



**STUDENT HANDBOOK  
AND  
CODE OF CONDUCT**

***STUDENTS' RIGHTS and RESPONSIBILITIES***

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## INTRODUCTION

We are happy to present you with the L'Anse Creuse 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 L'Anse Creuse 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 L'Anse Creuse Board of Education, on April 22, 1971, adopted a policy on Conduct and Discipline of Students and a Code of Conduct. The L'Anse Creuse 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 L'Anse Creuse District. This Student Code of Conduct governs student behavior at all L'Anse Creuse 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 L'Anse Creuse 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**

To create a challenging collaborative learning community which prepares all students for success in a global society.

### **Vision**

L'Anse Creuse Public Schools prides itself on being a place where:

- Students are challenged to be innovative and critical thinkers while being celebrated for their diversity and individual contributions.
- Staff strives to build relationships with students while promoting a safe nurturing environment for all to learn and grow. Teachers support problem solving and higher-level thinking while engaging students in technology.
- Community members, businesses and alumni partner to provide real world experiences for our students.
- Parents collaborate with staff to help students achieve their full potential by supporting lifelong learning.

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 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 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 Conduct may be subject to discipline, including suspension or expulsion.

The Board further believes that the Code of 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 L'Anse Creuse 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 L'Anse Creuse 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 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 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 Conduct will be administered fairly, without partiality or discrimination. The Code of 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 L'Anse Creuse Public Schools 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 following link provides the district's Bullying Policy in detail: [FOIA/Legal Notices - Our District - L'Anse Creuse Public Schools \(lc-ps.org\)](#)

### **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 L'Anse Creuse Public Schools 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 L'Anse Creuse Public Schools 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. L'Anse Creuse retains the right to monitor student attire and take corrective action when such distractions, in the sole judgment of L'Anse Creuse, 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 accommodation.

**Freedom from Unreasonable Searches & Seizures**

L'Anse Creuse 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, L'Anse Creuse 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. L'Anse Creuse 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. 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.

**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 L'Anse Creuse Public Schools facilities. The ID badge must be clearly displayed on the front of the student.

**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:

1. 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.

2. The best discipline is preventative in nature and shall be an integral part of the counseling process.
3. 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
- b. Disciplinary action;
- c. Development of behavioral action plan;
- d. Loss of privileges;
- e. In-school suspension;
- f. One to ten days out-of-school suspension;
- g. Long term suspension;
- h. Referral to superintendent for expulsion;
- i. Referral to agencies and/or law enforcement;
- j. Restorative Practices, as defined below.

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 to 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 parent portal.

**Educators have the responsibility to:**

- Provide a caring learning environment where your child 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 their 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.

**RIGHT TO DUE PROCESS**

The Code of Conduct does not diminish any rights under federal law ([20 U.S.C. 1400 et seq.](#)) for a student determined to be eligible for special education programs and services. Students with an Individualized Education Program (IEP) are responsible for following the Code of Conduct. As a consequence of a violation of the Code of Conduct by a student with an IEP, specific procedures may apply. Information about these procedures is available at [www.michigan.gov/ose-eis](http://www.michigan.gov/ose-eis).

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.

**LEVELS OF CONSEQUENCE****Emergency Removal**

A student may be removed from any class, subject, or activity for up to one (1) day by the student's teacher for certain conduct as specified in the Student Code of Conduct pursuant to MCL §380.1309. A student so removed will be allowed to attend other classes taught by other teachers during the term of the one (1) day removal.

**Suspension**

**A building administrator may suspend a student for up to ten (10) days.** The Superintendent may suspend a student for up to sixty (60) days. Ordinarily a suspension will be imposed by a building administrator or Superintendent.

**Expulsion of 180 days or less**

Only the Superintendent may recommend to the Board of Education the expulsion of a student for not less than 61 days or more than 180 days. Ordinarily an expulsion will be imposed by the Board of Education. In circumstances deemed exigent by the Superintendent, he or his designee may impose an expulsion, provided the same due process rights are accorded to the student as for a Board imposed expulsion.

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

Only the Superintendent may recommend to the Board of Education a student be permanently expelled 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.

**Discipline of Students with Disabilities**

The rules governing student conduct apply to all students. The District, however, will fully comply with the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973 and the Michigan Mandatory Special Education Act when disciplining students with disabilities.

**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. Any content that would have received a grade will not be graded; the ungraded content will not be averaged into the student's final grade for the class. 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. Any content that would have received a grade will not be graded; the ungraded content will not be averaged into the student's final grade for the class. 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.

## DUE PROCESS PROCEDURES

### 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 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.

### "Snap" Suspensions

A student may be removed from any class, subject, or activity for up to one (1) day by his/her teacher for certain conduct as specified in the Code of Conduct pursuant to MCL §380.1309. A student so removed will be allowed to attend other classes taught by other teachers during the term of the one (1) day removal.

### 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 60 days or less**

Except in emergency situations, prior to the implementation of a suspension of greater than 10 days but for 60 days or less, 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 recommending a suspension of greater than 10 days and up to 60 days. Only the Superintendent may recommend to the Board an expulsion of 61 days or more.

### **Students subject to expulsion of greater than 60 days or permanent**

Before a recommendation by the Superintendent to the Board that a student be permanently expelled for more than 60 days or that he/she be permanently expelled, 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 Board 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 that a student be expelled for more than 60 days or permanently expelled, the Superintendent shall promptly schedule a hearing with the student's family and the Board 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 of advisor at the hearing.
  - c. that witnesses may attend the hearing and present evidence to the Board.

If the student or parent fails to attend a hearing after receiving notice, the Board 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 Board and/or Superintendent believe are necessary may attend the hearing as witnesses or advisors to the Board.
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 Board 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 Board 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 (including the rules of evidence) are not applicable.

5. After conducting the hearing, the Superintendent shall mail to the student or parent a written decision with respect to the recommendation within five (5) school days following the hearing. The Board 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 Board 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 suspension of 11 days up to 61 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 the suspension.

The Superintendent or designee may stay enforcement of the consequence pending the appeal.

7. A student who has been permanently expelled from the District may seek reinstatement in accordance with the provisions of MCL 380.11a.

The following procedures outline a student's appeal rights related to number 6, above:

1. Appeals shall be limited to whether the specific provision of this Handbook has been properly applied.
2. Upon receipt of a request for appeal to the Board, 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. That the student may be represented by an attorney or advisor of the student's choosing.
  - c. That witnesses may attend the hearing and present evidence to the Board.
3. The principal and other administrators from the student's school, Board attorney, and any other persons the Board believes are necessary may attend the appeal hearing as witnesses or advisors.
4. A record of the appeal hearing shall be made.
5. During the hearing, the administration shall first present the facts of the case and the basis for the suspension. Thereafter, the student (and/or the student's representative and parent(s)) may present their defense. The Board 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 (including the rules of evidence) are not applicable.
6. After conducting a hearing, the Board may:
  - a. Affirm the consequence; or
  - b. Modify the terms and conditions of such discipline, with or without new conditions; or
  - c. Set aside the suspension.
7. The Board shall issue a decision in writing within a reasonable time following the appeal hearing. The Board's decision shall be final.

## VIOLATIONS OF THE CODE OF 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 by a teacher 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 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.

## LIST OF INFRACTIONS AND ILLEGAL ACTS

Misconduct is broken down into five sections: Sections 1 through 5, below. Section 1 offenses carry a minimum penalty of suspension of the student from class or classes for the remainder of the day, with a maximum penalty of suspension for not more than five school days. Section 2 offenses carry a consequence of suspension for not less than five but no greater than 10 school days. Section 3 offenses will result in from 10 days suspension from school to a recommendation for expulsion. Section 4 offenses are offenses for which expulsion may be warranted by statute or recommended by the Superintendent. Section 5 addresses off campus misconduct, misconduct at a school sponsored event, technology misconduct and misconduct in another school system. Consequences for offenses in Section 5 will be guided by other appropriate sections of the Student Code of Conduct.

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.

### Section 1

- 1.1 **BACKPACKS.** The use of backpacks in the classroom is prohibited. Backpacks shall be used for purposes of transporting books and other school related materials to and from school only.
- 1.2 **BULLYING.** The repeated intimidation of others by the real or threatened infliction of physical, verbal, written, electronically transmitted, or emotional abuse, or through attacks on the property of another. It may include, but not be limited to, actions such as verbal taunts, name-calling and put-downs, including ethnically-based or gender based verbal put-downs, extortion of money or possessions, and exclusion from peer groups within school.
- 1.3 **CELLULAR TELEPHONES AND COMMUNICATION DEVICES.** When directed, cellular telephones and communication devices shall be turned off and not visible during instructional or

class time, lunch time, during passing time between classes, and at school-sponsored events where there is reasonable expectation of quiet attentiveness or where the use of the device would cause any disruption unless there is a bona fide case of health or safety emergency. Devices operated in violation of this rule, or for any illegal purpose, shall be confiscated and not returned until, where appropriate, a parent(s)/guardian(s) conference has been held. Students bring cellular phones to school at their own risk.

- 1.4 **CHEATING.** Cheating is the obtaining or giving of any schoolwork to be evaluated by fraudulent means, with or without another student's permission. This also includes forging notes, plagiarism, passes, permission slips, telephone calls and other correspondence.
- 1.5 **DEFIANCE/INSUBORDINATION.** Defiance/Insubordination is refusal to obey the instructions of school district personnel.
- 1.6 **DISCRIMINATION.** Discrimination by race/religion/gender/ethnic origin/sexual orientation includes any willful act done by a student, either individually or with others, to another student for the purpose of subjecting the other student to indignity, humiliation, intimidation, physical abuse or threats of abuse, social or other ostracism, shame or disgrace.
- 1.7 **DISRESPECT.** Disrespect is an open treatment of contempt to school personnel and students.
- 1.8 **DISRUPTIVE CONDUCT.** Disruptive conduct is conduct which materially or substantially interferes with the educational process.
- 1.9 **GAMBLING.** Gambling is an activity where games or other activities of chance or skill are pursued with the expectation and purpose of winning money or other property.
- 1.10 **GANG BEHAVIOR.** To prevent disruption of school activities, the wearing/use of gang paraphernalia that have been outlined by local, state, or federal enforcement agencies are prohibited.
- 1.11 **HAZING.** Hazing includes any willful act done by a student, either individually or with others, to another student for the purpose of subjecting the other student to indignity, humiliation, intimidation, physical abuse or threats of abuse, social or other ostracism, shame or disgrace.
- 1.12 **OBSCENITY.** Obscenity is using profanity or obscene acts or gestures in the presence of other students, parents, teachers, or other school personnel.
- 1.13 **PUBLIC DISPLAY OF AFFECTION.** Displays of affection, such as kissing, hugging or any other contact that may be considered personal in nature, are not appropriate.
- 1.14 **SMOKING.** Smoking is the use or possession of tobacco paraphernalia on school property, on property adjacent to school property, or at a school sponsored event. In compliance with state law, a police report will be filed resulting in a fine in addition to suspension time.
- 1.15 **TRANSPORTATION.** Rules for student conduct related to transportation provided by L'Anse Creuse Public Schools are necessary to ensure the safety of the students and employees of the district. Therefore, all students of the district are required to be familiar with the bus rules of the

district, which are distributed to all students. In this context, the district recognizes that the school bus is an extension of the classroom and any infraction of these rules will be handled by the appropriate building administrator. In addition, all student behavior on any school related transportation is governed by the Student Code of Conduct.

1.16 **TRUANCY.** Truancy is excessive absences and/or tardies.

1.17 **SEXUAL HARASSMENT.** Sexual harassment includes any willful act done by a student, either individually or with others, to another student for the purpose of subjecting the other student to indignity, humiliation, intimidation, physical abuse or threats of abuse, social or other ostracism, shame or disgrace.

1.18 **PENALTIES.** The minimum penalty for a violation contained in Section 1 shall be the suspension of the student from a class or classes for the remainder of the day. The maximum penalty for a Section 1 violation shall be the suspension of the student for not more than five school days, unless this is a repeated offense in which case the penalties of Section 2 will apply. A violation of Section 1, which results in a suspension, includes suspension from any or all attendance or participation in school or school district sponsored activities.

Under MCL 380.1309 a teacher is authorized to immediately remove and suspend a student from a class, subject, or activity when the student engages in conduct prohibited by law, Board of Education Policy, or the school district's Student Code of Conduct. Any student suspended pursuant to the Teacher Initiated Suspension Law shall not be allowed to return to the class, subject or activity from which he/she was suspended until the passage of one full school day from the time of the student's infraction unless otherwise permitted by the teacher who ordered the suspension and the building principal. Students attending separate class periods throughout the school day shall be permitted during the term of suspension to attend other classes taught by other teachers only when the student's conduct does not rise to the level of requiring a multiple day suspension or expulsion in accordance with Board of Education Policy and the school district's Student Code of Conduct.

1.19 **PROCEDURE.** Alleged violations of Section 1 of this code shall be heard and dealt with by the school principal or his/her designee. Parents will be notified.

## **Section 2**

2.1 **BATTERY/FIGHTING.** Battery/Fighting is the offensive touching of another.

2.2 **EXTORTION, BLACKMAIL OR COERCION.** Extortion, blackmail or coercion is obtaining money or property by threat of violence or forcing another to act against his/her will by threat of violence.

2.3 **LARCENY.** Larceny is taking property without knowledge or permission of the owner, which has a value under \$100.



- 2.4 **POSSESSION OF STOLEN PROPERTY.** Knowing possession of stolen property is the unauthorized holding of definable property belonging to another.
- 2.5 **PROPERTY DAMAGE.** Property damage is infliction of damage to property, which has a value under \$50. Students will be charged for damage.
- 2.6 **TRESPASS.** Trespassing is being present in an unauthorized place or refusing to leave when ordered to do so.
- 2.7 **USE OR POSSESSION OF ALCOHOLIC BEVERAGES.**
- 2.8 **ASSAULT/THREAT.** Assault/Threat is the act of threatening another individual with physical harm.
- 2.9 **GANG ACTIVITY.** Gangs, or groups, which initiate, advocate or promote activities which threaten the safety or well-being of persons or which are disruptive to the school environment, are not tolerated. Incidents involving initiations, hazing, intimidations or related activities which are likely to cause harm or personal degradation are prohibited. Student wearing, carrying or displaying gang paraphernalia or exhibiting behaviors or gestures which symbolize gang membership or causing and/or participating in activities which are designed to intimidate another student will be disciplined.
- 2.10 **PENALTIES.** For any violation in Section 2, the student shall be suspended for not less than five nor greater than 10 school days unless this is a repeated offense in which case Section 3.5 will apply. In any case, however, there must be a conference between the principal or his/her designee and the student's parents or guardians before the student will be allowed to return to the building. If the violation is of 2.2, 2.3 or 2.5, provision should be made for restitution. A violation of Section 2, which results in a suspension, includes suspension from any or all attendance or participation in school or school district sponsored activities. For any of the above offenses, a police report may be filed with appropriate legal action taken.
- 2.101 **PROCEDURE.** Alleged violations of Section 2 of this code should be heard and dealt with by the building principal or designee. The principal may be the designee, at the discretion of the superintendent.
- 2.102 **IMMEDIATE SUSPENSION.** The principal or his/her designee may immediately suspend the student pending an ultimate determination by the superintendent or his/her designee.

### **Section 3**

- 3.1 **MAJOR BATTERY.** Major Battery is the physical attack or intentional infliction of harm on another requiring medical attention. A police report will be filed and result in the issuance of a Disorderly Person Ticket.

- 3.2 **MAJOR LARCENY.** Major Larceny is the taking of property of value in excess of \$100 without the knowledge or permission of the owner.
- 3.3 **MAJOR ASSAULT.** Major Assault is the communicated act to inflict physical or other harm on another individual with present intent and ability to act on the threat.
- 3.4 **MALICIOUS MISCHIEF.** Malicious Mischief is intentional infliction of damage in excess of \$50 to property.
- 3.5 **REPEATING OFFENSES.** A repeating of offenses is the repetition of any violation of Section 1 or 2 or the commission of two or more acts forbidden by Section 1 or 2.
- 3.6 **ROBBERY.** Robbery is the taking of money or goods from another person, or, in his/her presence against his/her will, by force or violence.
- 3.7 **SALE, USE OR POSSESSION OF ILLEGAL DRUGS, CONTROLLED SUBSTANCES, DRUG PARAPHERNALIA OR OTHER SUBSTANCES PORTRAYED AS ILLEGAL DRUGS INCLUDING VAPE PENS, E-CIGARETTES OR ANY ELECTRONIC SMOKING DEVICES.** Sale use or possession of illegal drugs, controlled substances, drug paraphernalia or otherwise legal substances misrepresented to be illegal drugs. In compliance with state law, a police report will be filed resulting in a fine in addition to suspension time. All illegal drugs, controlled substances, vape pens or any electronic smoking devices will be confiscated.
- 3.8 **TURNING IN A FALSE FIRE ALARM.**
- 3.9 **UNLAWFUL INTERFERENCE WITH SCHOOL AUTHORITIES.** Unlawful interference with school authorities is the unreasonable interference with teachers or administrators in the conduct of their affairs.
- 3.10 **USE OR POSSESSION OF DANGEROUS OBJECTS.** Use or possession of dangerous objects (or perceived as dangerous) is use, possession or threat to use any explosive device (including firecrackers, etc.), smoke bombs, or any instrument capable of inflicting bodily injury. All dangerous objects will be confiscated. For students in grades 6-8, possession of a dangerous object without intent can be considered a section 2 offense.
- 3.11 **PENALTIES.** Any violations of Section 3 shall result in from 10 days suspension from school to recommendation for expulsion. Any actions endangering the safety of students and staff may result in recommendation for expulsion. There must be a conference between the principal or designee and the student's parents or guardians before the student will be allowed to return to the building. If the violation is of 3.2, 3.3 or 3.5, provision should be made for restitution. A violation of Section 3 shall be grounds for suspension from any or all attendance or participation in school or district sponsored activities. For any of the above offenses a police report may be filed with appropriate legal action taken.

- 3.101 **PROCEDURE.** Alleged violations of Section 3 of this code should be heard and dealt with by the principal or his/her designee. If the parents, guardians, or students so desire, a review of the decision may be heard by the superintendent or his/her designee.

#### **Section 4**

With the exception of possession of a firearm, the factors listed in the *Considerations Before Imposition of Discipline* section under the Due Process Procedures section, will be made before disciplinary action occurs.

- 4.1 **MAKING A BOMB THREAT.** MCL 380.1311a
- 4.2 **PHYSICAL ASSAULTS COMMITTED AGAINST SCHOOL PERSONNEL.** “Physical Assault” means intentionally causing or attempting to cause physical harm to another through force or violence. MCL 380.1311a
- 4.3 **PHYSICAL ASSAULTS COMMITTED BY A STUDENT AGAINST OTHER STUDENTS.** “Physical Assault” means intentionally causing or attempting to cause physical harm to another through force or violence. MCL 380.1310
- 4.4 **SUSPENSION OR EXPULSION BY THE BOARD OF EDUCATION FOR OFFENSES OTHER THAN POSSESSION OF DANGEROUS WEAPONS, ARSON, OR RAPE.** Upon the recommendation of the superintendent and following such procedures as the board may designate, the board may suspend or expel a student or students from school who are guilty of gross misdemeanor or persistent disobedience, including but not limited to the repetition of any violation of any section of this code, when in the judgment of the board it is in the best interest of the district. Further, the commission of or participation in the above offenses is prohibited whenever such conduct has an adverse effect on the discipline or general welfare of the students. Certain of the above-enumerated offenses are among those defined as “criminal” under the laws of State of Michigan. Disciplinary action will be taken by the school regardless of whether or not criminal charges result.
- 4.5 **ASSAULTS COMMITTED AGAINST SCHOOL PERSONNEL.** “Assault” shall be defined as any willful threat to inflict injury upon another person, under such circumstances, which create a reasonable fear of imminent injury, coupled with an apparent ability to inflict injury. MCL 380.1311a
- 4.6 **POSSESSION OF DANGEROUS WEAPONS, ARSON OR CRIMINAL SEXUAL CONDUCT.** Students who possess dangerous weapons in a school building, or on school grounds, or who commit arson or criminal sexual conduct in a school building or on school grounds. 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.

4.7 **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 gun, BB gun, pellet gun, razors or box cutters.

4.701 **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.

4.8 **PENALTIES.**

1. **BOMB THREAT.** If a pupil enrolled in grade 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 the designee of the school board as described in MCL 380.1311a(2) on behalf of the school board, may expel the pupil from the school district for up to 180 school days.
2. **PHYSICAL ASSAULTS COMMITTED BY STUDENTS AGAINST OTHER STUDENTS.**  
The board may expel a student in grade 6 or above for up to 180 days if the student commits a physical assault, as defined by MCL 380.1310(3)(B), against another student on school property, on a school bus or other school related vehicle, or at a school-sponsored activity or event.
3. **PHYSICAL ASSAULTS COMMITTED BY STUDENTS AGAINST SCHOOL PERSONNEL.**  
The board may permanently expel, (subject to reinstatement after a minimum of 180 days), a student in grade 6 or above if the student commits a physical assault, as defined by MCL 380.1311a(12)(B), against a district employee or against a person engaged as a volunteer or contractor for the district on school property, on a school bus or other school related vehicle, or at a school-sponsored activity or event.
4. **VERBAL ASSAULTS COMMITTED BY STUDENTS AGAINST SCHOOL PERSONNEL.**  
Any student in grade 6 or above who commits a verbal assault against a district employee or against a person engaged as a volunteer or contractor for the district on school property, on a school bus or other school related vehicle, or at a school-sponsored activity may be expelled by the board for up to 180 days. MCL 380.1311a(2)
5. **POSSESSION OF DANGEROUS WEAPONS, ARSON OR CRIMINAL SEXUAL CONDUCT.** The Board shall permanently expel a student if the student possesses a

dangerous weapon, commits arson or criminal sexual conduct. If a student possesses a firearm, they will be expelled for 180 school days.

## **Section 5**

- 5.1 **MISCONDUCT IN ANOTHER SCHOOL SYSTEM.** A student who has been established through a due process hearing to have been engaged in misconduct resulting in expulsion or long-term suspension in another school system or who is alleged by school authorities to have engaged in misconduct in another school system, public or private, but who has withdrawn from such school system prior to same being established in a due process hearing, which misconduct, if true, is of sufficient gravity to represent a threat to the safety or welfare of the students in the district, may be subject to suspension or expulsion from the district where such misconduct has been established in a hearing before the superintendent or his/her designee. Such student shall be permitted to enroll but shall be held on suspension pending the hearing before the superintendent or his/her designee. If the same cannot be scheduled within 10 school days following the commencement of such suspension, an intermediate hearing shall be offered before the building principal where the student intends to enroll.
- 5.2 **OFF CAMPUS MISCONDUCT.** Students in attendance at school-sponsored, off-campus events are subject to the direction and authority of school district personnel and are governed by all applicable rules and regulations of L'Anse Creuse Public Schools. A student's off-campus actions which cause or are likely to cause, a material and substantial negative effect on the general safety and welfare of students and staff, or the good order and functioning or the school(s) may result in disciplinary action whether or not a part of a school-sponsored activity. Violators will be punished as prescribed by the appropriate section of this code.
- 5.3 **SCHOOL SPONSORED OFF CAMPUS EVENT.** Students at school-sponsored events shall be governed by school district rules, regulations, this code of conduct and are subject to the authority of school district officials. Violators will be punished as prescribed by the appropriate section of this code.
- 5.4 Section 5.4. is now in Section 4, 4.6 of the Code of Conduct. Please refer to 4.6. Possession of Dangerous Weapons, Arson or Criminal Sexual Conduct.
- 5.5 **UNAUTHORIZED AND/OR INAPPROPRIATE USE OF TECHNOLOGY.** (i.e., school computer programs, Internet, fax machines, phones, E-mail, etc.). Any violation of the uses of technology shall result in suspension from school up to a recommendation for expulsion. Suspension days or a recommendation for expulsion will be guided by other appropriate sections of the Student Code of Conduct.
- 5.6 **TECHNOLOGY MISCONDUCT.** A student shall not engage in behavior violating non-technology sections of the Code of Conduct through the use of technology. For example, a student shall not

harass another student via texting or social networks either on or off campus. A student shall not cheat by using cell phone cameras or other technology. A student shall not make a threat via a social network, texting, or other technological means. A student shall not disrupt the academic environment through the use of technology. Any violation within the Code of Conduct that occurs without technology is included in this section through the use of technology. Off campus violations using technology that impact the educational environment are included in this section. Days of suspension will be commensurate with the violation of a similar offense found in a non-technology section.

### **Mandatory Expulsion Violations**

**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 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. 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 student in grade six (6) or above who commits physical assault against another student shall be suspended or expelled for up to 180 days.

**3. 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](#) effective August 8, 2018).

**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.

**4. 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.

**5. 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](#)).

**6. 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.

### 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 in 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.

### **ADMINISTRATION OF BREATHALYZER**

Because of the District's concern for the health and safety of its students and in an effort to deter student drinking, students and guests who attend school events may be subject to breathalyzer tests.

Where there is reasonable suspicion that a student is under the influence of alcohol while on school grounds, at a school-sponsored activity or event, or traveling to or from school or a school-sponsored activity or event, school authorities may require the student to submit to a breathalyzer test. For purposes of this policy, "reasonable suspicion" means individual, articulable suspicion that the student is under the influence of a prohibited substance. Information sufficient to create a reasonable suspicion may include, but is not limited to, any or all of the following: (a) reports from other students or staff of verbal or other conduct by the student suggestive of alcohol use; (b) direct observation of student behavior suggestive of alcohol use; and/or (c) direct observation of the student's appearance or physical condition that suggests such use.

Breathalyzer tests shall be administered in accordance with the following guidelines:

1. Breathalyzer tests may only be administered by school officials who have been properly trained to administer breathalyzer tests. Breathalyzer tests may only be administered with a breathalyzer testing machine owned, maintained, and calibrated by the law enforcement agency or by the District in accordance with the manufacturer's instructions.
2. Appropriate steps shall be taken to protect student privacy during breathalyzer testing. Students shall be informed that they may refuse the breathalyzer test.
3. Upon referral for breathalyzer testing, the administrator shall complete a documentation indicating whether the test was a result of reasonable suspicion, as well as the results of the test (or whether the student refused).
4. A student's parents shall be contacted upon the student's referral for breathalyzer testing based on reasonable suspicion. The student's parents shall be contacted as soon as practicable.
5. A student's refusal to participate or a positive test result shall be used as a basis for denying the student the privilege of attending the school event. A positive test result will result in additional consequences such as attendance at an alcohol education program, and or discipline according to the Student Code of Conduct.
6. A student's refusal to participate in a breathalyzer test based on reasonable suspicion will be considered evidence that the student is under the influence of alcohol.



The building principal shall provide annual written notice of the District's policy regarding breathalyzer testing to students and their parents/guardians.

## **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, L'Anse Creuse 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.

## **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.

### **Dress Code**

Students' dress and grooming must not disrupt the educational process, interfere with the maintenance of a positive teaching/learning climate, or compromise reasonable standards of health, safety, and decency.

Creating an environment conducive to the task of learning is extremely important. For this reason, we ask parents to please monitor the attire that their children wear to school each day. However, the final decision as to the appropriateness will be determined by school administration. All clothing must ensure that the student retains acceptable modesty. Any student dressing in a way that creates a distraction to the learning environment, a safety hazard, or a health hazard will not be admitted to class. Students in violation of the dress code will be sent to the office and given the opportunity to correct the violation. Subsequent violations will result in progressive discipline up to and including suspension from school.

Examples of inappropriate dress include, but are not limited to the following:

- Clothing that advocates the use of drugs, alcohol, tobacco, violence, profanity, sex, or innuendos, as well as any negative depiction of race, religion, sex or national origin

- Hats/head wear except for religious or medical reasons
- Shoulders, mid-sections & cleavage of students must be covered at all times. Tank tops, halter tops or revealing sleeveless shirts are not permitted during regular school hours.
- Bandanas, spiked jewelry, and chains

Guidelines for appropriate dress:

- Appropriate and safe footwear must be worn at all times.
- Shorts, skirts & dresses must extend beyond the open hand of the student while standing or be at least mid-thigh length.
- Pants must ride at, or above, the hip line and cover all undergarments. Pajamas are not permitted, unless part of an approved class or school activity.
- Students who wear yoga pants, tights, leggings, and other similarly designed clothing must wear those items under appropriate length clothing.

Guidelines for backpacks and outerwear:

- Backpacks are to be left in the student coat room or locker.
- Purses and small bags must be equal to, or smaller in size, than a 3 ring binder.
- Outer/winter garments are to be left in the student coat room or locker.

It is 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.

## **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.

L'Anse Creuse 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. High school and middle school students attend six (6) classes per day. Elementary students attend school for seven (7) hours per day. Students enrolled in the Alternative Education program attend five (5) classes per day.

### **Student Attendance Responsibilities**

- 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 Attendance Responsibilities**

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 excused.

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.

### **Absences and Tardies**

**Any and all unexcused absences** 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 and 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.

### **Procedures for Reporting Absence 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 excused. 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:**

- **Excused Absence:** Verified by parent and/or guardian within 48 hours
- **Unexcused Absence:** Not verified by parent and/or guardian or administration
- **Reasons for Excused Absence:** Could include, but is not limited to the following:
  - Absence due to illness and/or a medical condition (a doctor's note is preferred if the illness extends for several days or over the course of term)
  - Recovery from accident
  - Death that directly affects the student
  - Bona Fide Religious Holiday
  - 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)
- **Reasons for Unexcused Absence/Truancy:**  
Could include, but is not limited to the following:
  - Attending school and leaving the building or grounds without permission
  - Suspension from school
  - 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 L'Anse Creuse Public Schools. Skip days are considered unexcused absences.**

- **Reasons for an Activity Absence:**

An absence due to a school sponsored activity (field trip, assembly, etc.)

### **Pre-excused/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-excused absence should be obtained by submitting a request one week prior to the event. Arrangements should be made with the student's teachers for completing class work. Extending school vacations by taking additional days off is strongly discouraged. Students leaving for more than 30 days will be dropped. Upon returning, parents must re-enroll the student in the Central Enrollment office. In the case of a student who will be absent for extended periods due to physical disability or illness, the parent/guardian should obtain a doctor's note and contact the school to make homebound educational arrangements.

### **Tardy Policy**

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

- A student coming less than 90 minutes late to school will be counted as tardy.
- A student will not be counted as tardy if upon coming to class he presents an excused, signed pass from another teacher or from the office. Students who are tardy because of a late bus are excused.

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

- A student will be marked tardy absent when more than 10 minutes late to class.
- Student will be charged with an absence to that class and students should remain in the class for the remainder of the hour.
- Tardies are monitored weekly and students with excessive tardies and unexcused absences will be identified and counseled by school personnel and parents will be notified. If tardies continue, parents are notified; detention assigned, and after school activities suspended until detention is served. Failure to serve detention will result in additional disciplinary action. If this conduct continues after all of the above actions have been taken, the student will be sent home until a parent meeting can be made and a solution to the problem has been reached.

### **Elementary:**

- A student will be marked half day absent when more than 90 minutes late to the start of school
- A student will be marked a half day absent when leaving more than 90 minutes before the end of the school day.
- A Student will be marked as a parent withdrawal when leaving less than 90 minutes before the end of the school day.

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.

### **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 Dismissal**

When an early dismissal is necessary, the parent/guardian must make contact with the school by note or phone call, prior to the student leaving the building. All classes missed will be counted as excused absences. Early dismissals on days with school activities are strongly discouraged.

### **Truancy**

A student shall be considered truant each day or part of the day he/she is inexcusably 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 excused and unexcused absences. Warning letters will be sent to parent(s) / guardian(s) after the student has ten (10) absences at elementary and middle school and five (5) absences at the high school level. At ten (10) absences the student may be referred to the Macomb Intermediate School District Attendance Office.

## **ATHLETIC ELIGIBILITY**

The following athletic eligibility criteria follow all Michigan High School Athletic Association (MHSAA) and L'Anse Creuse Public Schools (LCPS) guidelines and apply to all student athletes. In order to be eligible to participate in a sport all student athletes must meet BOTH of the following criteria:

1. Meet eligibility standards of MHSAA, have passed 66% or better of all classes the previous semester and currently be passing 66% or more of his/her current classes.

2. Meet eligibility standards of LCPS, have passed all classes in the previous quarter or semester and current quarter.

If a student fails one of more classes and wishes to participate in a sport the student must:

1. Attend Summer School to achieve the necessary credits for a fall sport if the class(es) was failed the previous June. If a student chooses not to attend Summer School to achieve the necessary credits, that student may not participate in any game until the first two weeks of school are completed and the student is shown to be passing all classes in the new school year.
2. If a student fails one of more classes in the previous quarter or semester for a winter or spring Sport, that student may not participate in any game until the first two weeks of the second semester is completed and the student is shown to be passing all classes in the new semester. During this two week period the student must attend after school support sessions.
3. If more than two classes are failed, the student is unable to participate in a winter or spring sport.

Weekly grade checks will be performed and students must be passing all classes at the time of the grade check. If they have a failing grade, they must sit out until the grade is raised to a passing level.

### Appeal Process

An appeal must be completed within ten (10) days of the receipt of final semester grades. This may be used by students are requesting to waive the two-week mandatory ineligibility period for semester class failure and must include:

1. No unexcused absences
2. No missing assignments
3. Signatures of the Athletic Director, Principal and Counselor

Appeal forms must be completed by the student and teacher within ten (10) days after receipt of final grades.

### **PROPERTY**

Parking lots and parking spaces are the property of L'Anse Creuse 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 L'Anse Creuse 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 L'Anse Creuse 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.

## STUDENT RECORDS

### 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.

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

It is the policy of the L'Anse Creuse 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."

- Assistant Superintendent for Human Resources
- Director for Special Education

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.

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

The L'Anse Creuse 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 the Director for Special Education, direct all other inquiries related to discrimination to the Assistant Superintendent for Human Resources.

**Adopted: August 31, 2020**

**Revised: August 16, 2022**



**STUDENT CODE OF CONDUCT  
PARENT/STUDENT ACKNOWLEDGEMENT OF RECEIPT FORM**

Instructions to Parent/Guardians/Students: Please sign, detach and return this page to your child's 1st hour or classroom teacher after reading this Code of Conduct, discussing it with your child and obtaining your child's signature.

Student Name: \_\_\_\_\_ Grade: \_\_\_\_\_

Attending School: \_\_\_\_\_

As the parent/guardian of student, \_\_\_\_\_, I have read and discussed the L'Anse Creuse Public Schools Handbook and Code of Conduct with my child.

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date