

CODE OF STUDENT CONDUCT

South Lyon Community Schools operate on a system of rights and responsibilities. It is the responsibility of the Board and its staff to ensure that no student is arbitrarily denied the opportunity for an education without adherence to procedural due process. It is the responsibility of each student to behave in a manner that does not threaten, interfere with or deprive other students of their right to an education.

The purposes of this conduct Code are to provide regulations governing the behavior of students, to prevent actions or activities that interfere with the school program and/or are prohibited by law, and to provide for students' rights and responsibilities. Each staff member employed by the District is required to uphold this Code. This code shall be mandatory and enforced in each South Lyon school. Individual schools may adopt additional regulations governing actions not covered by the code, but such additional regulations may neither substitute for nor negate any of these provisions.

It is the responsibility of all students and their parents/guardians to become familiar with the Code of Student Conduct. Students must recognize that when they engage in unacceptable conduct they will be subject to disciplinary action.

Student Rights

Students in the South Lyon Community Schools have the following rights:

- A. Respect
Students have the right to be treated with respect.
- B. Fair Treatment
Students have the right to expect fair, reasonable, and consistent treatment.
- C. Dignity
Students have the right to expect that their dignity as individuals will be respected.
- D. Citizenship
Students retain their constitutional rights as determined and interpreted by legislation and/or the courts.

Student Responsibilities

Students in the South Lyon Community Schools are expected to fulfill the following responsibilities:

A. Participation

Students have the responsibility of being active participants in their education. Students must report to school and to all scheduled classes regularly and on time, remain in classes until excused, be actively engaged in the learning process, complete assignments to the best of their ability, and request help when it is needed.

B. Behavior

Students have the responsibility of exhibiting behaviors that support learning while promoting a safe and orderly environment. Students are expected to comply with all Board policies and provisions of their school's student handbook.

C. Respect

Students must demonstrate respectful behavior to all members of the school community. Students must comply with directives given by adults in positions of authority. Students have the responsibility of respecting the rights and dignity of all individuals. No student's actions will infringe upon the rights of others.

All students are expected to fulfill these responsibilities.

Prohibited Behavior

South Lyon Community Schools students are prohibited from engaging in behavior that will endanger or threaten to endanger the safety of others, damage property or impede the orderly conduct of the school program. Misbehavior, even of a minor infraction will be addressed appropriately in order to help students avoid establishing a pattern of unacceptable habits and behaviors.

Prohibited behaviors fall into two (2) categories: 1) general prohibited behavior, and 2) illegal behavior. Illegal behavior is defined as any behavior that is prohibited by city/township ordinance or by State/Federal law. Any student charged with illegal behavior on school property or in conjunction with a school activity may be immediately removed from school pending a hearing, which must take place according to procedures provided in this policy.

When any school employee observes a student engaging in behavior that violates the provisions of this code, the employee shall intervene by requesting that the student cease such behavior. If the employee is unable to secure the student's cooperation, or if the behavior is of such seriousness that the intervention of other staff is necessary, a timely report must be made to the building administrator describing the infraction and including all available information relevant to the determination of disciplinary and/or legal action. Whenever an employee discovers a student engaging in conduct constituting illegal behavior, the employee shall make a prompt report to the building administrator.

Whenever the school administrator becomes aware of prohibited behavior, either by observation of such behavior or as a result of a report from another source, the administrator shall take prompt and effective action to investigate and will determine the need for appropriate disciplinary action. However, when conduct constituting illegal behavior is observed by or reported to the administrator, disciplinary proceedings shall be instituted. Disciplinary action shall involve a reasonable and logical relationship between the seriousness of the act and the severity of the discipline, and be in accordance with the Student Handbook Code of Conduct and any legal requirements.

The purpose of disciplinary actions should be to assist the student in modifying or changing inappropriate behavior. When necessary, the assistance of the home, other educational supportive services and/or other professional community agencies may be utilized.

Disciplinary Actions

Violations of the Code of Student Conduct that occur on District property, in a District vehicle, or at a District related activity are subject to many disciplinary actions of which suspension and expulsion are the most severe.

Prior to suspending or expelling a student, the following factors will be taken into consideration for that individual student:

- A. the student's age
- B. the disciplinary history
- C. the seriousness of the violation
- D. whether the violation committed by the student threatened the safety of any student or staff member.
- E. whether Restorative Practices will be used to address the violation
- F. whether a lesser disciplinary consequence or intervention would properly address the violation

Unless the violation relates to firearms, in the case of a long-term suspension or expulsion (defined below), a rebuttable presumption exists that a suspension or expulsion is not justified unless all factors have been considered and a determination has been made to the contrary.

Suspension & Expulsion

A. Suspension

1. *Short Term Suspension* - Temporary removal from school, class, and/or activity. Short term suspensions may not exceed ten (10) schools days.

2. *Long Term Suspension* - A suspension in excess of ten (10) school days not including expulsion, may be imposed by the building administrator in specific situations, i.e., weapons not meeting the School Code mandatory discipline sanctions, assault, battery, serious fighting, serious or repeated sexual harassment, and/or substance abuse, following completion of the requisite due process requirements. If a building administrator makes a recommendation for a long term suspension, the student will be afforded an opportunity for a hearing before the Assistant Superintendent for CITA, as detailed herein.

A recommendation for a Board disciplinary hearing or long-term suspension shall not be referred to the decision maker for a student with a disability who is eligible for services under IDEIA or Section 504 until the student's Individualized Educational Planning Team (I.E.P. Team) or 504 Team determines whether the student's alleged misconduct was a manifestation of the student's disability as provided under Federal and State law.

Suspension may include the terms of Social Probation. In the case of severe offenses, social probation will be part of the disciplinary action. For substance abuse violations Social Probation is a minimum of five weeks (see policy 5530 Substance Abuse). Social Probation means the student loses all privileges to attend any and all school activities other than those pertaining to attendance in regularly scheduled classes. Examples of privilege loss include, but are not limited to, attendance or participation in any athletic, co-curricular, or extra-curricular activity. During social probation, students are also not allowed on any school property for any community events (e.g., Panther football). If there are special circumstances regarding community events, requests for written approval may be made to the Superintendent or his/her designee. During the summer months where social probation will precede the school suspension. Social probation for summer infractions begins August 1. For infractions that occur or investigations that conclude after August 1, social probation begins at that time. If the time period for social probation has not been fulfilled before the student is suspended from school, the duration of the social probation will be carried over when the student returns from the suspension. For social probation that has not been fully served by the last day of the school year, the remaining time will begin August 1. A student whose social probation begins or continues on August 1 is also excluded from all summer activities and may not be on school property. It is the student's responsibility to contact the school administration and request a review of their social probation status.

Students who are suspended shall be given the opportunity to make up assignments, within a time frame as outlined in the Student Handbook at the time of the suspension.

B. Expulsion

Expulsion means that the student is excluded for sixty (60) or more school days from the entire school system by action of the Board.

Summary of Rules for Suspended and Expelled Students:

1. The student may not be on school property at any time.
2. The student may not attend any South Lyon Community School event, whether it is held at South Lyon Community Schools or any other venue. This includes athletic events, performances, extracurricular activities and co-curricular activities.
3. The student may not attend a non-school sponsored event that takes place on school property. The student may attend non-school sponsored events if they are scheduled off school property.
4. If there are special circumstances, requests for written approval may be made to the Superintendent or his/her designee.

Use of Restorative Practices

As outlined above, use of Restorative Practices will be considered before suspension or expulsion of any student. Use of Restorative Practices may be appropriate as an alternative to, or in addition to, a suspension or expulsion; it may also be appropriate for lesser violations of the Student Code of Conduct not rising to the level of a suspension or expulsion.

Restorative Practices will be the first consideration to remediate offenses such as, but not limited to, interpersonal conflicts, bullying, verbal and physical conflicts, theft, damage to property, class disruption, and harassment and cyberbullying.

Due Process and Appeal Procedures

To ensure that all students receive fair treatment consistent with the fundamental requirements of due process, disciplinary action shall be in accordance with the following procedures:

A. Due Process

A student who engages in generally prohibited and/or illegal behavior in violation of the Code of Student Conduct, will be given an opportunity for "a due process hearing" before the principal (or designee). Procedural Due Process means the principal (or designee) will inform the student orally or in writing of the charges against him/her, including the basis and evidence for such charges. If the student denies the charges, s/he will be given the opportunity to present his/her version of the events relating to the charge. At

the discretion of the administrator, other parties may attend the hearing.

The principal (or designee) hearing the case decides whether the charges against the student have been sustained or cleared, and, if the appropriate disciplinary action will be implemented.

When a student is suspended from school, s/he must be given a written statement indicating the offense and the disciplinary action(s) taken. If the parent/guardian did not attend the hearing, an attempt will be made to notify the parent/guardian by telephone and a copy of the statement shall also be sent to the parent/guardian.

B. Suspension Appeal Process

If the parent/guardian disagrees with a suspension, the administrator who imposed the suspension will notify the parents/guardians of the following appeal process:

1. Parents/Guardians may appeal suspensions of less than three (3) days to the building administrator.
2. Suspensions of three (3) to ten (10) days shall follow the appeal process outlined below:
 - a. If a parent/guardian disagrees with the suspension, an immediate appeal must be made to the building principal. Immediate is defined as by the end of the next school day. If the principal is not in the District, the parent will be directed to the assistant superintendent of CITA who will be the first and final administrator in the appeal process.
 - b. If a parent/guardian disagrees with the principal's decision, an appeal must be made to the assistant superintendent of CITA within twenty-four (24) hours of the principal's decision. Within twenty-four (24) hours is defined as the next school day. The entire appeal process for a suspension of three (3) or up to thirty (30) days should take no longer than three (3) days, in most circumstances. The decision made by the assistant superintendent of CITA is final. If the assistant superintendent of CITA is not in the District, the Superintendent or his/her designee will handle the appeal.
 - c. Depending on the circumstances, as determined by the building administrator, the student will be suspended during the appeal process.
3. Suspensions of more than ten (10) days shall follow the appeal process outlined below:

- a. If a parent/guardian disagrees with the suspension, a timely appeal must be made to the assistant superintendent of CITA. Timely is defined as within three (3) days.
- b. On timely appeal by a parent/guardian, the assistant superintendent of CITA will schedule a hearing to consider the appeal within three (3) days of receipt of the parent/guardian's request for the appeal. The student will have the right to have his/her parent/guardian and advisor, who may or may not be an attorney, present at the hearing. The appeal hearing is not a court proceeding and court rules of evidence shall not be enforced at the hearing.

The assistant superintendent of CITA will announce his/her decision within three (3) days of the hearing. The decision of the assistant superintendent of CITA is final. If, for whatever reason, the assistant superintendent of CITA is not available to conduct the hearing, the Superintendent or his/her designee will handle the appeal.

- c. Depending on the circumstances, as determined by the building administrator, the student will be suspended during the appeal process.

C. Board Disciplinary Hearing

Recommendations for further discipline consideration shall be made by a designee of the Superintendent after review of all pertinent suspension data and other related information. This recommendation will be reviewed by the Superintendent, or his/her designee, who at his/her discretion may make a recommendation for disciplinary consideration to the Board. The Board will hold a hearing, at its earliest convenience, to examine the appropriateness of the recommendation. The student will have the right to have his/her parent/guardian and advisor, who may or may not be an attorney, present at the hearing. The student has the right to an open or closed hearing. The Board will announce its decision within two (2) days of the hearing. The decision of the Board is final.

A recommendation for disciplinary consideration shall not be referred to the Superintendent or his/her designee or the Board for a student with a disability who is eligible for services under IDEIA or Section 504 until the student's Individualized Educational Planning Team (I.E.P. Team) or 504 Team determines whether the student's alleged misconduct was a manifestation of the student's disability as provided under Federal and State law.

The Board may determine that the student can petition for reinstatement to the school system after a period of time and within conditions identified by the Board at the time that the student is expelled. Student petitions for reinstatement shall be directed to the Board which shall convene a due process hearing within ten (10)

school days of the student's petition for reinstatement. The student will have the right to have his/her parent/guardian and advisor, who may or may not be an attorney, present at the hearing. The student has the right to an open or closed hearing. The Board will make a decision by vote in open session. Reinstatement for all expelled students may only be authorized by the Board.

For the safety of our school community, when the administration is informed by law enforcement of alleged student involvement, beyond the school day, in criminal activity including but not limited to, arson; assault; drug or alcohol possession, distribution or use; or possession or use of weapons, the administration reserves the right to place the student(s) on social probation.

M.C.L.A. 380.1311, 380.13

Adopted January 21, 2008
Revised March 21, 2011
Revised March 5, 2012
Revised June 18, 2012
Revised October 21, 2013
Revised November 17, 2014
Revised October 3, 2016
Revised June 5, 2017
Revised March 4, 2019