

PHYSICAL ASSAULT OR THREAT

A. Physical Assault Against a District Employee, Volunteer or Contractor

A physical assault committed by a student in grade 6 or above against a District employee or a person engaged as a volunteer or contractor by the District on school property, on a school bus, or other school-related vehicle, or at a school-sponsored activity or event may result in expulsion from all Michigan public schools after consideration of the Restorative Practices factors detailed in Policy 5500, Student Code of Conduct, and after rebuttal of the presumption against such suspensions.

A student who is expelled under this law shall be referred to the appropriate County Department of Social Services or County Community Mental Health Agency. The student's parent/legal guardian or the emancipated student shall be notified of this referral.

B. Physical Assault Against Another Student

A physical assault which is committed against another student shall be handled by the building administrator in accordance with the Student Code of Conduct. A suspension in excess of 10 school days but not more than 30 school days may be imposed by the building administrator after consultation with the Superintendent and with notice to the Board. A student in grade 6 or above who commits a physical assault against another student shall be suspended or expelled for up to 180 school days and after rebuttal of the presumption against such suspensions.

If the student is expelled for the physical assault, the parent/legal guardian may enroll the student in a suitable educational program during the expulsion period. A list of such programs is available from the Michigan Department of Education Office for Safe Schools.

C. Threat

A threat to a District employee or a person engaged as a volunteer or contractor by the District on school property, on a school bus or other school related-vehicle, or at a school-sponsored activity or event shall be handled by the building administrator in accordance with the Student Code of Conduct. A student in grade 6 or above who makes such a threat may be suspended or expelled from school for a period of time as determined in the discretion of the Board or its designee after consideration of the Restorative Practices factors detailed in Policy 5500,

Student Code of Conduct, and after rebuttal of the presumption against such suspensions.

A threat to another student(s) on school property, on a school bus or other school related-vehicle, or at a school-sponsored activity or event shall be handled by the building administrator in accordance with the Student Code of Conduct.

Under this policy administration may suspend up to 10 days or make a recommendation to the Superintendent for a Board Disciplinary Hearing after consideration of the Restorative Practices factors detailed in Policy 5500 Student Code of Conduct.

Definitions

“ Physical assault,” as defined by MCL 380.1310(3)(b) and MCL 380.1311a(12)(b), means intentionally causing or attempting to cause physical harm to another through force or violence.

“A Threat” is defined as any willful spoken or written threat to inflict physical injury on another person, under circumstances which create a reasonable fear of imminent injury, coupled with the apparent ability to inflict injury. A threat includes the making of a bomb threat or any other similar threat directed at a school building, other school property or a school-related event.

Reporting of Student Assault

All reports mandated by law shall be made.

Reinstatement

The parent/legal guardian of a student who was permanently expelled for physical assault against a District employee, volunteer or contractor, or an emancipated student may petition the Board for reinstatement. Consistent with MCL 380.1311a(5), the petition for reinstatement may be initiated 150 school days after the expulsion and the Board may reinstate 180 school days after the expulsion.

For an expulsion involving a physical assault against another student or an incident involving a threat, the Board shall determine the timeframe in which the parent/legal guardian may submit a petition for reinstatement.

Summary of Rules for Expelled Students

A. The expelled student may not be on school property at any time.

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

Application to Students with Disabilities

This policy does not diminish the due process rights under Federal law of a student who has been determined to be eligible for special education programs and services.

*Adopted January 21, 2008
Revised January 19, 2009
Revised June 5, 2017*