respect school district technology by adhering to the district's Acceptable Use of Technology & Internet Safety Policy and adhere to the school's electronic device/cell phone policy. The use of electronic communication devices are prohibited at all times in school offices. The school will continue to prohibit the use of any video device in any restroom, locker room or other location where students and staff "have reasonable expectations of privacy." Administrators may search the electronic communication device of a student if they can articulate reasonable suspicion that the device contains evidence of any violation of state or federal law, or violations of any other provision found within this Code of Conduct. Administrators may require students to delete photos or videos taken during instructional hours or which otherwise constitute a violation of this Code of Conduct. (Refer to the Board of Education "Policies" page, on the district website)

**STUDENT DRESS & GROOMING CODE**

The intent of the dress code is to promote good habits of cleanliness, neatness, and modesty while still providing the students with means of self-expression and general comfort. Students are permitted to determine their own dress and hair style as long as such dress and hair styles:

- Are clean and represent good habits of health.

- Are reasonably modest (related to dress).
- It is expected students will wear clothing in a neat fashion.

The following guidelines review appropriate dress for an educational setting that promotes a positive and safe learning environment.

- Skirts, dresses and shorts must be worn at the natural waistline and be of reasonable length
- When tights are worn in lieu of pants, the length of the top worn must meet the same requirements of a skirt or dress which is of reasonable length measuring no shorter than 2” above the knee. Tights by themselves without the proper length top are not acceptable.
- Pants are to be worn at the natural waistline, not hanging low on the hips with pant legs dragging on the ground.
- Clothing, accessories, and/or backpacks that denote membership in a gang or promote gang activity, are profane, obscene, and/or suggestive, or portray drug, alcohol, tobacco, sexual references, or double meanings are prohibited. Wearing or displaying any clothing, jewelry, colors, or insignia that intentionally identifies the student as a member of a gang, or otherwise symbolizes support of a gang is not allowed.
- Non apparel items (blankets, flags, stuffed animals and capes, etc.) are not allowed unless approved by an administrator in advance.
- Sheer or low cut tops that show undergarments are not allowed.
- Footwear must be worn at all times. Slippers or bare feet are not allowed.
- Headwear (hats, scarves, hoods, bandanas, sweatbands, skull caps, etc.) and sunglasses are not to be worn in school unless required by religion or in certain classes for safety reasons. Headwear will be confiscated by school personnel.
- Winter coats must be kept in lockers during the school day and will be confiscated by school personnel if brought to class.
- Backpacks are only permitted when entering and exiting the building and must be left in the student’s locker throughout the school day. Lightweight, nylon or mesh drawstring bags including purses are allowed but must fit underneath the desk.
- Chains, spikes, and other metal apparel cannot be worn at school.
- Costumes are not permitted during school hours.

It is the administration's discretion to determine whether clothing and/or accessories disrupt or present a potential health and/or safety problem or interfere with the education process.

[\(Refer to the Board of Education “Policies” page, on the district website.\)](#)

## **STUDENT ATTENDANCE**

Optimal educational benefits can only be achieved through a student’s regular class attendance, active class participation, and serious commitment to the educational program. Setting an expectation of good attendance forms a habit of lifelong benefit, as school attendance is often repeated in the workplace.

Fitzgerald Public Schools considers absenteeism and tardiness a serious disruption to the educational process, not only for the student, but for the teacher and entire class. To protect the integrity of the classroom and to encourage students to establish good attendance attitudes and habits, students who are absent or tardy may be subject to disciplinary action by the school.

Attendance in school is the responsibility of the student and the parent/guardian. The school's task is to provide instruction, encourage attendance and notify the parent/guardian of absences from class. Exemplary class attendance should be the desired goal of students, parents/guardians, and teachers.

### **Student Responsibilities for Attendance**

- A student is to attend each scheduled class.
- A student is to be on time and prepared for class.
- A student is responsible for making arrangements if he/she is to be absent from a particular class. This involves obtaining permission from the office for outside activities (i.e., doctor/dental appointments) and obtaining permission from the teacher whose class will be missed for in-school activities, such as counseling appointments, student government activities, or completing class assignments.

### **Parent Responsibilities for Attendance**

Parents are requested to call the school before school begins or as soon as possible, if the student will be absent. Contact must be made within 48 hours to have the student's absence verified.

<b>School Name</b>	<b>Attendance Reporting (Main Office)</b>
Fitzgerald High School	586-757-7070
Chatterton Middle School	586-757-6650
Mound Park Upper Elementary School	586-757-7590
Westview Lower Elementary School	586-757-5520
Schofield Early Childhood School	586-757-5150

Parents are asked to remind their child, when absent, that it is his/her responsibility to arrange for makeup work. As a reminder, students are generally given the same amount of time to make up work as the amount of time they were absent.

***Students may only be released to a contact that is listed in PowerSchool. We cannot release a student to someone that is not listed as an emergency contact.***

### **Absences**

**Any and all unverified absences (UNV)** in a semester may involve discipline for absenteeism and will be at the administration's discretion.

Students are not allowed to leave the building or school property without permission. Students who must leave school before their usual dismissal time must first get approval from one of the building administrators. **Students are required to sign in. A parent or guardian is required to sign out of the building.**

A student taking part in **extracurricular activities** must be in school 3 school hours per day in order to participate in any activity beyond their regular scheduled classes. If the student has an appointment, he/she must pre-arrange this absence with the Athletic Director in the case of athletics and with one of the school administrators in other cases. Such arrangements must be made at least twenty-four (24) hours prior to the appointment, except in the case of emergency. Notification must be made as soon as possible. Arrangements will then be made for that day's practice.



Elementary students who are late more than 90 minutes after lunch will be charged with an absence for the day.

### **Procedures for Reporting Non-Attendance and Tardy Situations**

If a student must be absent (for any portion of the day) or tardy, parents and/or guardians are requested to call the school as soon as possible. The number has a 24-hour answering machine, so the call may be made at any time. Contact must be made within 48 hours to have the student's absence or tardy reported as verified. If the parent/guardian is unable to contact the school within 48 hours because of an emergency or other situation, please contact one of the administrators directly.

#### **Definitions:**

- **Verified Absence (VER):** Verified by parent and/or guardian within 48 hours. Absence will be considered as an excused absence.
- **Unverified Absence (UNV):** Not verified by parent and/or guardian or administration. Absence will be considered as an unexcused absence.
- **Reasons for Verified Absence:** Could include, but is not limited to the following:
  - Absence due to illness and/or a medical condition (a doctor's note is required if the illness extends for several days or over the course of term)
  - Recovery from accident
  - Death that directly affects the student
  - Pre-approved family vacation
  - Required court appearances
  - Medical appointment for the student that cannot be scheduled for anytime except during (or before or after) the school day
  - Family emergencies
  - College Visits (Up to two visits per year in 11th and 12th grade) (Proof of tour registration must be submitted prior to visit)
- **Reasons for Unverified Absence/Truancy:**

Could include, but is not limited to the following:

  - Attending school and leaving the grounds without permission
  - Riding the bus to school and not reporting to class
  - Being out of school or off school property for reasons not cleared with school administration
  - Non-attendance of assigned classes
  - A student is considered tardy to a class if not in the classroom area when the bell stops ringing (unless the student has received a pass from a teacher or administrator to arrive to class after the bell stops ringing)
  - **Absolutely no skip days are sanctioned in Fitzgerald Public Schools. Skip days are considered unverified absences.**

***All absences (Verified and Unverified) are subject to student truancy if proper documentation (i.e. doctor's note, letter of court appearance, etc...) has not been submitted to the Main Office.***

#### **Additional Absences:**

- School Business (SB)- Not in scheduled classes due to a school sponsored activity (field trip, assembly, etc.)

- Religious Holiday (RR)- Not in scheduled classes due to observance of a religious holiday

### **Pre-Verified/Extended Absences**

Absences for family vacations or travel during scheduled school days are discouraged; however, should it be necessary for a student to be absent for a family vacation or travel, a pre-verified absence form should be obtained from the school's main office and submitted at least one week prior to the leave. Extended absences will not be approved without proper documentation. Students that will be absent for 10 days or more for an extended vacation may be dropped from the district and required to re-enroll. Students attending under School of Choice with proper extended absence documentation and pre-approval may be re-enrolled in the district as long as the student has not enrolled in a different district while not in attendance at Fitzgerald Public Schools. [Extended Absence Request Form](#)

### **Extended Medical Absences**

In the case of a student who will be absent for extended periods due to physical disability or illness, the parent/guardian must obtain a doctor's note.

### **Tardy Policy**

**Any and all Tardies (TUX)** in a semester may involve disciplinary action and will be at the administration's discretion.

- A student is considered tardy to a class if not in the classroom when the bell stops ringing.
- A student coming late to school at any time will be counted as tardy. Exceptions may be made for medical, dental, or court appointments **if official documentation of appointment is provided.**
- A student will not be counted as tardy if upon coming to class he presents a verified, signed pass from another teacher or from the office. Students who are tardy because of a late bus are verified.

### **Tardy Absent (TAB):**

#### **Middle & High School:**

- A student will be marked (TAB) when more than 10 minutes late to class. Students should remain in the class for the remainder of the hour.

#### **Elementary:**

- A student will be marked (TAB) when more than 90 minutes late to the start of school

Regular attendance behavior is essential in achieving a quality education. Classroom attendance provides students the opportunity to participate in group activities, ask questions, participate in classroom discussion, and other related educational experiences. Positive attendance behavior is an important and necessary component to ensure academic success in school and career success in the ever changing global society. The district is committed to assisting those students who may demonstrate poor attendance behavior to understand the importance of regular and timely attendance.

- The Attendance Office monitors tardies daily.
- Robo calls are made to parents of students with attendance concerns.

Tardies are monitored weekly and students with excessive tardies and unverified absences will be identified and counseled by school personnel to identify any barriers for on time attendance concerns and parents will be notified. If tardies continue, a parent meeting will be scheduled to find a solution to the problem.

## **Student Illness**

A student who becomes ill during the school day should report to the office and his/her parent/guardian will be called. The student will remain in the office until an emergency contact is made. All classes missed will count toward the absence total.

## **Early Pick-Up/Parent Withdraw (PW)**

To ensure that student learning is not disrupted, in the rare case that you are not able to send a note in for an early pick-up, **parents must call at least one hour prior to the student's release.**

## **Truancy**

A student shall be considered truant each day or part of the day he/she is absent from his/her assigned location. Absence is defined as non presence in the assigned location any time beyond the tardiness limit.

Truancy demonstrates a deliberate disregard for the educational program and is considered a serious matter. The following procedures will be followed when truancy occurs:

- Students may request work missed as a result of truancy.
- No credit will be recorded for work missed as a result of truancy.
- A record of the truancy will be entered in the student's record / file.
- A parent / guardian conference may be held.
- A student may be considered to have an attendance problem when, in spite of warnings and/or his / her parent or guardian's efforts to ensure attendance, s/he has accumulated ten (10) absences per school year.

The 10 absences may be a combination of verified and unverified absences. Warning letters will be sent to parent(s) / guardian(s) after the student has five (5) absences. At ten (10) absences a letter will be sent to the parents and the student may be referred to the Macomb Intermediate School District Attendance Office.

## **Student Drops:**

### **From Consecutive Absences:**

Students who have accumulated more than ten (10) consecutive absences may be dropped for non-attendance if absences are found to not be for medical reasons or other school/district approved absences. If students are dropped for non-attendance, parents must re-enroll students with the district.

### **Student No Shows:**

Students who do not attend school within the first five (5) days of school, will be dropped from Fitzgerald Public Schools. If students are dropped for non-attendance, parents must re-enroll students with the district.

After an extended period of time of attempting to contact the parent/guardian, and without parent contact to the school, law enforcement will be notified to investigate the whereabouts of a student.

## **BUS TRANSPORTATION EXPECTATIONS**

1. Students are to arrive at their bus stop 5 minutes before the bus is scheduled to arrive.
2. Students must wait in a designated place of safety as directed by the bus driver.

- While at the bus stop and on the bus, students are to behave and conduct themselves in accordance with the Student Behavior Standards for Fitzgerald Public Schools.
  - Students must observe classroom-like conduct and obey the driver promptly and respectfully. Disrespectful, insubordinate, and rude behavior is not acceptable.
  - Students must not use profane language.
  - Students must refrain from eating or drinking, except as required for medical reasons.
  - Students must not have tobacco, alcohol or drugs in their possession on the bus.
3. Students must board the bus and go directly to their seats, keeping aisles and exits clear.
  4. Students must not throw or pass objects on, from, or into the bus.
  5. Students must leave or board the bus at locations to which they have been assigned unless they have parent/legal guardian and administrative authorization to do otherwise.
  6. Young 5s and kindergarten students will not be discharged from the bus stop unless an adult is present to receive them. The driver shall return the student to school, and the student's family will be contacted. Families will have a 30 minute window to pick up their children before the police are contacted.
  7. Students must not put head, arms, or other body parts out of the bus windows.
  8. Items, such as but not limited to animals, aerosol cans, glass, firearms, ammunition, weapons, matches, lighters, laser pointers, explosives, or other dangerous materials or objects are prohibited on the school bus.
  9. Students must be silent at railroad tracks until the crossing is complete.
  10. All students at Chatterton Middle School who are eligible for busing must have a school I.D. with the correct route number to ride the bus to/from school.
  11. Cell phone usage on the bus:
    - **H.S. & Middle School-** When cell phones are used while riding the bus, personal listening devices (headphones, earbuds) must be used to eliminate distraction to the bus driver and other passengers
    - **Elementary-** Use of cell phones are **prohibited** for elementary age students on the bus.
    - **All Students- Video recording by any type of personal electronic device is strictly prohibited while on the bus.**

#### Consequences for Violations Related to Transportation for all students include, but are not limited to:

General Incidents include, but are not limited to:	Minor Incidents include, but are not limited to:	Major Incidents include, but are not limited to:
<ul style="list-style-type: none"> <li>● Failure to remain seated</li> <li>● Eating, drinking, littering</li> <li>● Failure to cooperate with staff</li> <li>● Disruptive, rude behavior re: safety/well-being of self/others</li> <li>● Loud, repetitive language/sounds</li> <li>● Improper use of cell phone, technology, electronics</li> <li>● Property misuse without destruction</li> <li>● On/off wrong stop/bus, tardy</li> <li>● No student ID</li> <li>● Dress code violation</li> </ul>	<ul style="list-style-type: none"> <li>● Reckless behavior</li> <li>● Inappropriate language, gestures, writing, drawing</li> <li>● Name-calling, taunting, teasing</li> <li>● PDA/Amorous behavior</li> <li>● Physical Contact (i.e. pushing, tripping, inappropriate touch, etc.)</li> <li>● Property damage- Minor</li> <li>● Using cell phone, technology without permission</li> <li>● Defiance/insubordination</li> <li>● Extending anything out bus windows</li> <li>● Throwing items in/on/from the bus</li> <li>● Repeated general incidents without resolution</li> </ul>	<ul style="list-style-type: none"> <li>● Abusive/vulgar language</li> <li>● Arson</li> <li>● Bullying/Cyberbullying</li> <li>● Harassment, fighting (verbal or physical)</li> <li>● Spitting on/at the bus or others</li> <li>● Defiance/insubordination- repeated</li> <li>● Drugs/ Alcohol/ Tobacco/ Vaping</li> <li>● Property damage, vandalism, tampering with bus equipment</li> <li>● Theft</li> <li>● Threats</li> <li>● Illegal/inappropriate use of technology</li> <li>● Weapons/dangerous instruments</li> <li>● Repeated minor incidents without resolution</li> </ul>

<p><b>General Consequences include, but are not limited to:</b></p> <ul style="list-style-type: none"> <li>● Visual/verbal redirection</li> <li>● Review rider expectations</li> <li>● Conversation with student</li> <li>● Seat relocation</li> <li>● Driver/parent conversation</li> </ul> <p><b>*When multiple general incident reports have been documented the student will be moved to a minor consequences status.</b></p>	<p><b>Minor Consequences include, but are not limited to:</b></p> <ul style="list-style-type: none"> <li>● SWIS referral with review of rider expectations</li> <li>● Staff/supervisor conference</li> <li>● Parent contact</li> <li>● In-school discipline</li> <li>● Loss of bus privileges <ul style="list-style-type: none"> <li>○ 1-3 days</li> <li>○ 3-5 days</li> <li>○ 5+ days</li> </ul> </li> </ul>	<p><b>Major Consequences include, but are not limited to:</b></p> <ul style="list-style-type: none"> <li>● Supervisor, school or other professional staff intervention</li> <li>● Parent/staff conference</li> <li>● Loss of bus privileges <ul style="list-style-type: none"> <li>○ 3-5 days</li> <li>○ 5-10 days</li> <li>○ 10+ days</li> <li>○ Remainder of semester</li> <li>○ Remainder of school year</li> <li>○ Permanent with provisions</li> <li>○ Permanent</li> </ul> </li> </ul>
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***Riding the school bus is a privilege. This privilege may be temporarily denied or permanently revoked if misconduct jeopardizes the safe operation of the school bus or the safety of students riding the bus. School suspension is a possible sanction. If the loss of bus privileges occurs, the parent is responsible to ensure the student attends school.***

## **BULLYING, CYBERBULLYING, HARASSMENT, INTIMIDATION, HAZING & BIAS BEHAVIOR**

When a student reports to a staff member that he/she is the target of bullying, cyberbullying, harassment and intimidation, hazing, and/or bias behaviors, the staff member will respond quickly and appropriately to investigate and intervene, making every effort to provide the student with a practical, safe, private, and age-appropriate way of reporting. All students and families are expected to respond nonviolently and report it to school personnel and are expected to address and resolve it immediately.

It is important to understand the difference between bullying behavior and normal peer conflict.

***Bullying is behavior that is:***

- *Intentional*
- *Repeated over time. Chronic bullying is considered more than two acts per month.*
- *Intended to harm. There is intent to cause physical or emotional hurt.*
- *Involves a power differential. One child is more popular, bigger, older than another*
- *Creates a hostile educational environment. Your child doesn't feel safe.*

***Bullying is not:***

- *Unkind words that occur once.*
- *Rough play that is not intended to hurt.*
- *A physical attack that is not a part of a pattern of behavior.*
- *Behavior that may be inappropriate to someone else, but that the student to whom it is directed does not see as hurtful; for example, name-calling that all are participating in on an equal basis*

**If YOU are Being Bullied:**

- Tell someone – a family member, a teacher, a counselor, an administrator, or other staff member
- Calmly tell the student to stop... or say nothing and walk away
- Try not to show anger or fear

**If You Know Someone who is Being Bullied:**

- If you feel safe, tell the bully to stop
- If you don't feel safe...
  - Say kind words to the student being bullied – Be a friend!
  - Don't encourage the bully by laughing or joining in

- o Tell other bystanders how to help stop bullying
- o Tell an adult
- o Encourage the bullied student to talk to someone

If administration determines that one of these behaviors has occurred, the students involved will receive support from a school counselor, school psychologist, school social worker, pupil personnel worker, or school health staff person to be sure everyone involved feels safe and supported and understands how to avoid these situations in the future.

### **EXTRA-CURRICULAR ELIGIBILITY**

Participation in extracurricular activities provides a valuable educational experience. Besides opportunities to have fun or be with friends, activities help support the academic mission of the school and are an extension of a quality educational program. Whether a student's interests lie in future careers, the environment, social events, community service, student government, foreign cultures, robotics, fine or performing arts, etc., each school offers a related activity or organization.

Students who participate in extracurricular activities tend to have higher grade point averages, better attendance records, lower dropout rates and fewer discipline problems than students who do not participate. Through their involvement, students learn self-discipline, build confidence, and develop skills to handle all types of situations. (Refer to the Board of Education "Policies" page, on the district website.)

#### **High School:**

In order to participate in an organization or school sponsored event, students must have met each of the following requirements for the prior semester:

1. Pass five (5) out of six (6) classes
2. Maintain a grade point average (GPA) of 2.0 in the previous semester or a 3.0 cumulative
3. Have satisfactory or better citizenship in 5 of 6 of their classes.
  - If the citizenship has not been obtained, the student will be ineligible for 1 week (including weekends) and will be placed on a behavioral contract.
  - The student will have to obtain a behavioral progress report each Friday that displays satisfactory behavior in 5 of 6 classes in order to restore eligibility.

If the student does not meet the requirements as stated in standard 1 and standard 2, they will be declared ineligible for the following semester.

Ineligibility means that the student would not be able to participate in any extra-curricular activities or school sponsored events. Students would not be able to participate in an organization until they become eligible again based on their semester grades and meeting the above requirements.

If a student meets the three (3) standards from the previous semester but then falls below these three standards at a progress report check, the following will occur:

1. The student is on probation for a period of 1 week (including weekends). At the end of one week, if a minimum 2.0 GPA is achieved, the student is removed from probation status.
2. If the student does not achieve a minimum 2.0 GPA, then the student becomes ineligible. Eligibility may be regained if a minimum 2.0 GPA is achieved at the end of the next week.

3. If the student does not achieve a minimum 2.0 GPA at the end of the second week of ineligibility, then the student is ineligible for the remainder of the official grading period or the end of the semester.
4. If a student is ineligible at the beginning of a semester, then the student may become eligible at the progress report check of semester two or three if a minimum 2.0 GPA is achieved.

### **Middle School:**

Students may attend and participate in school activities (i.e: reward days, dances, exam exemptions, 8th grade trip, etc.) if they have met the following criteria:

- 3.0 Grade Point Average
- (5) or less total Tardies
- (0) Suspensions

There are no eligibility qualifications for students to participate in clubs. Club participation is open to all students.

## **ATHLETIC ELIGIBILITY POLICY**

### **Middle School/High School**

The Board of Education encourages good sportsmanship and promotes maximum opportunities for participation by students.

Fitzgerald Public Schools believes in the educational value of interscholastic athletics and supports a full program of sports for males and females. This information is designed to give the students and parents a clear understanding of the rules and regulations regarding student's athletic competition.

High School athletes are students first and athletes second. A student who elects to participate in athletic activities must understand that schoolwork and academics come first. Beyond the classroom, these students have chosen to make a commitment to an athletic team. That decision involves self-discipline, sacrifice, and dedication, never losing sight of the fact that school activities should be fun and contribute to the physical, emotional, and social development of the athlete.

The middle school athletic program is designed to allow for individual differences in growth and ability, and each coach is looking for potential, hard work, and a good attitude. Attitude, skill, talent, time, and effort at practice will all contribute to the coach's assessment of who starts and what substitutions should be made.

Student athletes at Fitzgerald Public Schools are expected to demonstrate good sportsmanship in work, action, and attitude. Athletes are an extension of the curriculum designed to promote good health, strong bodies, teamwork, and a sense of school ownership, and camaraderie that students will remember the rest of their lives.

### **Procedure**

It is the responsibility of the student to know and adhere to the athletic code of their school. Participation in extracurricular competitive interscholastic athletics is a student's privilege, not a right, that can be removed at any time for failure to meet the standards and requirements of Fitzgerald Public Schools. These are the standards which must be met in order to participate with any athletic team.

1. Have satisfactory or better citizenship *in 5 of their 6 classes*.

- If the citizenship has not been obtained, the student will be ineligible for 1 week (including weekends) and will be placed on a behavioral contract.
  - The student will have to obtain a behavioral progress report each Friday that displays satisfactory behavior in *5 of 6 classes* in order to restore eligibility.
2. Pass four (4) out of six (6) classes (MHSAA).
    - If the student does not meet this requirement, they will be declared ineligible for one-half (1/2) school year without the option of probation per the MHSAA.
    - The student will not be allowed to sit on the bench or be in uniform at a game.
  3. Maintain a grade point average (GPA) of 2.0 from the previous *quarter* or a 3.0 cumulative.
    - If the student does not meet this requirement but does meet the requirements as stated in standard 2, he or she will have to sit out 1 *quarter*.
    - If a student can meet the 2.0 GPA standard by repeating a failed or no credit class during the next *semester* or summer school, he/she will be eligible to participate during the following *semester*.

If a student meets the three (3) standards from the previous *semester* but then falls below these three standards at a progress report check, the following will occur:

1. The student is on probation for a period of 1 week (including weekends). At the end of one week, if a minimum 2.0 GPA is achieved, the student is removed from probation status.
2. If the student does not achieve a minimum 2.0 GPA, then the student becomes ineligible. Eligibility may be regained if a minimum 2.0 GPA is achieved at the end of the next week.
3. If the student does not achieve a minimum 2.0 GPA at the end of the second week of ineligibility, then the student is ineligible for the remainder of the official grading period or the end of the *quarter*.
4. If a student is ineligible at the beginning of a *semester*, then the student may become eligible at the *quarterly progress report check*, if a minimum 2.0 GPA is achieved.

### **Conditions of Eligibility**

In Fitzgerald Public Schools, athletic participation is not a right, but a privilege. A student may be removed from athletics for failure to meet the standards and requirements of the team, school, or district.

Board of Education policy states that students are forbidden to use any performance-enhancing substances including, but not limited to, those banned by 31.2.3 of the bylaws of the National Collegiate Athletic Association (NCAA) and those that may be listed by the Michigan Department of Community Health. Discipline for students who violate this policy could range from warnings, detentions and suspensions up to and including expulsion. For more information, contact the school's athletic director.

## **ALCOHOL, DRUGS & NARCOTICS**

The Fitzgerald School District recognizes its responsibilities to provide a safe and healthy environment for all students. We further recognize that misuse, abuse and dependency on Illegal Substances, as defined under the Code of Student Conduct and Discipline, are a serious problem in society and among our youth. Since drug related problems interfere with school behavior, student learning and the fullest possible development of each student, it is believed that schools must share in the responsibility along with the home, society and the individual in seeking solutions.



Recognizing that chemical dependency is a progressive illness, the Board deems it appropriate:

1. To provide as part of its curriculum programs designed to prevent the misuse and abuse of harmful, mind-altering chemicals which lead to such dependency.
2. To acknowledge its responsibility to intervene and offer assistance to students displaying signs of harmful involvement.
3. To provide support groups for students who are affected by chemical dependency to the extent that such group facilitators are available.

The Board also recognizes that the possession, trafficking in, sale and/or use by a student or students of alcohol or Illegal Substances on school property or at a school-sponsored event is wrong and harmful and is a direct violation of the Student Code of Conduct and will be dealt with accordingly. Depending on the nature and/or severity of the situation, a student involved in the possession, trafficking in, sale and/or use of an Illegal Substance or substances may be referred for appropriate disciplinary action up to and including expulsion under the terms and conditions set forth in the Student Code of Conduct.

Alcohol, drugs & narcotics: a student will not possess, use, offer to buy or sell, or participate to buy or sell, drug paraphernalia, a controlled substance, dangerous drug, prescription drug, counterfeit drug, pep pills, inhalants (glues, solvents, etc), intoxicating or mind altering substance (synthetic or natural), a single or combination of legal or illegal substances for the purpose of altering one's state of mind, or alcohol. A student legally in possession of prescribed medication will not be in violation of this section as long as his/her use and possession of the prescribed medication is authorized at school and the student follows the required possession and use protocols as defined by school.

Health problems are primarily the responsibility of the home and community. However, because substance abuse problems interfere with school behavior and student learning, the following guidelines have been established. (Refer to the Board of Education "Policies" page, on the district website.)

### **Guidelines**

#### I. Role of the Building Administrator and Special Education Director

A. The role of the building administrator and the director of student services will include:

1. Acting as a contact person for those wishing to express concern about a student.
2. Working with mental health staff (social worker, psychologist, and counselor) to provide appropriate interventions.
3. Coordinating curriculum.

#### II. Training Sessions

The district shall provide training sessions for appropriate district personnel to encourage awareness about and prevention of chemical dependency among students and the problems students may have as a result of chemical dependency in their families.

#### III. Curriculum

- A. Recognizing that chemical dependency is an illness, curriculum stressing prevention of chemical dependency shall be continued or instituted in all divisions: elementary, middle and high school.
- B. The curriculum shall be reviewed on a regular basis and modified when needed.

#### IV. Intervention

If a student is referred for possible chemical abuse or dependency or if a family's chemical dependency affects a student's overall school performance, the building administrator or student services director and other designated personnel shall meet to determine whether and what intervention is appropriate.

#### Courses of Action

1. Collection and review of all pertinent information.
2. A meeting to share concerns with the student, family or guardian to encourage action.
3. Presentation to parents of information regarding agencies conducting assessments, individual and/or family counseling agencies and other outside agencies that provide help.
4. Informing other school personnel when appropriate.
5. Notification of appropriate outside agencies such as police, Department of Social Services, Children's Protective Services, etc.

#### V. Violation

If a student is apprehended violating the Board Policy on Illegal Substances in a manner other than set forth in Section V(D), below, the following will occur:

1. **Suspension:** The student will be suspended from school for a period of up to ten (10) days.
2. **Readmission:** The length of the suspension will be reduced if the student and his/her parents agree to an assessment at an agency designated by the school, a release of information, and follow-up treatment, if recommended.

#### Chemical Awareness Program, Referral

If an in-school chemical awareness program is appropriate and available, the student will be required to participate or serve the remainder of the suspension.

#### Second or Further Violation of Policy

1. **Expulsion:** Upon a second violation of the policy on Illegal Substances other than as set forth in Section (D), below, the student will be expelled from school for thirty-five (35) school days or for the remainder of the semester; whichever time period is greater, to be readmitted under the procedure outlined below.
2. **Readmission:**
  - a. Submitting to assessment, a release of information and, if recommended, treatment will be required for readmission to school.
  - b. The student must remain in treatment until released by the treatment center.
  - c. Appropriate law enforcement agencies will be notified.
  - d. Support groups - The District will provide appropriate support groups for students who are

affected by chemical dependency to the extent that group facilitators are available.

### **Sale, Distribution, Purchase or Trafficking in Illegal Substances**

1. **First violation** – expulsion for thirty-five (35) school days or for the remainder of the semester; whichever time period is greater.
2. **Second violation** - expulsion for the remainder of year up to permanent expulsion.

Note: For any infraction involving Illegal Substances, depending on the nature and/or severity of the infraction, the student or students involved may face immediate referral for severe disciplinary consequences up to and including expulsion.

### **PROPERTY**

Parking lots and parking spaces are the property of Fitzgerald Public Schools, to be used by eligible high school students for the lawful driving and parking of motor vehicles to and from school. All student vehicles must have a vehicle pass displayed while on the property of Fitzgerald Public Schools. Any student vehicle parked without a valid vehicle pass may be ticketed and/or towed at the operator's expense.

All vehicles on school property are subject to search if school officials have reason to believe the vehicle may contain contraband or evidence of a violation of any of the above listed infractions. Students are expected to drive and park respectfully and safely without infringing on the rights of others. Students may have their driving privileges revoked while on school property at any time. This revocation may be verbal or written, and may be issued by any administrator of Fitzgerald Public Schools who witnesses an unsafe act, or any time there is reasonable suspicion based upon the preponderance of the evidence that the driver committed an unsafe act. The length of duration of the revocation of driving privileges is at the discretion of the building administrator or his/her designee. [\(Refer to the Board of Education "Policies" page, on the district website.\)](#)

### **STUDENT RECORDS (FERPA)**

#### **The Family Educational Rights & Privacy Act (FERPA)**

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

- Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.
- Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend

the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.

- Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):
  - School officials with legitimate educational interest;
  - Other schools to which a student is transferring;
  - Specified officials for audit or evaluation purposes;
  - Appropriate parties in connection with financial aid to a student;
  - Organizations conducting certain studies for or on behalf of the school;
  - Accrediting organizations;
  - To comply with a judicial order or lawfully issued subpoena;
  - Appropriate officials in cases of health and safety emergencies; and
  - State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification (special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of each school. (Refer to the Board of Education "Policies" page, on the district website.)

### **ANTI-HARASSMENT/ANTI-VIOLENCE POLICY**

It is the policy of the Fitzgerald Public Schools ("District") to maintain learning and working environments that are free from all forms of unlawful harassment, including sexual harassment and physical assault. No board member, staff member or student of the District shall be subjected to any form of unlawful harassment on the basis of a protected characteristic: religion, race, color, national origin, disability, sex, or any other legally protected characteristic or class. No board member, staff member or student of the District shall be subjected to physical assault by another. The District will investigate all allegations of unlawful harassment and physical assault and in those cases where unlawful harassment or physical assault is substantiated, the District will take immediate steps to end the unlawful harassment or physical assault, prevent its recurrence and remedy its effects.

The failure of staff members to report and/or take reasonable steps to prevent unlawful harassment, sexual harassment, or physical assault by another in the District may result in discipline, up to and including discharge of employment. Each building administrator shall be responsible for promoting understanding and acceptance of, and assuring compliance with, state and federal laws, and board policy and procedures governing unlawful harassment, including sexual harassment, and physical assault within his/her building.

The District designates the following individuals to serve as "Compliance Officers" for the District. They are hereinafter referred to as the "Compliance Officers."

**Regan Galloway, Director of Human Resources**  
**Fitzgerald Public Schools**  
**23200 Ryan Road Warren, MI 48091**  
**586-757-1751**  
**reggal@myfitz.net**

The Compliance Officers are responsible for receiving complaints of unlawful harassment against a student or employee of the District. Upon receipt of a complaint, the Compliance Officer, or his/her designee, will conduct an investigation into the complaint and make a determination as to whether or not unlawful harassment in violation of Board policy has occurred. The Compliance Officer will also be responsible for implementing appropriate interim and remedial measures during an investigation and imposing sanctions, disciplinary action or corrective action in the event a complaint is substantiated. (Refer to the Board of Education "Policies" page, on the district website.)

### **NON-DISCRIMINATION & EQUAL OPPORTUNITY IN EDUCATION**

The Fitzgerald Public Schools does not discriminate on the basis of race, color, religion, national origin or ancestry, gender, disability, age, height, weight, marital status, or other protected classes in its programs, services, activities or in employment.

*Inquiries related to discrimination on the basis of disability should be directed to Dawn Bruley, Section 504 Coordinator, Special Services Office, Fitzgerald Public Schools, 23200 Ryan Rd., Warren, MI 48091 586-757-4044.*

*Direct all other inquiries related to discrimination to Regan Galloway, Civil Rights Coordinator, Fitzgerald Public Schools, 23200 Ryan Road, Warren, MI 48091 (586) 757-1751.*