

Valley Center School

Student/Parent Handbook and Code of Conduct



Valley Center School

3122 Lake Street, Kalamazoo, MI 49048

Phone: 269-250-9770

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The handbook in its entirety can be found at kresa.org under Valley Center Program Information, or a printed copy will be provided if you call the school office.

Our Vision

Contributing members in homes, schools and communities

Our Mission

To support academic, social and emotional growth of students with emotional and behavioral challenges through collaboration with families, and school and community partners.

(Created in August 2014; Revised August 2022) **Covid-19 Related Additions**

KRESA Student Handbook

Statement of Intent: The Student Handbook was developed to answer many of the commonly asked questions that you may have during the school year and to provide specific information about certain Board policies and procedures. This handbook contains important information for you. Please become familiar with the following information and keep the handbook available for frequent reference. If you have any questions that are not addressed in this handbook, we encourage you to contact us.

This handbook summarizes many of the official policies and administrative guidelines of the Board of Education and the District. To the extent that the handbook is ambiguous or conflicts with these policies and guidelines, the policies and guidelines should control. This handbook is effective immediately and supersedes any prior handbook and other written material on the same subjects.

This handbook does not equate to an irrevocable contractual commitment to the student, but only reflects the current status of the Board's policies and the School's rules. If any of the policies or administrative guidelines referenced herein are revised, the language in the most current policy or administering guidelines prevails.

Additional information can be found in the Kalamazoo RESA Annual Report which is on our school website www.kresa.org. If you would like a hard copy of our Annual Report, please let us know and we will gladly send it to you.

Valley Center School

Valley Center was created in 1977 by a committee from Kalamazoo RESA (with representatives from local school districts), Community Mental Health, and the Michigan Association of Children with Emotional Disorders. We have always strived to collaborate with other agencies in providing an education to students in need of a smaller, structured, educational community which provides students with an increased feeling of safety.

Valley Center School has grown from two classrooms in 1977 to 6 classrooms that support elementary, middle and high school students. We strive to provide a full continuum of options for our students, some of which include hands-on technology application, a life-skill vocational room, collaboration with WMU and KRESA to offer music and art experiences, and high school options which include Michigan Merit Curriculum courses, as well as courses which support students who are obtaining a Certificate of Completion. By collaborating with local school districts, high school diplomas or certificates are issued from the resident districts of each student. Our program vision of all students being contributing members to their homes, school and communities occurs through our focus on the core skill areas of social emotional learning, academic literacy and communication to self-advocate. Our goal is to support students in learning the skills that support them in returning successfully to less restrictive environments of local school classrooms, school or community volunteering or work-based learning sites.

Students are referred to VCS by the nine individual school districts that make up Kalamazoo RESA. Referrals are made when local supports have been exhausted and adequate progress has not been made to allow the student to fully access the curriculum. Placement decisions into and out of VCS are made through the IEPT process. Valley Center is designed to be an environment that can fully support students, allowing them gain skills and competence of individualized behavioral, emotional, social and academic goals.

Valley Center School supports all students with a Positive Behavior Support Intervention Plan (PBISP) which is derived from a Functional Behavior Assessment (FBA). Both are reviewed throughout the school year by members of the school team and parents. In addition, new statutory requirements that govern the use of emergency seclusion and restraint taking effect August 1, 2017 will also require that some students attending

These pages were produced to provide a fund of common knowledge for use in maintaining smooth school operation. It is not all-inclusive, nor is it to be considered final in any way. It is designed to be used in conjunction with the Board Policies of KRESA and provision of a Free and Appropriate Education for each student.

INTRODUCTION

The Valley Center School is dedicated to creating and maintaining a positive learning environment for all students. All members of our learning community—including students, educators (teachers, administrators, and support personnel), parents/care givers, and engaged service providers—must assume a responsible role in promoting behavior that enhances academic and social success. Courteous, respectful, and responsible behavior fosters a positive climate for the learning community. Those responsibilities include, but are not limited to, the following:

Students (persons enrolled in grades K-12) have the responsibility to:

1. Take responsibility for your learning and recognize that it is a process.
2. Attend school regularly, arrive on time, and be prepared to learn.
3. Respect yourself and others in class, on school grounds, on buses, and at any school-related activity.
4. Respect the rights and feelings of fellow students, parents, educators (including teachers, secretaries, custodians, aides, paraprofessionals, and other school personnel), visitors, and guests.
5. Work within the existing structure of the school to address concerns.
6. Know and comply with school district rules and policies.
7. Participate in your learning communities, including helping formulate rules and procedures in the school, engaging in school-related activities, and fostering a culture of respect for learning and for others.

Families/Care Givers have the responsibility to:

1. Take responsibility for your child(ren)'s development as learners by, as much as possible, providing a home environment suited for learning and developing good study habits.
2. See that your child(ren) attends school regularly and on time.
3. Provide for your child(ren)'s general health and welfare as much as possible.
4. Teach and model respect for yourself, your child(ren), and all members of the school community.
5. Support the school's efforts to provide a safe and orderly learning environment.
6. Know and support the school and district rules and policies and work within the existing structure of the school to address concerns.
7. Advocate for your child(ren) and take an active role in the school community.

Educators have the responsibility to:

1. Take responsibility for students' development as learners, including their academic success and positive social-emotional development, recognizing that children should be subject to behavior management and discipline policies appropriate to their ages and levels of understanding.
2. Model and provide a mutually respectful and accountable atmosphere for learning that includes all members of the school community.
3. Cooperate and schedule conferences with students, families, outside supports and other school personnel in an effort to understand and resolve academic and behavioral problems.
4. Keep parents informed of their students' challenges, effort, and success.
5. Encourage students to participate in classroom, extracurricular, and other school-related activities.
6. Know and enforce the rules and policies consistently, fairly, and equitably.
7. Participate in formulating rules and procedures and other learning and developmental opportunities in the school.

The Code of Student Conduct sets forth student rights and responsibilities while at school and school-related activities, and the consequences for violating school rules. It defines behaviors that undermine the safety and learning opportunities for all members of the school community and favors actions that encourage positive behavior and learning over actions designed to punish. 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 the student's age, the student's disability (if applicable), the student's disciplinary history, the seriousness of the violation or behavior, whether the violation of behavior committed by the student threatened the safety of any student or staff member, whether restorative practices will be used to address the violation or behavior or whether a lesser intervention would properly address the violation of behavior.

The Code of Student Conduct will be administered fairly, without partiality or discrimination. The Code of Student Conduct does not diminish any rights under federal law (20 U.S.C. 1400 et seq.) of a student determined to be eligible for special education programs and services. (KRESA Board Policy 2260)

When and Where the Code of Student Conduct Applies

The Code of Student Conduct applies before, during, and after school and whenever a student is engaged in a school-related activity.

Each student is expected to follow this code of conduct:

- "At school," meaning in a classroom, elsewhere on school premises, on a school bus or other school-related vehicle, or at a school-sponsored activity or event, whether or not it is held on school premises.
- When a student's conduct at any other time or place has a direct and immediate effect on maintaining order and discipline, or on protecting the safety and welfare of students or school district staff.
- When a student is using school telecommunications networks, accounts, or other district services.

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I. General Information

Attendance:

1. Michigan law requires that whoever has custody or charge of any child between ages 6 and 18 (unless the child has already completed high school graduation requirements) shall assure that the child attends public school during the entire school year. Michigan law requires that the student's attendance be continuous and consecutive for the school year fixed by the school district. *There are some exceptions to this mandatory school attendance. Please ask for more information if you desire.*
2. Excused absences
 - a. Bus problems (engine problems, traffic slowdowns, safe travel issues) that are verified by the transportation office.
 - b. Death in the family.
 - c. School related activities that take a student out of school.
 - d. Student illness: when this excuse becomes excessive additional verification may be requested. (i.e.: medical appointment card, caseworker documentation etc...)
 - e. Impairment related absence: From time to time a student may have absences that are related to his/her special education impairment. Often this involves medication or stressors that lead to an inability to attend school. These absences require approval by the Principal and may require information from a physician/psychiatrist.
 - f. Professional appointments: Physicians, dentists, court appearances, etc. Please provide the office with documentation from your provider/appointment upon returning to school. In the case of excessive absences verification may be required.
 - g. Family vacations for which make-up work has been prearranged. Not to exceed 5 days per year.
3. Unexcused absences:
 - a. Absences that might be excused, but the parent did not call and/or send a note within a reasonable amount of time (1 week)
 - b. Personal matters such as babysitting, shopping, or private transportation problems
 - c. Vacation that is not prearranged
 - d. Not attending Valley Center School because a student's public school is not in session
 - e. Excessive parent call-ins without documentation (court, doctor, funerals appointments etc...)
 - f. Skipping– absences that are unknown to parents/care givers and/or leaving the closed campus without approval during school hours

NOTE: Sleeping while at school results in a "present attendance code" while accumulated time out of class due to sleep will be reported as truancy if in excess.

4. Disciplinary absences: (unexcused)
 - a. Absences related to school bus suspensions
 - b. Suspensions

NOTE: Prolonged absences that exceed 5 days will require a re-entry phone call, consultation and/or meeting with Valley Center staff before the student is re-admitted into the classroom setting. Topics to cover during the re-entry: reason for prolonged absence, transportation re-assigned, behavioral expectations upon return, student needs, make-up work expectations and other topics as applicable. Please call the school office: 269-250-9773 to arrange for this re-entry process.

Cafeteria (Breakfast/Lunch) - Wellness:

Kalamazoo Public Schools Food Service provides meals for students at Valley Center. KPS handles all free and reduced lunch applications. We are fortunate to offer breakfast daily, free of charge **to all** students. Breakfast is eaten in the classrooms and based on specific classroom procedures – only some students eat lunch in the cafeteria. A student's "level" in our behavioral program may alter privileges afforded during lunch time. Students do receive feedback and reinforcement of behavioral expectations during the breakfast and lunch times.

KRESA/Valley Center supports student wellness. We recommend healthy snacks for our students. Energy Drinks (beverages that contain large doses of caffeine, and other legal stimulants like ephedrine, guarana, and ginseng), are known to have dangerous side effects for children and are not permitted for student consumption on school grounds during the school day. (This includes transportation and as a lunch beverage.)

Daily Schedule:

The majority of a student's day is scheduled in a self-contained classroom. Students do leave the classroom for periods of time to participate in recreational time, physical education, lunch, technology, art, and social groups. Some students participate in volunteering activities or public school classes off school grounds as a part of their program.

Dress Code/Personal Hygiene:

Students should dress appropriately for school and observe good habits of hygiene. Valley Center reserves the right to ask students wearing clothes, a lack of clothes considered to be disruptive to the learning environment or students whose hygiene is so poor there is disruption to the learning environment to change (school issued clothing is available) or clean up in the washroom. This is at the discretion of school administration.

Students may not wear items, clothing, or symbols representing "Gang" involvement. This includes the way clothing is worn, bandannas, artwork, jewelry, haircuts, tattoos, etc.

Students must wear pants at waist level. No undergarments are to be visible. Belts/string/zip ties are available and required to help students comply with this rule.

1. Not allowed: Any clothing, including jewelry, pins, skin tattoos and haircuts with:
 - a. Pictures with reference to alcohol, tobacco, drugs, or controlled substances.
 - b. Violence, gangs, or shows lack of respect toward others.
 - c. Profanity, sexual comments, racial, or gender comments.
2. Not allowed: Clothing that is excessively revealing.
 - a. Bare midriff tops, half shirts, muscle shirts, or tops with straps less than 2" wide.
 - b. Any clothing that reveals underclothing – including sagging pants.
 - c. Short shorts and/or skirts. (hemline should touch the longest finger)
 - d. Tight clothing that is revealing.
3. Hats/hoods are not worn during the normal school hours. Hats must be stored in student lockers.
4. Bare feet or stocking feet. Shoes must be worn unless part of a student behavior plan.
5. Any possible gang-related symbols or clothing, accessories are not allowed.
6. Headwear or clothing that creates disruption or interferes with student learning will be asked to be removed or corrected to remain in the learning environment.
7. Pajamas are not allowed.
8. Sunglasses are not allowed.
9. Coats, jackets or shirts with a lining are not allowed to be worn during the school day.

10. Hooded sweatshirts (without linings) may be worn but the hood must remain down.
11. Wheelies (shoes with wheels) are not allowed.
12. Footwear that can present a dangerous situation may not be worn. This includes: steel toed shoes, hard toed/soled work boots, cleats, narrow heeled/spike shoes etc...
13. Physical Education Footwear: (please contact your classroom teacher if you cannot meet this requirement)
They must have:
 - Covered toe box
 - tread that grips the floor
 - Flat sole
 - heel back closed and covered

Note: This list is not exhaustive. Administration or teachers may contact families with requests for cooperation with school clothing or hygiene to reduce potentially dangerous situations, health hazard conditions or disruptions to the school environment.

Please plan to bring a sweatshirt or sweater to leave in your locker in the event the building is cold. Students not following the dress code may be asked to turn shirts inside out, wear clothing provided by the school or wash up to rectify the dress code violation. Parents will also be notified and may be asked to bring a change of clothes to school. Students who refuse to correct dress code/personal hygiene offenses when alternatives are provided will be held from class and marked as an unexcused absence from classes. Significant disruption may result in a phone call home for pick-up.

Emergency Procedures/Drills:

Emergency drills are held in accordance with state requirements. We regularly practice evacuation in the event of fire or other disaster, severe weather safe shelter drills, and lock down drills.

Enrollment Information – Address, Phone, Emergency Contacts:

Please be sure to update the school office where there is a change of address or phone number. We also ask that families provide at least one emergency contact phone number that differs from the home and cell contacts of the parent and/or guardian. This type of information is imperative in an emergency. Persons not listed as emergency contacts able to pick up your child, will not be able to do so without written or verbal permission of a custodial parent/guardian.

In the event of a community emergency or a full building evacuation where there might be extenuating circumstances to who is picking up your child, we would require they have the ability to provide us your contact information (address, phone number) as well as your child's date of birth. **Helpful Contacts/**

Communication Supports:

Principal: Mary Pickett, 269-250-9773, mary.pickett@kresa.org

Secretary: BJ Galbraith, 269-250-9773, bj.galbraith@kresa.org

School Social Worker: Stephanie Boyer , 269-250-9776, steph.boyer@kresa.org

School Coordinator: Meghan Haas, 269-250-9780, Meghan.grabemeyer@kresa.org

Behavior Specialist: Dr. Carly Schroeder, 269-250-9773, carly.schroeder@kresa.org

KPS Food Service at Valley Center (Kitchen), 269-250-9782

All teachers can be reached via email (first name.(period) followed by last name, first.last@kresa.org) or by calling the main office and requesting their voice mail.

Illness/Injury at School:

When a student is ill at school we make every effort to contact the parent/guardian by telephone. If the illness is obvious (fever, runny nose, rash etc...) we will call the parent/guardian to request pick-up. Pick—up should occur within an hour of the request. The student will be moved to an area which reduces the spread of germs and limits exposure of other students and staff. The parent is responsible for arranging transportation. When a parent cannot be reached, then the emergency contact person listed by the parent is contacted and asked to care for the student. Conditions that may lead to a request to have the student picked up and taken home may include, but are not limited to, the following:

1. A fever;
2. infected skin lesions, including pink eye;
3. rashes on skin or scalp;
4. presence of lice or nits;
5. a severe sore throat;
6. nausea, vomiting, or diarrhea;
7. severe mental health issues;
8. Other symptoms of concern as defined by the county health department (these may be impacted by local outbreaks or state pandemic situations)

Occasionally, a child returning to school after an illness may exhibit signs that clearly indicate that the contagious conditions continue or have reoccurred. Based on Kalamazoo County Health Department standards, students should be fever free for a period of 24 hours before returning to school. When this occurs the parent would again be contacted to arrange transportation home. The student must stay home until the contagious condition has passed. This helps protect others from becoming ill.

If a student is injured at school, staff will document the incident and a copy will be sent home to parents/guardians. There may also be a note on your child's check sheet or a phone call placed to the home. If the injury is more significant or may require medical intervention parents/guardians will be contacted immediately.

To support good health and reduce the spread of germs, hand-washing/sanitizing will be expected before and after eating and when moving from one location to another. Staff will teach and regularly review the important of these and other good hygiene practices. Surfaces and common areas will be cleaned throughout the school day.

Lockers-Search and Seizure:

SEE BOARD POLICY

Medications:

All school staff receive special training to administer medications at school. In order to dispense medications, the school must have:

1. A medication form, completed and signed by a physician and parent, on file. This is required for all prescription and over-the-counter medications.
2. Each medication must be in an individually labeled prescription bottle. When parents fill the prescription they should ask the pharmacist for a school bottle.

3. A safe method for transporting the medication to school. Students MAY NOT transport medications to school.
4. When medication is dropped off it must be counted, logged on the medication form and signed.
5. Medication will only be dispensed from a bottle which clearly indicates the student's name.
6. A written log documenting when each medication is administered.

To protect the welfare of all students, we ask that parents and guardians join us in abiding by these requirements. The specialized training that school staff receive is prescribed by the State Department of Education. The training is delivered by a Kalamazoo RESA school nurse from WoodsEdge Learning Center. The above requirements and training comply with the State Department requirements.

Psychiatric Medications: Students taking medication under the supervision of a psychiatrist frequently require monitoring at school to help judge the medication effect. School staff views this as a very important responsibility. Parents should ask the prescribing psychiatrist/physician if there is any way that school staff can assist, such as completing questionnaires or providing narratives about student behavior at school.

Medication Safety: Medications must be handled and stored safely. Each classroom has a locked medication storage box. Students cannot carry their medications with them.

School staff will administer medication only as prescribed by a physician, if medication is to be eliminated from a medical plan, a "stop order" must be received from the physician's office. This information can be faxed to expedite the process for families. FAX: 269-250-9771

Office Hours: Office hours are from 7:00 – 3:00 Monday through Thursday and 7:00 – 2:30 on Friday.

Program Calendar:

A Valley Center School calendar will be mailed to each family before school starts. If an additional calendar is needed, please call the office.

School Closings:

Valley Center School is located in the Kalamazoo Public School district. In case of emergency (snow days, power outage etc...), VCS will close when Kalamazoo Public School district is closed. All efforts will be made to contact the parents through an automated call system to notify parents of school closing. The information is also available via television. Tune to Channel 8 or 3 for latest updates. Many local television stations offer alerts through their websites.

Note: in the event that a student's resident/local district is closed due to weather, transportation will not be provided. If KPS is still in session, Valley Center will be open and you can choose to self-transport your student to school. In the case of a resident/local school district having a "no school day" for other reasons (conferences, vacation, professional development), please refer to the Valley Center calendar, as we may be in session.

School Hours:

School opens at 7:15 a.m.

Instruction begins each day at 7:25 a.m.

School Ends at 2:15 p.m. on full days. School

Ends at 10:45 a.m. on half days

Student Drop-off/Pick-up:

Standard arrival departure practices include:

1. Buses are unloaded between 7:15 and 7:35 near the rear entrance of the building. All students riding buses are expected to enter through those doors.
2. Parents (or other non-bus transporters) arriving prior to 7:15 should hold students in the vehicle until 7:15. This prevents students from being unsupervised and uncomfortable in bad weather.
3. Students arriving prior to 7:15 cannot enter the building until 7:15 (unless special arrangements are made through the teacher or the office). While waiting to enter the building, all VCS expectations should be followed.
4. If a student is going to be late, a call from the parent is required if the student is going to want breakfast at VCS. Students arriving late without prior notification will not be able to receive a breakfast.
5. When arriving late to school, students need to sign-in at the office.
6. Early departures from school require that the transporting adult:
 - a. First report to the office. Please do not go directly to the classroom as this usually disrupts instruction.
 - b. Complete the sign out procedure in the office.
 - c. Someone in the office will contact the classroom to release the student to meet the adult in the office. All adults should wait in the office.
7. If the transporting adult is not the parent, then s/he must be listed on the students "emergency card" or on a separate release authorized by the student's parent/guardian.
8. For the safety of the student, photo identification may be requested to verify the identity of the person transporting the student.
9. Students cannot be transported by anyone other than the school district's transportation or parents unless there is prior written permission. The written permission must include who the student can ride with and the dates (start and stop) that the alternate transportation is approved for. This includes riding with other family members, riding with another student in a private vehicle, leaving with a caseworker, or using Metro Transit.
10. Parents who regularly transport students at the end of the school day (or other scheduled departure time) should wait for the student in their vehicle.
11. Unless parents have prearranged alternate transportation students must depart on their assigned school district transportation. Students may be assigned R and R if s/he rides or persists in attempting to ride on a bus other than the one to which they are assigned.

Transportation:

As student's bus transportation is provided by resident school district, they also have the option to apply that district's bus policies or practices. There may be times that a student is suspended from the bus due to inappropriate behavior. The decision to suspend is usually communicated by the transportation supervisor, often after discussion with the Valley Center School principal (or designee).

When a student is not going to attend school a parent should call transportation at the number listed below.

The school bus will not stop to get a child after the third day the student does not ride. The bus will not be restarted until the transportation department is contacted by the parent.

On the bus, the driver and/or bus assistant monitors student behaviors. Many busses also have a video monitoring system. When a behavior of concern is observed, the information is communicated to the classroom teacher.

The principal (or designee) may assign further consequences based on the student's past history, the seriousness of the infraction, and discussion with the driver or transportation supervisor. Possible consequences include fines, in-school or out of school suspension, loss of privileges or consequences as designated by school law.

Transportation Contacts:

Climax-Scotts 746-5130
Comstock 250-8692
Galesburg-Augusta 484-2015
Gull Lake 488-5015
Kalamazoo 337-0500
Parchment 488-1290
Portage 323-5151
Schoolcraft 488-7395
Vicksburg 321-1070

Student Motor Vehicles

Students considering self-transport with any motorized vehicle should coordinate with the school administrator prior to bringing the vehicle to school. A determination of allowance and expectations will be determined at this coordination meeting. Any vehicle must be properly titled, registered and drivers of such vehicles should have proper licensing. It is recommended that these documents be brought to the first coordination meeting. See board policy at the end of this handbook.

Truancy

Truancy refers to a student's absence without the knowledge and/or permission of a parent/guardian or school authority. It may also include excessive unexcused absences (even with parent/family knowledge). Students are expected to be in their assigned classes, or directed program location at all times. Valley Center will follow a truancy policy which includes letters of notification to parents, phone calls from office/classroom staff, home visits, referral to the local truancy officer and possible court involvement. A general rule is that truancy procedures will begin on the 10th day of absence from school.

Excessive sleeping at school or refusal to participate in the Valley Center School program will be documented as an "time out of class" absence and will be included in the documentation regarding truancy.

Use of Metal Detectors/Searches

In order to maintain a safe and secure environment for students and staff, administrators and trained staff at Valley Center are authorized to conduct daily metal detector searches. A combination of stationary and hand held devices shall be utilized every time a student enters Valley Center. Student may also receive a pat down search from a staff member of the same gender. (This will be done randomly or if a student has violated related school procedures). Students may be asked to remove socks and shoes. Valley Center staff will check all bags, coats and other items. Nuisance or unnecessary items to the function of school will be held in a secure location until the end of the day.

*Failure to comply with search or provision of unnecessary items to school staff may result in parent contact, loss of privilege to bring personal items to school, Valley Center program consequences, confiscation of items and return to parent only.

If a student is suspected of having a weapon or contraband in his/her possession, he/she will be detained in a seclusion room and police will be called to complete the search procedure and school and/or legal consequences may ensue.

Parents and students will be provided notice of the Administrative Procedures concerning search and seizure by having them placed in the student handbook or distributed by a supplemental publication. *Related KRESA Board Policies: 8355 Weapons Free School Zone Policy and 8130 Searches of Motorized Vehicles, Lockers and Students.*

Use of Video for Instructional Feedback and Behavior Planning

On occasion teachers or other professional staff may video record instructional lessons, classroom procedures or events which capture a student's response to a behavioral intervention. These recordings are then used in review and discussion of specific techniques or approaches intended to improve the delivery of curriculum, analyze behavior and/or monitor the fidelity of behavior plan implementation.

Instructional Lesson Videos primarily capturing teacher behavior are saved on a secure site, only accessible to Valley Center professional staff.

Behavior Planning Videos primarily capturing student response to intervention and staff delivery of behavior prompting are saved on a secure local network drive and are permanently deleted within 30 days.

On occasion a Western Michigan University student may request to capture video or information for a research project. In these cases, a separate notice and permission form would be sent to parents/guardians.

Visitors and classroom visitations:

At Valley Center School we welcome observers that are interested in our program, staff or students. Visits **must be** prearranged. This ensures that students are prepared for someone new in the classroom. "Drop-in" visits may not be able to be accommodated. Being committed to making decisions in the best interest of all our students we ask that you join us in this commitment by following these procedures when you visit our program or a classroom:

1. Fill out required paperwork as required by KRESA or visitation or volunteering.
2. All visitors are asked to check in at the office.
3. We ask that all visitors remain seated and do not move about the classroom.
4. The teacher may direct the least intrusive seating arrangement.
5. We ask that visitors refrain from interactions or conversations with the students during instruction. If a student addresses a visitor, we ask that the visitor redirect him/her back to the classroom activity.
6. Language that is appropriate to school and to the age of the students is to be used by all visitors.
7. If a parent is in the classroom to observe his/her child, we understand there is the urge to talk to the staff or child especially when there is some form of problematic behavior. Parents should resist this urge and allow staff to address the student's behaviors.
8. If questions arise when visiting, write them down and ask them once class is over, not during instruction. Some questions may be best addressed in a more private setting so that classmates do not hear the conversation.
9. Crisis intervention techniques include "limiting the audience" as an individual begins to escalate. It is one means to help prevent further escalation. Therefore, visitors may be asked to leave the classroom temporarily if a student begins having emotional difficulty.

10. For various reasons of confidentiality and safety a visitor may be asked to leave a classroom immediately, we request that you abide by this direction immediately and without question.
11. **Visitors (including parents) are prohibited from making audio or video recordings without prior consent.**

II. Valley Center Positive Behavior Intervention Supports

Daily Check Sheet:

A copy of the *VCS Daily Check Sheet* is included in the appendix. It is used to evaluate student's behavior across the day. In each classroom the school day is divided into periods identified with the letters A – K and this information is posted in each room. At the end of each period students work with staff members to “rate” behavior performance on the schoolwide and individual behavior expectations. Ratings range from 0 – 3 and defined expectations and a rating protocol is on the Daily Checksheet and also on the Positive Behavior Support Plans for each student.

Percentages are calculated from the ratings and they are utilized as a data point in assessing a student's behavioral growth and informing movement within the Valley Center Level System. The ratings also are converted to the Valley Center Currency for use as described in the Token Economy Section.

Explicit instruction of the Schoolwide Expectations and Individual Behavior Expectations occurs through direct teaching, role play, providing examples and non-examples, classroom discussion circles, staff-student conferencing, social skills groups and social emotional lessons.

Emergency Physical Restraint/Emergency Seclusion (use of): *Mandated by State Law

Both seclusion and restraint are last-resort emergency safety interventions when the student poses an imminent risk to safety* of self or others and the situation requires immediate intervention. They are used in order to provide the student an opportunity to regain self-control while maintaining the safety of the pupil and others.

Definitions:

Emergency Restraint (RES): Last resort action that prevents or significantly restricts a student's movement that is necessitated by an ongoing emergency situation.

Emergency Seclusion (SR): Last resort emergency confinement of a student in a room or space room which the student is physically prevented from leaving and which provides for continuous adult observation of the student.

Behaviors/triggers to possible use of Emergency Restraint or Emergency Seclusion:

- Assault of another student or staff that poses an imminent risk to safety of self or others
- Have a lack of control or acting in a manner that poses an imminent risk to safety of self or others
- Interacting with other students aggressively, threatening or inciting further aggression that poses an imminent risk to safety of self or others
- Throwing items that pose an imminent risk to safety of self or others
- Escalated/continued threats or attempts to fight that pose an imminent risk to safety of self or others
- Elopement (running/leaving school grounds) that poses an imminent risk to safety of self or others
- Threats of doing harm with a weapon or object that could be used as a weapon that poses an imminent risk to safety of self or others

- Following an emergency restraint/escort and the student remains aggressive and poses an imminent risk to safety of self or others

Safety features/procedures of the use or emergency restraint or designed emergency seclusion rooms at Valley Center include:

- (SR) Electromagnetic locks controlled by a foot pedal. If the foot pedal is not depressed the magnetic lock is released/open. In the event of a fire alarm, the magnetic locks release automatically.
- (SR) Cameras and monitors. These are used to monitor student behavior during a seclusion time. Cameras do not record or store images of the seclusion room, they are for monitoring purposes only.
- (RES/SR) Disengagement of unsafe items from student possession Staff request and assist if absolutely necessary in a student releasing unsafe items prior to emergency restraint or emergency seclusion. Items to be removed may include belts, shoes, scarves, outerwear, jewelry and other miscellaneous items a student may have on their person/in pockets.
- (RES/SR) Adult supervision and documentation of emergency restraint or emergency seclusion throughout the period of emergency restraint or seclusion. (communicated and written report provided to parent/guardian)
- (RES/SR) Emergency restraint or emergency seclusion are stopped as soon as the student regains self-control. Following a time of full de-escalation, staff will process with the student, re-establish rapport and establish expectations for success in the return environment (ie: classroom, school bus, regroup and recovery...)

Emergency Intervention Plan (EIP)*

Students who have been referred and placed at Valley Center by Individualized Educational Plan (IEP) team decision, may have been identified as students who exhibit a pattern of behavior that could create an emergency situation necessitating use of emergency seclusion or emergency restraint. For these students' it is required that an EIP is written. Valley Center Staff will draft EIP's for these student or for students where this behavior is seen with more frequency/pattern ie: 3x per month. These plans components include:

- Developed by team including parent, teacher and persons "knowledgeable" about the legal use of emergency seclusion/restraint and positive behavior strategies
- Detailed explanation of emergency intervention procedures and legal limits of their use with examples
- Contact with medical personnel with parent/guardian consent of use of emergency seclusion or emergency restraint
- Peer reviews of the EIP by "knowledgeable" staff
- Student informed of circumstances under which emergency seclusion or emergency restraint will be used
- Inform parent of the above bullets in addition to current positive behavioral supports being used (PBISP), procedures used after an emergency situation and possible discomforts or risks.

Feedback:

Feedback is provided in a two formats, reinforcing and corrective. Reinforcing feedback is provided at a high rate with an intention to help students identify and repeat desired behaviors. Often times, reinforcing feedback is paired with receiving Valley Center Currency on their cash sheets or as an end of period bonus. Corrective feedback also is given with intention of helping students.

Corrective feedback is provided when student behavior isn't in alignment with expectations or there are early signs of emotional dysregulation. To maintain consistency throughout the building, specific vocabulary is used and there are identified supports within the program which include sensory items/activities, regulation stations, quiet rooms, and Regroup and Recovery. The behavior displayed when corrective feedback is provided are recorded and used to assist in discussing behavior performance with students and informing behavioral planning.

Incentives:

A variety of incentive procedures are used at Valley Center School. These school wide procedures are one part of our positive behavior supports to achieve student success. These incentive procedures include:

The Grizzly General: Students come to the *Grizzly General Store* to “cash in” their Valley Center Currency earned throughout the day. The *Grizzly General Store* is open daily at scheduled times and students need to be with their class at their scheduled store time to be able to access this incentive. Availability of items to be purchased is determined based on the student's placement in the Valley Center Level System. The *Grizzly General* is also stocked with a variety of larger items (big store) that students may purchase on Fridays. Students may save their VC Cash for these more “expensive” items. These items may be put on ‘layaway’ with payments made weekly. There is a limit on the number of items students can purchase at any one time.

Award Assemblies: At the end of each Trimester an all-school assembly is held to recognize the efforts and accomplishments of each student. Award certificates are given to students for a variety of achievements, including grades, attendance, improved behavior, and moving up the levels. Special “All School” recognitions are also awarded.

Level Parties: When a student has met behavioral expectations over time and have moved “up” in the level system, the staff and students celebrate his/her accomplishments by having a level party/recognition for that student. This may include chips and dip, ice cream, pizza, hotdogs, or other food items.

Manage Feelings Bonus: Students can earn a bonus each period of the day for appropriate use of self-regulating strategies, the regulation station or the quiet room.

Friday Activities: Schoolwide activities are planned most Fridays and may include: movies, organized sports, prepared meals or treats, organized game play.

Token Economy/Valley Center Cash: Students behavior ratings are converted to Valley Center Cash. The conversion is as follows:

- 3's earn \$0.75
- 2's earn \$0.50 • 1's earn \$0.25
- 0's earn \$0.00

Bonuses: Students may earn bonuses in the form of Valley Center Cash or Blue Tickets. These bonuses may be given via the Cashesheet paired with feedback or when processing behaviors at the end of a period. These are given when students demonstrate expectations listed on the *VCS Daily Check Sheet* and the demonstration of behavior is:

- at a high performance level
- during very challenging situations
- are indicative of growth in an area

Blue Ticket drawings occur weekly, monthly and at each grading term.

Rec Period (Recreation): Students are recognized for completing work and making good choices regarding behavior. 2 – 3 times a day the classroom schedule allows for these rec periods. Rec Periods may occur in the classroom or in the gym. A student's placement in the level system may determine what activities are available to them. A sampling of activities includes: basketball, pool, card games, coloring, video games, reading, computer time, listening to music, foosball, puzzles etc... Rec periods are 10 - 15 minutes long.

Weekly Classroom/Team Activity: Individually as a classroom or with other classes, weekly a class period may be set aside for students to participate in a fun activity that reinforces positive social interactions. Participation criteria may be set by teachers to include previous days achievements and/or a student's level.

Related information:

Level Evaluation System (Schoolwide Positive Behavior Support):

Valley Center utilizes a level system to track student success in meeting behavioral criteria. While at Valley Center School it is expected that students will learn pro-social skills in the areas of self-awareness, selfmanagement, social awareness, responsible decision-making and relationships. As these skills are acquired, they are generalized to support increasing learner behaviors and academic achievement. For many students these skills then inform the IEP team when considering less restrictive settings including return to the local public school, volunteering off-site and work experiences on and off-site.

The section below describes terms and procedures for the leveling system at Valley Center. These descriptions are guides. There are times that behavioral analysis and planning results in specialized plans being written that temporarily take the place of the Schoolwide Positive Support of the Level System.

Check sheet: Each student at Valley Center uses a check sheet as a method to be evaluated and self-evaluate behavioral performance throughout the day. Ratings translate to Valley Center currency and can be spent at the school store daily and/or saved for larger items at a weekly store. Check sheets also act as homeschool communication. Expect your child to bring a check sheet home daily. The expectation is that these will be returned to school the following day with a parent signature. *See Appendix – copy of check sheet

Exception: In High School once a student reaches level 2, the teacher, student and parent will come to agreement on weekly progress reports, daily checksheets or some combination being sent home and what will be expected to be returned with signatures.

Cash Sheet/Bonus System: Students receive frequent and explicit feedback throughout the day through staff use of a "cash sheet" or a bonus system within the classroom. Feedback is given as a means to reinforce when expected behaviors are being displayed. These accumulated cash/bonus cash also is "banked" and can be spent at the school store.

Daily Tracking: the progress of some students is tracked using a daily system where single days meeting criteria accrue and inform progress in the level system. *Related terms: plus days, N-days*

Leveling Up: Two components are involved in Leveling Up. The first is achieving the expected behavior responsibilities for defined periods of time and is informed by the check sheet ratings and associated percentages. The second is a process called "Petitioning". Students must self-evaluate their own progress using a checklist. Classroom teams and families will be asked to support this self-evaluation process. They will then meet with a reviewer where they will discuss their own progress, and take a Level Test. The intention is to involve students in becoming self-aware of their own progress and being able to communicate about their successes and goals.

Responsibilities and Privileges: At each level the behavioral responsibilities and skills expected increase. Privileges also increase with each level with the intention to be an incentive and reinforcement for gaining new skills.

Plus-Day/week: A day or week is tracked as a “plus” when the responsibility criteria is met.

N-Day/Week: A day or week is tracked as a “N” when the responsibility criteria are not met, and there is neutral impact on the accrual of days/weeks. An N week may also be tracked if there have not been 3.5 days of attendance to allow adequate data collection. For leveling purposes unexcused absences count towards the 3.5 days of attendance needed to level. *N – neutral, no impact, no movement.*

On Hold: A student may be put “on hold” in the level system due to poor patterns of attendance and/or patterns of behavior that indicate behavioral goals and plans need to be reviewed to determine if necessary supports and interventions are in place. The length of time a student is “on hold” is to be determined on an individual basis.

When a student is “on hold” they return to the Level 1 Privileges and/or might be supported by a Specialized Behavior Plan. However, while on hold the students’, actual level will be used to determine the criteria that must be met when leveling. Once a team or plan determines “on hold” to be no longer necessary, the student may petition to return to their previous level. If a pattern of being on-hold is established, the team may determine re-starting the level system at a lower level is appropriate.

*Administration will collaborate with classroom team and review data if a student is on hold at the end of the school year to determine level placement or needed behavioral supports in the new school year.

Partial Day Students: There are occasions when an IEP team has determined a reduced day is needed in order to help a student gain necessary skills and experience success. During those times, a student does not progress through the Level System and is supported by a Specialized Behavior Plan (Tier 2 or Tier 3) that allows a student to earn privileges/items that are motivating to the student. Progression through the level system begins when a student is attending full days.

Special Behavior Plans (Tier 2/Tier 3): Plans that target specific skills, intensive interventions and privileges/items that are motivating to the student. These plans are unique to each student and define when and how a student will return to the Tier 1 supports of the Valley Center Positive Behavior Support Plan and Level System.

PBIS/Expectations

Valley Center’s behavioral program has been established around Positive Behavioral Instruction and Supports. The Five Expectations at Valley Center are: Be Safe, Be Responsible, Be Respectful, Manage Feelings, Follow Directions and Be Healthy. These expectations are taught, reinforced and rewarded in a multitude of ways throughout the school year. Many positive behavioral supports act as interventions to address misconduct as a learning opportunity and provide an opportunity for self-management.

Return to Local District Placement or Less Restrictive Environment:

All students who attend Valley Center have IEP goals and objectives related to improving behavior and/or demonstrating improved social/emotional skills. Students are taught strategies that they can use to regulate their emotions and are given tools to try to determine what works best for each student. As students demonstrate more consistent behavioral control using the tools they have been taught as well as improved learner behaviors and social skills, their performance is charted within the Valley Center Level System. As behaviors and skills are displayed over time and a student is progressing through the Level System, a teacher may want to recommend consideration for the student to return to his/her local district. This involves

convening an IEP team meeting, reviewing current data and levels of performance, discussing the possible placement options to see what will meet his/her needs, and a placement decision is made at the IEP meeting. While some students may need the continuing support of Valley Center school throughout their school career, it is the goal of our school to help students return to their local districts as soon as they are able.

Once a decision has been made about a student's return to the local district, the team will discuss how this transition will be most successful. The transition may include visits to the school or classroom by the student and a Valley Center staff member prior to the student beginning placement. It could also be set up to start with a small amount of time (1 hour) in the local to be sure the student is successful, gradually increasing the student's time.

There may be times when the IEP team determines a student who has transitioned back to his/her local needs to return to Valley Center for placement due to instability in managing behaviors, changing mental health, disciplinary concerns, etc. These may be short term or more long term returns, and these decisions are always made in the IEP team meeting.

Token Economy/Valley Center Currency:

Valley Center utilizes a token economy in the form of Valley Center Dollars/Currency. Currency is awarded via the Daily Checksheet, Cash Sheet and bonuses throughout the day. The awarding occurs to reinforce positive and desired behavior. At the end of each school day, students are responsible for adding up their Valley Center Cash. *To learn how this money is earned go to the Incentives topic in this section of the Handbook.* This money amount is then tracked either by classroom staff or in some classrooms via a checking and savings system.

The Valley Center Cash is then utilized to purchase items at the Valley Center Grizzly General Store, School Closet or for other incentive items like popcorn or prepared snacks.

Tools for Self-Regulation:

This tools are available as positive behavior interventions to support students with social-emotional learning and strategies to self-regulate emotions and behavior.

Capturing Kids Hearts: All classrooms at Valley Center incorporate processes learned in the Capturing Kids Hearts teacher training program which focuses on building trusting classroom relationships. Through trained facilitation, students will participate in sharing good things, creating and living by a classroom social contract, providing affirmations to their classroom community and evaluating their own performance related to the social agreements and goals that they set. For more information on Capturing Kids Hearts you can visit:

<https://flippengroup.com/information/> Many of these CKH concepts are in alignment with **Restorative Justice Practices**.

Zones of Regulation/Zones (Curriculum): All classrooms at Valley Center teach students about their own feelings and colored "zones" that represent each category of how the student is feeling. This is so the teacher has a nonconfrontational way to point out to a student or ask a student what zone he/she is in, and to ask what tools might help them get back to the green zone. If you would like to read more about Zones of Regulation by Leah Kuypers you can see more on this website: www.zonesofregulation.com.

Second Step (Curriculum): All classrooms at Valley Center teach students social emotional skills. Our curriculum is structured around the core competency areas of Self-Awareness, Self-Management, Social Awareness, Relationship Skills and Responsible Decision Making. You can visit <https://www.secondstep.org/what-is-second-step> for more information about this curriculum.

Sensory Items/Fidgets: Often people calm themselves subconsciously by playing with a pen, a paperclip, chewing gum, twirling their hair, etc. We don't even realize we do these things. At Valley Center we introduce students to multiple tools that might work well for them to stay calm, or calm themselves. Items such as hand fidgets, tactile blankets/rugs, weighted blankets, alternative seating options etc... are available as tools for students to maintain behavior or potentially regulate escalating behavior. Classrooms determine procedures and availability of such items.

Use of sensory items independently and effectively resulting in remaining engaged in the class activity each period is rewarded with bonus points, as one of the goals for students is to learn how to independently regulate their feelings.

Mindfulness: Valley Center classrooms also incorporate mindfulness activities throughout the school day, teaching students different breathing and focus techniques that may help them to prevent stress or to calm themselves when they are feeling stressed. Students use only the ones they like and work well for them. Being mindful reminds us to slow things down to allow us to feel better and be more in the moment.

Regulation Station: Each room has a Regulation Station. This is an area within the classroom that is generally more private, with less distractions and to give some separation from what the student was feeling or experiencing that was upsetting. The intent is to provide space from other students and from the activity of the classroom to allow the student to calm and get ready to return. While in this quiet area the student may choose to use other tools in his/her toolbox as well, such as deep breathing, counting slowly, squeezing a fidget, etc.

Effective use of the regulation station is rewarded with bonus points, as one of the goals for all students is to find better ways to control emotions. The teacher will compliment and thank the student for using the tools he/she needed to calm and rejoin the group.

If a student is not able to regulate within a reasonable period of time or chooses to not utilize this space then the student will be prompted to use the Quiet Room.

Quiet Room (QR): Quiet rooms are located outside of the classroom. These small, office sized rooms are a place students can go to calm escalated emotions. Sometimes completely removing themselves from a situation that was upsetting is the best way for a student to calm themselves. Because students' emotions are usually quite escalated when he/she comes to a quiet room the student is asked to remove shoes, empty pockets, remove coats and give the staff member any non-essential items. The quiet rooms either have no door or the door is left open and the student is not restricted from learning the area. However, if a student engages in aggressive or dangerous behavior that poses imminent risk to self or others and requires immediate intervention, the door will be closed. At this point it is considered a seclusion/seclusion room. See **Emergency Physical Restraint/Emergency Seclusion section of this handbook.**

Once a student appears calm for several consecutive minutes the staff monitoring the quiet room will ask if he/she is ready to talk. This debriefing discussion involves having the student reflect on the situation and what was so upsetting. The staff person asks the student to consider whether other tools in his/her toolbox might have helped this not escalate and what he/she might do differently next time.

Effective use of the quiet room is rewarded with bonus points also, as it is a tool to help students get a handle on their emotions and resulting actions. The staff will thank and congratulate the student for using the quiet room as a tool to calm down and be able to rejoin the class.

During a quiet room time the staff monitoring record data that may be used in the future to develop further behavior interventions to support the student if needed.

R and R: Regroup and Recovery Room: This room is available throughout the day and may be visited for both proactive and responsive reasons to behavior. The room itself is set up with office partitions to reduce

distractions for students who are struggling to manage feelings in the classroom setting or who are preparing to return to the classroom environment. All Valley Center expectations are in effect and students will work collaboratively with staff to review what brought them there and prepare for more success when they return to class.

Reasons a student may spend time in R and R include: behavior exits from classrooms, proactive behavior support, behavior exits, walk-outs, dress code violations, property destruction, handbook violations, public school disciplinary support, emotional recovery not related to discipline, high school step procedures, medical reasons, student/teacher agreed upon time-out and completing work. This list is not extensive, but to demonstrate the wide variety of reasons this location may need to be accessed by students.

III. Academics/Curriculum

Assessments: Valley Center administers assessments as required by the Michigan Department of Education. At the time of printing students in grades 3 – 8 and 11 have required assessments. The Department of Education also recommends testing in grades 9 and 10 as preparation for the 11th grade assessment. Discussion of necessary accommodations will occur during annual IEP meetings.

In addition, Valley Center uses a variety of other assessment tools to track growth and determine necessary academic interventions. These “benchmark tests” are given three times a year and assess proficiency in reading fluency and comprehension, and math computation and applications. Due to our focus on Social Emotional Learning, Valley Center utilizes as assessment from Devereux Student Strengths Assessment (DESSA) three times per year to track growth in the core competency areas of SEL. More information about this can be found here: <https://apertureed.com/research/about-the-dessa/> We continually seek other assessment opportunities that will best inform our work with students academically and behaviorally.

Community Based Instruction:

There are occasions when Valley Center students will have opportunity for experiences outside of our classrooms. We look at every outing as having the potential for instruction within our community. These may include volunteering opportunities, attendance at local art productions, attendance at featured Expo exhibits, swimming, class trips and others as they arise. Parents will always be notified and asked for permission for students to participate in such events. If transportation is necessary, parents will also be informed of this as well. Valley Center is also required to follow the permissions of other outside agencies when requested, which may include additional parent consent being granted.

Credit/Grading Policy:

Middle School and High School Students: School work is graded by calculating a percent correct. Grades are assigned on the following scale:

%	Grade
100	A+
99-95	A

94-90	A-
89-87	B+
86-83	B
82-80	B-
79-77	C+
76-73	C
72-70	C-
69-67	D+
66-63	D
52-60	D-
Below 59	F

Elementary Students: The following scale is used to evaluate students' progress in the curriculum. The report card will be marked for the skills the student has worked on for that grading period. Some skills will not be marked until they are presented to the student. Please note that Valley Center elementary classroom consists of more than one grade, thus, there may be skills on the report card that do not pertain to your child's grade level and therefore will not get marked.

KEY		
4	Consistently meets expectations	90-100%
3	Progressing towards expectations	80-89%
2	Improvement needed	70-79%
1	Experiencing difficulties	60-69%
(blank)	Not yet assessed	

Curriculum: Valley Center aligns its materials and instruction with the Michigan Common Core State Standards as required by the Department of Education. We also utilize two social emotional learning curriculums. Zones of Regulation and Second Step.

Homework Policy:

Homework policies are delineated by individual teachers. In general, when homework is assigned, it is expected that students return the homework the following day. It is common practice that a student will not be able to participate in Recs or free time until all overdue work is complete.

Make-up Work:

Completing all assignments is an important element for academic success. The following procedures are used to make up work when students are absent.

1. For any excused absence, students are given two days for every day absent to make up the work.
2. In case of multiple excused absences, the first day's work is due in two days. The second day's work is due in four days, etc.
3. For any unexcused absence, make-up work is due the next day. Upon the student return, they do not get free time until work is completed.
4. Any work that cannot be completed at home (notebooks, tests, etc.) needs to be completed on free time regardless of whether the absences are unexcused or excused.

*More detailed information for Elementary/Middle or High School students may be provided by the teacher.

Parent Conferences and Communication:

At Valley Center School one of our strong beliefs is that students learn best when the home, school and community work together. We encourage parents/guardians to be involved. Parents and guardians are involved across the year in the following ways:

1. IEP team meetings;
2. Individual Behavior Planning and Behavior Support Planning
3. Crisis and safety planning;
4. Phone calls about daily events;
5. Weekly report cards are sent home with students (with the exception of Elementary classrooms;
6. Elementary through middle school, the *VCS Daily Check Sheet* is sent home daily for parent review and as a communication tool;
7. Twice yearly parent-teacher conferences are arranged;
8. Parents are invited to Awards and Graduation Assemblies;
9. Parents, family members, public school personnel and outside resource workers are invited to attend various celebration and showcase events.

These different types of conferences and communication modes are the groundwork for a productive homeschool partnership. This cooperation ultimately has a positive influence on students' success at VCS.

Personal Curriculum Information:

Annual Notice of the Right to Request a Personal Curriculum (PC) Modifying Michigan Merit Curriculum (MMC) requirements for Graduation with a Regular High School Diploma

The Personal Curriculum is a process to modify specific graduation credit requirements and/or content expectations based on the individual learning needs of a student. It is designed to serve students who want to accelerate or go beyond the MMC requirements and students who need to individualize learning requirements to meet the MMC requirements for high school graduation.

The parent or guardian of a student for whom a personal curriculum is sought, or the student (if age of majority) or an emancipated minor may request a personal curriculum. Other potential requesters include a current teacher of the student who has expertise in the proposed area to be modified by the PC, or who is determined by the principal to have qualifications otherwise relevant to developing a PC, or a school counselor.

According to Section 380.1278b amended of the Revised School Code regarding the Michigan Merit Curriculum and personal curriculum, if the request for a personal curriculum is made by the pupil's parents or legal guardian, or if the pupil is at least the age of 18 or is an emancipated minor, by the pupil, the school district or public school academy shall develop a personal curriculum for the pupil.

A personal curriculum may be requested prior to 9th grade for a student with an Individualized Education Program (IEP), with the earliest implementation at the start of 9th grade. For students without an IEP, a request for a PC is allowable after the students has completed 9th grade. To request a Personal Curriculum, please contact Valley Center and we will begin collaboration with your resident school district.

Physical Education:

Elementary and Middle School: Students will participate in physical education and/or swim classes weekly or alternating grading terms. (Consent forms may be required)

High School: Students will participate in physical education classes as required by local district credit requirements. (Consent forms may be required)

Gym Class Dress: Students are not required to change into gym clothing for this class but are expected to wear appropriate footwear. (see dress code policy) If a student comes to school without appropriate footwear s/he will be unable to participate in the class. Students who do want to change into gym clothes are given a few minutes before and after class to do so. A change of clothing is advisable in the summer months when the class will often take place outside.

Gym Class and Hygiene: As students become young adults, normal development results in changing hygiene needs. Our objective is to help students understand that body odor affects them socially. It also affects the classroom setting, making the room more comfortable for learning when offensive odors are controlled. We will require that students use deodorant as part of the class. Parent support in this is greatly appreciated.

Gym Class Footwear: For students' own safety when coming to PE the expectation is that students are wearing appropriate shoes as it is essential for physical activity. (closed toe box, tread that grips floor, flat sole, heel back closed and covered)

Athletic tennis shoes are built to provide support to your foot and ankle during physical activity, and as a result they help reduce the risk of fractures and sprains while active. We sometimes see leg, ankle and foot injuries that could have been prevented if proper athletic footwear had been worn. Please understand that the necessity of wearing proper shoes is 100% instruction and safety driven.

If you are unable to meet this requirement, there are some short and long term options:

- student may borrow shoes from the closet
- in some cases shoes may be purchased for the student to leave here at VC (they will be property of Valley Center)
- Find an alternative to PE class for that day. (with physical activity) This may be as simple as walking laps for the activity of the day.

Swimming: Our swimming experience occurs off site and is a privilege activity. Students who engage in extensive misbehavior while swimming, who demonstrate unruly/unsafe conduct at Valley Center or who have not yet mastered social/emotional skills that would allow them to be successful while off-site may be required to stay at Valley Center School during swim classes. The teacher and principal determine the length of removal time from the swimming activity. Alternative activities are developed as described in the *Medical Exclusion* topic area below.

Students who forget a swimsuit also remain at VCS. As part of their assignment during swim time, these students will be required to complete work that will review areas of the present curriculum. Students will receive 2's on their check sheet if behavior is appropriate.

Medical Exclusions from Physical Education: *A physician must verify, in writing, all exclusions from Physical Education.* Occasionally, students need to stay back from swimming or sit out gym class for medical reasons. If the medical condition is expected to be temporary, then students are given some kind of seat-work to occupy this time period and ensure that they can earn '3's' on their *VCS Daily Check Sheets*. This may include word searches, coloring, or free reading. (Free time on the computer is not an option.) If this is an extended or permanent condition an alternate class will be arranged for the student.

Report Cards/Progress Reports:

Academic and behavior progress reports are given to the students every week. If you do not receive weekly notification of your child's progress, please make contact with your child's teacher. In addition, class grades and progress on IEP goals and objectives are calculated each trimester (or as determined by the IEP) and sent home by mail.

Support Services:

There are various support services available at Valley Center. On staff we offer a school social worker, instructional coach and school psychologist. You are welcome to make appointments to talk with these professionals to discuss the needs of a student. In addition, Valley Center works collaboratively with outside mental health agencies, medical professionals and the Western Michigan University Psychology Department, if at any time we can assist by providing information or meeting with said individuals, please don't hesitate to request our support.

IV. Student Activities

Extracurricular

Students attending Valley Center are still considered students within their local resident school district. We encourage our students to attend sporting events, band concerts and theatre performances in their local school districts. If you have questions about your student participating in an extra-curricular event, please contact our school office.

In addition, Valley Center also hosts some extra-curricular events throughout the year. Parents and family members are always encouraged to attend. These may include the Art Hop, Festival of Trees, Awards Assemblies, Science Night or a Movie Night. As always, parents will be notified in advance of these activities.

Field Trips

On special occasions field trips are scheduled to supplement and enrich classroom activities. These also provide an off-campus social situation for students to practice self-control. Parents/guardians are notified in advance and asked to sign a permission form for their child to attend the field trip.

Students who have engaged in extensive misbehavior during off-campus activities may be required to stay at Valley Center School. An appropriate alternative academic activity is provided. Whenever possible the activity will focus on the same topic as covered by the field trip.

Offsite Activities:

There are occasions when our students participate in off-site activities. Most of these are curricular in nature and are considered an extension of the classroom. Some examples including: swimming, volunteering, attending an fine art event, field trips etc... Participation in these activities will be determined by behavioral stability and may be denied. If this occurs an appropriate activity at Valley Center will be provided with an aligned purpose if the experience is curricular in nature.

Weekly/Monthly Activities

There are often activities that are planned as a part of the Positive Behavior Support Plan of Valley Center. These activities are earned by meeting expectations consistently. On some occasions special activities are planned which will include all Valley Center students, unless extreme behavior has been displayed which warrants exclusion from the activity (i.e.: awards assembly, March Madness etc...).

V. Student Conduct

Michigan students, in all of their diversity, must be educated in a safe and supportive environment that fosters academic success and healthy development. The Michigan State Board of Education's mission is: "All students graduate ready for careers, college, and community." This can only be achieved if students are pursuing their education. To fulfill this mission, the Michigan State Board of Education (SBE) strongly urges school districts to adopt practices that allow educators to address disciplinary matters as opportunities for learning instead of punishment.

Student Rights and Responsibilities

If a student feels unsafe or is threatened, the student or the student's parent/guardian should contact the principal.

Individual rights relate to individual responsibilities and must be seen in relationship to the safety, health, and welfare of all members of the school community. Expectations of student conduct should be kept within the bounds of reasonable behavior expected of all members of the community. Students should have freedom and encouragement to express their individuality in school, as long as their conduct does not intrude upon the freedom or safety of others. This applies especially to the freedom of fellow students to receive instruction. There must be a balance between individual freedom and the orderly operation of a classroom, but educators must prioritize keeping students engaged in learning as much as possible.

All students should recognize the consequences of their language, manners, and actions toward each other, school staff, and volunteers. Students need to understand that they benefit from an orderly school operation and, as members of the school community, acknowledge their responsibility to promote a mutually respectful learning environment and support the reduction of any disruption to learning. The following section lists actions that can cause disruptions and, therefore, require some action to address the harm they cause. Whenever possible, the action to address this misconduct will include steps to heal the harm and restore the school community members affected.

Violations of the Code of Student Conduct

Various types of student misconduct are defined below. These definitions of misconduct are not all-inclusive, but only representative and illustrative. Any misconduct that occurs during the school day is subject to disciplinary action. School day is defined as any part of the students day associated with school including walking to the bus stop, at the bus stop, on school transportation, school and school related events and walking home from the bus stop. A student who commits an act of misconduct not listed herein is nonetheless subject to disciplinary action.

Valley Center staff may use intervention strategies including preventative measures such as intensive instruction, social-emotional learning, PBIS, restorative practices, teacher/student conferences, auxiliary staff/student intervention, and teacher/parent/guardian contacts for every type of violation listed here. As required by law, the staff will refer the serious misconduct violations directly to school administrators due to the serious and/or unlawful nature of the misconduct. At the option of school administrators, a student accused of any violation of the Code of Student Conduct may be referred to a school social worker or counselor, in conjunction with or in lieu of other disciplinary procedures. In all cases, the Valley Center behavioral program will be implemented. This includes positive behavior reinforcement, cues to self-manage behavior, level system advancement (or decline) etc... Where the misconduct is subject to mandatory discipline under state law, however, the school district will act to impose any mandatory sanctions, while honoring the rights and protections of students with disabilities (special education students).

Due Process/Guidelines for Students with Disabilities

Due process will be afforded in all cases of misconduct that result in a removal from the school setting. In compliance with federal and state laws, students with a documented disability (Individual Educational Plan or Section 504 Plan) have specialized procedures that must be followed in the case of the student violating the Student Code of Conduct. All students are given due process rights relative to student discipline under Section 380.1311 of the Michigan School Code. The Individuals with Disabilities Educational Act (IDEA) requires a Manifestation Determination Review (MDR) by the Individual Educational Planning Team (IEPT) immediately, if possible, but in no case later than ten school days after the date on which the decision to take disciplinary action which resulted in a change of placement is made. *Note: a change of placement occurs if the removal is for more than 10 consecutive school days, or if the public agency determines, on a case-by-case basis, that a pattern of removals constitutes a change of placement because the series of removals total more than 10 school days in a school year.* The IEPT must conduct the MDR in a meeting to determine if the behavior requiring disciplinary measures of the student is a part of his/her disability.

During the MDR, relevant information must be considered including evaluations and diagnostic results of the student, observations of the student and the student's IEP or 504 Plan and placement. If the team determines that the behavior of drugs or weapons or serious bodily harm is a part of the student's disability, then the school district may seek relief from a hearing officer to remove the student from school for up to 45 school days. The IEPT must take immediate steps to ensure an interim alternative educational setting that will continue the student's progress toward the IEP goals.

If it is determined in the MDR that the student's behavior subject to discipline is not a part of his/her disability, then the case moves forward with disciplinary procedures applicable to students without disabilities except for continued services as a part of the student's progress toward the IEP goals.

Cell Phones/Electronics:

Valley Center does not allow students to possess or use cell phones or other electronic devices from the time of their arrival off the bus until dismissal or departure from school. These items will be collected from students upon their arrival, kept in a secure location and returned to the student at the end of their school day. The

unauthorized use of cell phones, or other electronic communication devices (ECD), including IPODS and MP3 players, and electronic storage devices (ESD) are strictly prohibited in areas of the school including, classroom, hallways, restrooms, locker rooms, and between class periods, until off school property. Students are considered in violation of this policy when cell phones or ECD and ESD items are in use, ringing (any incoming signal), playing music, texting (sending or receiving), talking on, filming or taking pictures.

*In some cases teachers may allow use of cell phones for a learning activity or a privilege. Administration will be contacted in these cases and students will be provided clear expectations for appropriate use.

CONSEQUENCES: Failure to comply with “turn-in” of such devices upon arrival will result in confiscation of the phone. Valley Center staff will follow the guidelines below (described in entrance procedures) in general cases:

NOTE: Cell Phones/Electronics, as well as other non-school items will only be returned upon approved dismissal and to students who are regulated and demonstrating safe behavior. It will be the discretion of Administration or their designee to release items to parents prior to the next appropriately completed school day and scheduled dismissal

Using a cellular telephone, smartphone, video recording device, personal digital assistant (PDA), or similar electronic device in any manner that disrupts the educational environment or violates the rights of others, including using the device to take photographs in locker rooms or bathrooms, cheat, or otherwise violate student conduct rules is prohibited. Prohibited conduct specifically includes, without limitation, creating and sending, sharing, viewing, receiving or possessing an indecent visual depiction of oneself or another person through the use of a computer, electronic communication device or cellular telephone, commonly known as “sexting.” Consequences for these violations may include police referral, and/or disallowance of bringing device to school unless there is a documented personal health need. This would be dependent on the severity and/or frequency of the violation.

Students bring these devices to school at their own risk. KRESA, Valley Center School, its faculty and staff are NOT responsible for any damaged, missing or stolen cell phones, ECD, or ESC items. If a student has a cell phone, ECD or ESD item and it is damaged or stolen, schools will not utilize administrative time to investigate the incident nor will the District take any financial responsibility for the cell phone or cell phone charges.

Entrance Procedures/Consequences:

Upon entrance to school students are expected to participate in an entrance routine which includes walking through or being subject to a metal detecting wand; visual and physical check of jackets, backpacks, items brought from home; physical search if reason for concern remains. **Students who arrive late or are on a shortened day schedule will be met by staff and escorted to a QR/SR for this entrance routine.**

In the event that a student doesn't comply with the entrance procedure expectations or demonstrates willful attempts to “hide” non-school items the following will be followed as consequences:

1st offense – Verbal Warning by staff, Lead Teacher notified, Parent contact of incident by classroom staff – future consequences reviewed, item confiscated until end of day

2nd offense – Lead teacher notified, Parent contact of incident by classroom staff, item confiscated and parent pick up required, increased search which may include sporadic or daily “pat down” search by trained staff

3rd offense – Lead teacher notified, Office referral written, item confiscated and parent pick up required, denied privilege of bringing item to school in the future – length of time to be determined, increased search remains, detention and/or suspension (in or out of school)

4th/Persistent Offenses – Lead teacher notified, Office referral written, item confiscated and held in school office for a length of time up to the last day of school, and item is returned to parent.

Failure to comply with the above process may result in: automatic suspension, parent call for pick up from school, and/or involvement of law enforcement depending on severity of non-compliance

NOTE: State law/policy re: unlawful school items i.e.: drugs, weapons, supersedes the process above.

Items Brought from Home:

From time to time students bring items from home that are distracting or unnecessary during instruction. Small toys, IPOD or MP3 players, portable CDs, trading cards or other things to show off, trade, or sell. Often this leads to a disruption to the school day or instructional process. These items will be collected upon a student arriving to school, kept in a secure location and returned at the end of the school day. In addition, students may not bring beverage containers that are not “sealed”. These items will be taken and may not be returned. If a student brings a sealed beverage into school, it will be determined in conjunction with the classroom teacher when the student will be given this item (generally speaking, this would be during snack or lunch time only). If a student brings cash to school exceeding \$10.00 it will also be held in a secure location and depending on amount may also be held until parent notification.

Note: KRESA/Valley Center supports student wellness. We recommend healthy snacks for our students. Energy Drinks (Beverages that contain large doses of caffeine, and other legal stimulants like ephedrine, guarana, and ginseng), are known to have dangerous side effects for children and are not permitted for student consumption on school grounds during the school day. (This includes transportation and as a lunch beverage.)

To bring any non-educational items into the classroom, such as those mentioned above, the student must have permission (may be required in writing) from the classroom teacher. The student can only bring it to show or play with at teacher approved times. If the student does not have permission to bring an item to school and it is discovered by a staff member and/or if the student attempt to conceal such an item during check-in procedures, it will be taken away and kept by the teacher or given to the principal. The item will only be released to a parent or responsible adult.

Items cannot be sold or traded at school, nor should these transactions be discussed. If students are found trading or paying for an item, the item(s) and money will be taken and released only to a parent or responsible adult. Valley Center does not assume responsibility for the safe care of personal items brought from home.

NOTE: Non-school items, as well as cell phones/electronics will only be returned upon approved dismissal and to students who are regulated and demonstrating safe behavior. It will be the discretion of Administration or their designee to release items to parents prior to the next appropriately completed school day and scheduled dismissal.

School Property/Damage:

Students are expected to exercise care in the handling of school property. Students who purposely destruct school property or the property of others are held accountable and required to compensate Valley Center School for the full cost of the items they destroy, deface, or otherwise damage. School property refers to the school building and grounds, any school furniture, books, paper, charts, apparatus or other property contained in the school building or on the school grounds.

Technology devices and related equipment will only be released for students to take home after a Device Acceptable Use Policy is signed by student and parent. This policy reflects the responsibility for payment for lost or damaged items.

Parents and guardians are notified by letter of the damage caused by their child and the estimated cost of repair or replacement. Property damage exceeding \$100 will be reported to law enforcement and restitution will be sought.

Misconduct:

1. Bullying, Intimidation & Harassment

Bullying, intimidation, and harassment diminish a student's ability to learn and a school's ability to educate. Preventing students from engaging in these disruptive behaviors and providing all students equal access to a safe, non-hostile learning environment are important school goals.

Bullying on the basis of actual or perceived race, color, national origin, immigration status, military status, unfavorable discharge status from the military service, sex, sexual orientation, gender identity, gender-related identity or expression, ancestry, age, religion, physical or mental disability, order of protection status, status of being homeless, or actual or potential marital or parental status, including pregnancy, association with a person or group with one or more of the aforementioned actual or perceived characteristics, or any other distinguishing characteristic is prohibited in each of the following situations:

1. During any school-sponsored education program or activity.
2. While in school, on school property, on school buses or other school vehicles, at designated school bus stops waiting for the school bus, or at school-sponsored or school-sanctioned events or activities.
3. Through the transmission of information from a school computer, a school computer network, or other similar electronic school equipment.
4. Through the transmission of information from a computer that is accessed at a non school-related location, activity, function, or program or from the use of technology or an electronic device that is not owned, leased, or used by the school district or school if the bullying causes a substantial disruption to the educational process or orderly operation of a school.

Bullying includes cyber-bullying (bullying through the use of technology or any electronic communication) and means any severe or pervasive physical or verbal act or conduct, including communications made in writing or electronically, directed toward a student or students that has or can be reasonably predicted to have the effect of one or more of the following:

1. Placing the student or students in reasonable fear of harm to the student's or students' person or property;
2. Causing a substantially detrimental effect on the student's or students' physical or mental health;
3. Substantially interfering with the student's or students' academic performance; or
4. Substantially interfering with the student's or students' ability to participate in or benefit from the services, activities, or privileges provided by a school.

Examples of prohibited conduct include name-calling, using derogatory slurs, stalking, sexual violence, causing psychological harm, threatening or causing physical harm, threatened or actual destruction of property, or wearing or possessing items depicting or implying hatred or prejudice of one of the characteristics stated above.

Students are encouraged to immediately report bullying. A report may be made orally or in writing to the district complaint manager or any staff member with whom the student is comfortable speaking. Anyone, including staff members and parents/guardians, who has information about actual or threatened bullying is encouraged

to report it to the district complaint manager or any staff member. Anonymous reports are also accepted by phone call or in writing.

Incidents of bullying should be reported to the classroom teacher, school social worker, or principal.

Any student who is determined, after an investigation, to have engaged in intimidation or harassment will be subject to disciplinary consequences as provided in this handbook, including but not limited to, suspension and expulsion consistent with the school and district's discipline policy. Parents of students who have engaged in the above behavior will be notified. Any student making a knowingly false accusation regarding harassment may also be subject to disciplinary consequences.

Note: Michigan's Penal Code Act 328 of 1931 has added a section specific to Cyberbullying (750.411) which defines cyberbully as a misdemeanor and a felony.

2. Cheating/Academic Misconduct: A student will not plagiarize, cheat, gain unauthorized access to, or tamper with educational materials.
3. Defacement of Property: A student will not willfully cause defacement of, or damage to, property of the school or others. Actions such as writing in school textbooks or library books, writing on desks or walls, carving into woodwork, desks, or tables, and spray-painting surfaces are acts of defacement.
4. Destruction of Property: A student will not intentionally cause destruction of property of the school or others. Actions that impair the use of something are destructive. Ruining bulletin boards, intentionally clogging the plumbing system, breaking light bulbs or fixtures, and damaging school equipment to the point where repair is necessary are acts of property destruction. Significant property damage will be reported to law enforcement and restitution will be sought.
5. Disorderly Conduct: A student will not harass others or misbehave in a manner that causes disruption or obstruction to the educational process. Disruption caused by talking, making noises, throwing objects, or otherwise distracting another constitutes disorderly conduct. Behavior is considered disorderly if a teacher is prevented from starting an activity or lesson, or has to stop instruction to address the disruption.
6. Fighting: A student will not physically fight with another person. Self-defense or defense of others may be taken into account in determining whether this provision has been violated.
7. Forgery: A student will not sign the name of another person for the purpose of defrauding school personnel or the Board of Education.
8. Fraud: A student will not deceive another or cause another to be deceived by false or misleading information in order to obtain anything of value.
9. Gambling: A student will not engage in any game of chance or contest wherein money or other items of monetary value are awarded to the winner, except for those games and contests authorized as official school functions.
10. Gang Activity: A student will not, by use of violence, force, coercion, threat of violence, or gang activity, cause disruption or obstruction to the educational process. Gangs are defined as organized groups of

students and/or adults who engage in activities that threaten the safety of the general populace, compromise the general community order, and/or interfere with the school district's education mission.

Gang activity includes any one of the following:

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

11. Harassment/Intimidation: "Harassment or intimidation" means any gesture or written, verbal, or physical act that a reasonable person, under the circumstances, should know will have the effect of harming a student or damaging the student's property, placing a student in reasonable fear of harm to the student's person or damage to the student's property, or that has the effect of insulting or demeaning any student or group of students in such a way as to disrupt or interfere with the school's educational mission or the education of any student. Harassment or intimidation includes, but is not limited to, a gesture or written, verbal, or physical act.
12. Inappropriate Displays of Affection: Students will not engage in inappropriate displays of affection.
13. Inappropriate Dress and Grooming: A student will not dress or groom in a manner that disrupts the educational process or is detrimental to the health, safety, or welfare of others. See Dress Code/Personal Hygiene
14. Insubordination/Unruly Conduct: A student will not ignore or refuse to comply with directions or instructions given by school authorities. Refusing to open a book, write an assignment, work with another student, work in a group, take a test or do any other class or school-related activity not listed herein, refusing to leave a hallway or any other location when instructed by a school staff member, or running away from school staff when told to stop constitutes unruly conduct.
15. Leaving School Without Permission: A student will not leave the school building, classroom, cafeteria, assigned area, or campus without permission from authorized school personnel.
16. Loitering: A student will not remain or linger on school property without a legitimate purpose and/or without proper authority.
17. Possession of Inappropriate Personal Property: A student will not possess personal property that is prohibited by school rules or that is disruptive to teaching and learning, including, but not limited to, pornographic or obscene material, laser lights, lighters, matches, or personal entertainment devices. Certain devices may be permitted for health or other reasons, if approved by the administration.
18. Profanity and/or Obscenity Toward Students/Staff: A student will not verbally, in writing, electronically, or with photographs or drawings direct profanity or insulting, obscene gestures toward any other student, school district staff members or adult volunteers.
19. Sexual Harassment (Level 1): A student will not use words, pictures, objects, gestures, or other actions relating to sexual activity or a person's gender that cause embarrassment, discomfort, or a reluctance to participate in school activities.

20. Sexual Harassment (Level 2): A student will not make unwelcome sexual advances, request sexual favors or engage in verbal communication or physical conduct of a sexual nature with or toward any other student, school district personnel, or adult volunteers.
21. Smoking: A student will not smoke or use e-smoking devices, use tobacco or alternative cigarette options, or possess any substance containing tobacco or nicotine in any area under the control of a school district, including all activities or events supervised by the school district.
22. Tardiness: A student will not fail to be in his or her place of instruction at the assigned time without a valid excuse.
23. Technology Abuse: A student will not violate the district's "Technology Use Guidelines."
24. Theft or Possession of Stolen Property: A student will not, without permission of the owner or custodian of the property, take property or have in his or her possession property valued at \$100.00 or less which does not belong to the student.
25. Threat/Coercion: A student will not threaten another with bodily harm. A student will not coerce another to act or refrain from acting.
26. Trespassing: A student will not enter upon the premises of the school district, other than the location to which the student is assigned, without authorization from proper school authorities. If removed, suspended, or expelled from school, a student will not return to the school premises without permission of the proper school authorities.
27. Truancy: A student will not willfully and repeatedly fail to report to the school's assigned class or activity without prior permission, knowledge, or excuse by the school and parent/guardian.
28. Weapon Look-A-Likes: A student shall not possess, use, sell, or distribute a toy weapon, a look-a-like or replica weapon except with the prior approval of a teacher or an administrator for appropriate educational use.

Note that under Michigan law, school boards are not required to expel a student for weapons possession if the student can establish in a clear and convincing manner at least one of the following:

- The object or instrument possessed by the student was not possessed for use as a weapon, or for direct or indirect delivery to another person for use as a weapon.
- The weapon was not knowingly possessed by the student.
- The student did not know or have reason to know that the object or instrument possessed by the student constituted a dangerous weapon.
- The weapon was possessed by the student at the suggestion, request or direction of, or with the express permission of school or police authorities.

Serious Misconduct:

1. Alcohol and Drugs: A student will not possess, use, offer to buy or sell, or purport to buy or sell, a controlled substance, dangerous drug, prescription drug, counterfeit drug, intoxicating substance, or alcohol. A student legally in possession of prescribed medication will not be in violation of this section as long as his/her use and possession of the prescribed medication is authorized at school and the student follows the required possession and use protocols as defined by the school.

2. Arson (Starting a Fire): A student will not intentionally, by means of starting a fire, cause harm to any property or person, or participate in the burning of any property or person. If a student commits arson in a school building or on school grounds or other school property, the school board or its designee shall expel the student from the school district permanently, subject to possible reinstatement, pursuant to MCL 380.1311(5) [MCL 380.1311(2)]. "Arson" means a felony violation as set forth in Chapter X of the Michigan Penal Code [MCL 750.71 to MCL 750.80].
3. Extortion: A student will not make another person do any act against his or her will, by force or threat, expressed or implied.
4. False Fire Alarm or Bomb Report; Tampering with Fire Alarm System: Unless an emergency exists, a student will not intentionally sound a fire alarm or cause a fire alarm to be sounded, nor will a student falsely communicate or cause to be communicated that a bomb is located in a building or on school property, or at a school-related event. These acts are prohibited, irrespective of the whereabouts of the student. A student will not destroy, damage, or otherwise tamper with a fire alarm system in a school building.

If a student enrolled in grade six (6) or above makes a bomb threat or similar threat directed at a school building, other school property, or a school-related event, then the school board or its designee shall suspend or expel the student from the school district for a period of time as determined at the discretion of the school board, or its designee [MCL 380.1311a(2)]. Students in grade five (5) or below will be subject to possible suspension, restitution, school service or other appropriate consequences as determined by the school administrator.

5. Felony: A student will not commit a criminal act that results in being convicted of a felony offense.
6. Fireworks: A student will not possess, handle, transmit, conceal, or use any fireworks or firecrackers on school property or any school-related event.
7. Interference with School Authorities: A student will not interfere with administrators, teachers, or other school personnel or volunteers by threat or violence and/or intent to incite or influence others to use violence or create severe disruption to the safe, and orderly learning environment. This may include:
 - Persistent or severe disorderly conduct (see minor misconduct)
 - Persistent or severe insubordination/unruly conduct (see minor misconduct)
8. Physical Assault: A student will not physically assault another person. If a student enrolled in grade six (6) or above commits a physical assault at school against another student, then the school board or its designee shall suspend or expel the student from the school district for up to 180 school days [MCL 380.1310(1)].

If a student enrolled in grade six (6) or above commits a physical assault at school against a person employed by or engaged as a volunteer or contractor by the school board, then the school board or its designee shall expel the student from the school district permanently, subject to possible reinstatement under MCL 380.1311a(5) [MCL 380.1311a(1)]. Students in grade five (5) or below will be subject to possible suspension, restitution, school service or other appropriate consequences as determined by the school administrator.

"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)].

1. Robbery: A student will not take or attempt to take from another person any property, by force or threat of force,

expressed or implied.

10. Sexual Assault: A student will not sexually assault another person. If a student commits criminal sexual conduct in a school building, on school grounds or any other school property, the school board or its designee shall expel the student from the school district permanently, subject to possible reinstatement, pursuant to MCL 380.1311(5) [MCL 380.1311(2)]. "Criminal sexual conduct" means a violation as set forth in Chapter LXXVI of the Michigan Penal Code [MCL 750.520b to MCL 750.520g].

11. Theft or Possession of Stolen Property: A student will not, without permission of the owner or custodian of the property, take property or have in his or her possession property valued at more than \$100.00 that does not belong to the student.

12. Verbal Threat Against an Employee: If a student enrolled in grade six (6) or above commits a verbal threat, as defined by school board policy, at school against a person employed by or engaged as a volunteer or contractor by the school board, then the school board or its designee shall suspend or expel the student from the school district for a period of time as determined by the discretion of the school board or its designee [MCL 380.1311a(2)].

13. 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.

14. 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 inches in length, pocketknife opened by a mechanical device, iron bar, or brass knuckles [MCL 380.1313].

15. 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, compasses, or combs.

Unlawful Misconduct:

The following table contains illegal conduct.

Arson *	Assault*	Battery*	Bomb Threat/False Fire Alarms*	Criminal Sexual Conduct (CSC)*	Explosives or Fireworks*
Extortion*	Failure to Stop Fighting	Illegal Substances*	Inciting others to break the law or commit a violent act	Possession of a non-school related object which has the potential to be utilized as a weapon	Riot

Theft or Possession of Stolen Property* (over \$100.00)	Using an object as a weapon *	Vandalism* (over \$50.00)	Violating the State Riot Act	Weapons*	Extreme or repeated violations of general or serious conduct expectations
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If any of the above conduct is displayed school officials will contact law enforcement for consultation and possible reporting if applicable. During informal investigation of an incident, a student may be isolated from other students and have related items confiscated. In addition, the following consequences may be issued by school administration: being on hold in the VC program, in or out of school suspension, interim alternative educational setting, juvenile court petition, exclusion, and/or expulsion.

Note: * designated offenses require report to appropriate law enforcement agencies; these violations may result in suspension up to expulsion based on the frequency or severity of the violation

Weapons, Arson, or Criminal Sexual Conduct Expulsion

School districts are required to expel students who possess a dangerous weapon, commit arson, or engage in criminal sexual conduct in a school building or on school grounds. 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. It refers to sections which describe various levels of sexual penetration, sexual conduct, and assault with intent to commit criminal sexual conduct [MCL 750.520b, 520c, 520d, 520e, 520g]. The term “dangerous weapon” means a firearm, dirk, dagger, stiletto, iron bar, knife with a blade over 3 inches in length, pocket knife opened by a mechanical device, and brass knuckles [MCL 380.1313(4)]. The definition of “firearm” in section 380.1311 refers to the definition of that term in the federal Gun-Free Schools Act of 1994, which in turn refers to another section of federal law which defines “firearm” as:

Any weapon (including a starter gun) which will or is designed to, or may readily be converted to, expel a projectile by the action of an explosive.

- The frame or receiver of any such weapon.
- Any firearm muffler or firearm silencer.
- Any destructive device.

1. Dangerous Weapon Exceptions (referenced in paragraph #3, previous page):

School boards are not required to expel a student if the student can establish in a clear and convincing manner at least one of the following:

- The object or instrument possessed by the student was not possessed for use as a weapon, or for direct or indirect delivery to another person for use as a weapon.
- The weapon was not knowingly possessed by the student.
- The student did not know or have reason to know that the object or instrument possessed by the student constituted a dangerous weapon.
- The weapon was possessed by the student at the suggestion, request or direction of, or with the express permission of school or police authorities.

2. Weapon-Free School Zone and School Property Definition: “Weapon-free school zone” means school property and a vehicle used by a school to transport students to or from school property [MCL 750.237a]. “School property” means a building, playing field, or property used for school purposes to impart instruction

to children or used for functions and events sponsored by a school, except a building used primarily for adult education or college extension courses [MCL 750.237a].

3. Reporting Requirements: If a dangerous weapon is found in the possession of a student while the student is attending school or a school activity, or while the student is en route to or from school on a school bus, the superintendent of the school district or intermediate school district, or his or her designee, shall immediately report that finding to the student's parent/guardian and the local law enforcement agency [MCL 380.1313(1)].

Physical Assault - Student to Employee or Volunteer

A student in grade six (6) or above who commits a physical assault against an employee or a volunteer of a district, at school or on school grounds, shall be expelled permanently, subject to possible reinstatement. The term "physical assault" means "intentionally causing or attempting to cause physical harm to another through force or violence" [MCL 380.1311a]. Students in grade five (5) or below will be subject to possible suspension, restitution, school service or other appropriate consequences as determined by the school administrator.

Physical Assault - Student to Student

A student in grade six (6) or above who commits physical assault against another student shall be suspended or expelled for up to 180 school days by the school board or its designee if the physical assault is reported to the school board, superintendent, or principal. The term "physical assault" means "intentionally causing or attempting to cause physical harm to another through force or violence" [MCL 380.1310].

Bomb Threats or Similar Threats

If a student in grade six (6) or above makes a bomb threat, or similar threat, directed at a school building, other school property, or a school-related event, then the school board or the designee on behalf of the school board, as described in MCL 380.1311(1), shall suspend or expel the pupil from the school district for a period of time as determined at the discretion of the school board or its designee. Students in grade five (5) or below will be subject to possible suspension, restitution, school service or other appropriate consequences as determined by the school administrator.

Verbal Threat Against an Employee

If a student in grade six (6) or above commits a verbal threat, as defined by school board policy, at school, other school property, or a school-related event, against a person employed by or engaged as a volunteer or contractor by the school board, then the school board or its designee shall suspend or expel the student from the school district for a period of time as determined at the discretion of the school board or its designee [MCL 380.1311a(2)]. Students in grade five (5) or below will be subject to possible suspension, restitution, school service or other appropriate consequences as determined by the school administrator.

Discretionary Suspension or Expulsion Under Michigan law, a suspension of 10 or fewer school days is presumed to be reasonable. A suspension of greater than 10 school days, or an expulsion, is, in most circumstances, presumed not to be warranted. Before imposing a suspension of more than 10 school days or an expulsion, District administration or the Board must rebut the presumption (i.e., explain why the suspension or expulsion is warranted despite the presumption) by considering the following factors:

- The student's age;

- The student's disciplinary history;
- Whether the student has a disability;
- The seriousness of the behavior;
- Whether the behavior posed a safety risk;
- Whether restorative practices are a better option; and
- Whether lesser interventions would address the behavior.

These factors are also considered prior to any issuance of suspension.

Short-term Suspension - 10 or fewer days

- May be issued for an offense identified in the student code of conduct
- The building administrator may also suspend a student pending further investigation and possible further disciplinary consequences, including a longer-term suspension or expulsion. Before exercising this authority, the building administrator must consider all of the factors listed above.
- Additionally, before suspending a student for any length of time, the building administrator must provide the student due process as described in the section of this policy entitled "Due Process." If the student is a student with a disability, the student's discipline is also subject to the section of this policy entitled "Students with Disabilities."

Long-term Suspension

- Any time a student with an IEP accumulates more than 10 days of suspension in a school year, a new IEPT meeting must be held.
- In the event of a student with an IEP being excluded or expelled, the goals from the IEP must be followed.
- In consultation with the student's resident school district, the IEPT must develop a plan to meet the goals of the IEP during the interim alternate placement.
- The IEPT must develop or review as appropriate, a behavior intervention plan. A functional behavioral assessment must be conducted or reviewed as soon as practicable and presented at the IEPT when a student has accumulated the 11th day of suspensions in a school year.

Violation of Drug or Illegal Substance Use or Possession, Weapons or Firearms

- A student may be placed in an interim alternative educational setting determined by an IEPT/MDR meeting for up to forty-five (45) school days.
- Penalties for possession/use of illegal substances, weapons or firearms are cumulative throughout the student's educational tenure with the resident district and KRESA-Valley Center as the operating district and are applicable to the school calendar year (August – July).

Emergency Suspension

An emergency situation exists when there is a substantial chance of injury to the student or others.

- A suspension for not more than ten (10) days from the incident may be given.
- An IEPT meeting must be convened within ten (10) days after the short-term suspension begins.
- Long-term suspension procedures must be completed within ten (10) school days.

Valley Center Responses to Violations (of any level)

Valley Center will maintain a safe and supportive environment and consistently check that students can identify respectful and accountable conduct toward themselves, their peers, adults, and property. In the event that

students violate any part of the Code of Student Conduct, the school community will apply support and guidance to increase the opportunity for the student to both offer restitution and learn from mistakes. School administrators and staff may use mutually respectful and accountable intervention strategies, as determined by local district policies including, but not limited to, consequences/interventions listed below. Any of the following intervention strategies and disciplinary actions may be used alone or in combination:

- implementation of Valley Center Behavioral Program
- teacher/administrator/student conference or reprimand
- administrator and teacher-parent/guardian conferences
- referrals and conferences involving various support staff or agencies
- daily/weekly progress reports
- behavioral contracts
- Behavior Intervention Plan (BIP) reviews and updates
- coordinate behavior intervention strategies among all personnel who work with the student
- consultation with a behavioral specialist
- cooperate with the parent/guardian to ensure follow-through on behavior intervention
- counseling and psychological services
- conflict resolution/peer mediation
- restorative practices – to be considered prior to any issuance of suspension
- anger management/violence prevention lessons
- confiscation of inappropriate item
- support restitution of offense
- referral to school social worker
- referral to community-based services such as mental health care, substance abuse prevention and others
- restorative practices including conferencing, circles and problem solving
- restoration for all affected parties
- restitution (monetary or school community service)
- before- and/or after-school detention
- denial of participation in class and/or school activities
- referral to assessments/specialists related to the incident (risk assessments, substance abuse support, trauma assessments)
- in-school suspension
- other intervention strategies, as needed
- out-of-school suspension
- law enforcement agency notification

Intervention strategies are not limited to those listed herein. Other methods of addressing misconduct may be more appropriate, depending upon the circumstances. Educators will seek the option that maximizes students' learning and pro-social development while prioritizing keeping students engaged in learning.

Any student conduct may result in a range of consequences which may be in addition to the Valley Center Program response. When specific consequences are not stated for a violation of a particular rule/expectation, the reasonable disciplinary actions may be taken at the discretion of the administration. Actions may range from a verbal warning to a recommendation for expulsion depending on the nature and severity of the offense, the prior behavioral records for the student, the recommendation of school personnel and other relevant circumstances.

VI. Appendix

Commonly Used Abbreviations:

ADA Americans with Disabilities Act
ADD Attention Deficit Disorder
ADHD Attention Deficit Hyperactivity Disorder
ARC Organization that advocates with and/or on behalf of persons with developmental disabilities and their families
ASD Autism Spectrum Disorder
CAUSE Citizens Alliance to Uphold Special Education
CBE Community Based Education
CBI Community Based Instruction
CI Cognitive Impairment (**WAS** formerly known as EMI, TMI and SMI)
CIL Center For Independent Living
CMH Community Mental Health
CP Cerebral Palsy
CTC Community Transition Council
DD Developmental Disability
DDI Developmental Disability Institute
ECDD Early Childhood Developmental Delay (**WAS** formerly known as PPI)
EI Emotional Impairment EMI **Was** Educable Mentally Impaired (**Now** known as COGNITIVE IMPAIRMENT CI) ESY Extended School Year
FAPE Free, Appropriate Public -Education
FIA Family Independence Agency DHH Deaf and Hard of Hearing ICC Interagency Coordinating Council (LICC: local; RICC: regional; SICC: statewide) IDEA Individuals with Disabilities Education Act
IEE Independent Educational Evaluation
IEP Individualized Educational Program
IEPT Individualized Education Program Team
IFSP Individual Family Service Plan
ISD Intermediate School District LD Learning Disability
LEP Limited English Proficiency
LDA Learning Disability Association
LEA Local Education Agency
LOF Letter of Finding
LRE Least Restrictive Environment

Cyber Bullying Legislation:

MCD/RS Michigan Career Development/Rehabilitation Services
MDE, OSE/EIS Michigan Department of Education, Office of Special Education and Early Intervention Services
MET Multi-Disciplinary Evaluation Team
OCR Office of Civil Rights OHI Other Health Impairment (**WAS** formerly known as POHI)
OSEP Office of Special Education Programs
OSERS Office of Special Education and Rehabilitation Services
OT Occupational Therapy
P&A Protection and Advocacy
PA 451 Michigan Special Education Regulations
PAC Parent Advisory Committee
PE Physical Education
PI Physical Impairment (**WAS** formally POHI)
PLAAFP Present Level of Academic Achievement and Functional Performance
PLEP Present Level of Educational Performance
POHI **WAS** Physically and Otherwise Health Impaired (**NOW** known as PI or OHI)
PPI Pre-Primary Impaired Now known as EARLY CHILDHOOD DEVELOPMENTAL DELAY ECDD
PSA Public School Academy (Charter Schools)
PT Physical Therapy
SLI Speech and Language Impaired SMI **Was** Severe Mentally Impaired (**Now** known as COGNITIVE IMPAIRMENT CI) SSI Supplemental Security Income
SXI Severely Multiply Impaired
TBI Traumatic Brain Injury
TC Teacher Consultant
TMI **Was** Trainable Mentally Impaired (**Now** known as COGNITIVE IMPAIRMENT CI) VI Visual Impairment
VR Vocational Rehabilitation

THE MICHIGAN PENAL CODE (EXCERPT)
Act 328 of 1931

***** 750.411x.added THIS ADDED SECTION IS EFFECTIVE MARCH 27, 2019 *****

750.411x.added Cyberbullying prohibited; violation as misdemeanor; violation as felony; definitions.

Sec. 411x. (1) A person shall not cyberbully another person.

(2) A person who violates subsection (1) is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500.00, or both.

(3) A person who violates subsection (1), and who has a prior conviction for a violation of subsection (1), is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$1,000.00, or both.

(4) A person who violates subsection (1) in a manner that involves a continued pattern of harassing or intimidating behavior and by that violation causes serious injury to the victim is guilty of a felony punishable by imprisonment for not more than 5 years or a fine of not more than \$5,000.00, or both. As used in this subsection, "serious injury" means permanent, serious disfigurement, serious impairment of health, or serious impairment of a bodily function of a person.

(5) A person who violates subsection (1) in a manner that involves a continued pattern of harassing or intimidating behavior and by that violation causes the death of the victim is guilty of a felony punishable by imprisonment for not more than 10 years or a fine of not more than \$10,000.00, or both.

(6) As used in this section:

(a) "Cyberbully" includes posting a message or statement in a public media forum about any other person if both of the following apply:

(i) The message or statement is intended to place a person in fear of bodily harm or death and expresses an intent to commit violence against the person.

(ii) The message or statement is posted with the intent to communicate a threat or with knowledge that it will be viewed as a threat.

(b) "Pattern of harassing or intimidating behavior" means a series of 2 or more separate noncontinuous acts of harassing or intimidating behavior.

(c) "Public media forum" means the internet or any other medium designed or intended to be used to convey information to other individuals, regardless of whether a membership or password is required to view the information.

History: Add. 2018, Act 457, Iff. Mar. 27, 2019.

Valley Center Check Sheet

FRONT:

NCS Daily Check Sheet

Student Name: _____

Date: _____

Level: _____

Period	A	B	C	D	E	F	G	H	I	J	Rating Total	Level %	Points
Standard Expectations	Key with behavior definitions and scoring rubric are on back or this page. Score as 0, 1, 2, or 3.												
Be Safe											/ 30 =		Part-time students may need to adjust the 33 to show how many could be earned.
Follow Directions											/ 30 =		
Be Responsible											/ 30 =		
Be Respectful											/ 30 =		
Manage Feelings											/ 30 =		
We Are Healthy											/ 30 =		
SE column Sub Totals													
Individual Expectations	Key with expectation definitions is in the Behavior Intervention Plan. Score as 0, 1, 2, or 3.												
1.											/ 30 =		
2.											/ 30 =		
3.											/ 30 =		
IE column Sub-Totals											To Spend		Check Sheet
Total Score											Spent		Money Sheet
% By Period											Balance		Bonus
Plus Period?	Y	N	Y	N	Y	N	Y	N	Y	N	Y	N	
Bonus													
QR's Directed													
QR's Self Elected													
Restraint/SR/RS													
Staff Initials													Subtotal
													Total =

Daily Progress Report

Teacher Comment:

Parent Comment:

Standard Expectations: Plus Day	YES	NO
Individual Expectations: Plus Day	YES	NO
Reg. Station: #	Duration*	
Quiet Room: #	Duration*	
Seclusion: #	Duration*	
Restraint: #	Duration*	
R & R Form	Homework: [yes] [no]	
	Teacher Signature:	Parent Signature:

*Time in these locations is an estimate. Actual times are on the documentation from an incident, but these are not always available when this check sheet is completed.

Points by behavior	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30																			
Percent	0	3	7	10	13	17	20	23	27	30	33	37	40	43	47	50	53	57	60	63	67	70	73	77	80	83	87	90	93	97	100																			
Expectation %	Level 1 = 70% or higher										Level 2 = 75% or higher										Level 3 = 80% or higher										Level 4 = 80% or higher										Level 5 = 90% or higher									

CHECKSHEET BACK (scoring rubric):

Points	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
\$	0	.25	.50	.75	1.00	1.25	1.50	1.75	2.00	2.25	2.50	2.75	3.00	3.25	3.50	3.75	4.00	4.25	4.50	4.75	5.00	5.25	5.50	5.75	6.00	6.25	6.50	6.75	7.00	7.25	7.50

Points by period	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27										
Percent	0	4	7	11	15	19	22	26	30	33	37	41	44	48	52	56	59	63	67	70	74	78	81	85	89	93	96	100										
Expectation %	Level 1 = 70% or higher										Level 2 = 75% or higher										Level 3 = 80% or higher										Level 4 = 80% or higher				Level 5 = 90% or higher			

Key and Scoring Rubric for Standard Expectations

Standard Expectations	Definitions and Examples <small>These expectations are school wide.</small>	Score of 3	Score of 2	Score of 1	Score as 0
We Are Safe	Shows expected safe behaviors (words and actions) toward self, toward others, toward environment and toward materials.	Demonstrates ALL expected safe behaviors ALL OF THE TIME <u>in the classroom/learning setting</u>	Demonstrates MOST expected safe behaviors, MOST OF THE TIME.	Demonstrates SOME expected safe behaviors, SOME OF THE TIME.	Demonstrates only a FEW or NONE of the expected safe behaviors. Makes aggressive physical contact or serious threat of harm/damage. Walks out of assigned area <u>during</u> lockdown.
We Follow Directions	Follows directions by showing expected behaviors/responses right after directions are given, without arguing or unproductive commenting/questioning. Examples: remains in assigned area, follows established learning routines, moves/responds with purpose	Follows ALL directions, ALL OF THE TIME <u>in the classroom/learning setting</u>	Follows MOST directions, MOST OF THE TIME.	Follows SOME directions, SOME OF THE TIME.	Follows only a FEW or NONE of the directions.
We Are Responsible	Shows expected responsible behaviors by participating fully and completing work/tasks with quality.	Demonstrates ALL expected responsible behaviors, ALL OF THE TIME <u>in the classroom/learning setting</u>	Demonstrates MOST expected responsible behaviors, MOST OF THE TIME.	Demonstrates SOME expected responsible behaviors, SOME OF THE TIME.	Demonstrates only a FEW or NONE of the expected responsible behaviors.
We Are Respectful	Shows expected considerate and courteous behaviors (words, tone and actions) toward self, toward others, toward environment and toward materials	Demonstrates ALL expected respectful behaviors, ALL OF THE TIME <u>in the classroom/learning setting</u>	Demonstrates MOST expected respectful behaviors, MOST OF THE TIME.	Demonstrates SOME expected respectful behaviors, SOME OF THE TIME.	Demonstrates only a FEW or NONE of the expected respectful behaviors.
We Manage Our Feelings	Shows management of feelings by using tools/strategies without interruption/impact toward self, toward others, toward environment and toward materials. Examples: uses regulation station successfully, requests quiet room when needed	Demonstrates ALL expected behaviors to manage feelings ALL OF THE TIME <u>in the classroom/learning setting</u>	Demonstrates MOST expected behaviors to manage feelings, MOST OF THE TIME.	Demonstrates SOME expected behaviors to manage feelings, SOME OF THE TIME.	Demonstrates only a FEW or NONE of the expected behaviors to Manage Feelings.
We Are Healthy	Shows expected healthy behaviors by using supports that support good personal and community health. Examples: wearing masks, washing hands, social distancing, covering coughs, cleaning surfaces...	Demonstrates ALL expected healthy behaviors ALL OF THE TIME <u>in the classroom/learning setting</u>	Demonstrates MOST expected healthy behaviors, MOST OF THE TIME.	Demonstrates SOME expected healthy behaviors, SOME OF THE TIME.	Demonstrates only a FEW or NONE of the expected behaviors Be Healthy.

Level Evaluation System – Positive Behavior Support

The level system described below is also supported through explicit instruction of social emotional learning, tools and locations for self-regulation, and a consistent and neutral approach from trained staff.

As students meet expectations and demonstrate skills of each level, they will participate in a petition process before progressing to the next level. The intent of this process is to increase self and social awareness, goal setting and responsible decision making. These social emotional competency areas include skill building which support success in less restrictive environments.

Return to a less restrictive environment/LRE is not based solely on progressing through the level system. A student may be meeting expectations at the current standard, but the demand, rigor or environment may be being accommodated to support growth. In these cases we will continue to identify lagging skills and provide explicit instruction and opportunities to practice.

Daily Leveling:

Level	Responsibilities	Store	Vending Machine
5	<ul style="list-style-type: none"> Attend & Participate in Public School as Expected 90% or Better on Expectations Maintain Grades at 90% or Better 50 Plus Days to Move to Self-Monitoring 	Level 1, 2, 3, or 4 Shelves, M-Th Big Store, Friday	M, T, W, Th, and F With \$\$ from Home
4	<ul style="list-style-type: none"> Attend & Participate in Public School or LRE as Expected 80% or Better on Expectations Maintain Grades at 70% or Better 40 out of 50 Plus Days (last 10 consecutive) Self-regulate Without Interruption to learning for self or others (No RS/QR) Use Unsupervised Restroom and Hallway Breaks Appropriately 	Level 1, 2, 3, or 4 Shelves, M-Th Big Store, Friday	M, T, W, Th, and F With \$\$ from Home
3	<ul style="list-style-type: none"> Attendance is Consistent 80% or Better on Expectations Maintain Grades at 60% or Better Complete 60% or More of Assigned Work 30 out of 40 Plus Days (last 10 consecutive) 0 Directed Quiet Rooms 1 or Less Self Elected Quiet Rooms (30 minutes or less) Use Self-Regulation Strategies 	Level 1, 2, or 3 Shelves, M-Th Big Store, Friday	M, W, F With \$\$ from Home
2	<ul style="list-style-type: none"> Attendance is Consistent 75% or Better on Expectations 20 out of 30 Plus Days (last 5 consecutive) 2 or Less Quiet Rooms (Directed/Self Elected) per day (no more than 45 minutes total) Participate in Zones Check-Ins Identify Strategies for Self Follow Social Contract 	Level 1 and 2 Shelves, M-Th Big Store, Friday	W, F With \$\$ from Home
1	<ul style="list-style-type: none"> Attendance 10 Days (Consecutive) 70% or Better on Expectations 15 Plus Days (last 5 consecutive) 2 or Less Directed Quiet Rooms per day (no more than 1 hour total) Follow Directions at Check-In Return Signed Checksheet Consistently Learn & Practice Zones (emotions and strategies) Learn & Practice Expectations/Social Contract 	Level 1 Shelf, M-F	Fridays With \$\$ from Home

Partial Day Leveling:

Level	Responsibilities	Store	Vending Machine
1C	<ul style="list-style-type: none"> Attendance is Consistent 80% or Better on Expectations Maintain Grades at 60% or Better Complete 60% or More of Assigned Work 30 out of 40 Plus Days (last 10 consecutive) 0 Directed Quiet Rooms 1 or Less Self Elected Quiet Rooms (30 minutes or less) Use Self-Regulation Strategies 	Level 1, 2, or 3 Shelves, M-Th Big Store, Friday	M, W, F With \$\$ from Home
1B	<ul style="list-style-type: none"> Attendance is Consistent 75% or Better on Expectations 20 out of 30 Plus Days (last 5 consecutive) 2 or Less Quiet Rooms (Directed/Self Elected) per day (no more than 45 minutes total) Participate in Zones Check-Ins Identify Strategies for Self Follow Social Contract 	Level 1 and 2 Shelves, M-Th Big Store, Friday	W, F With \$\$ from Home
1A	<ul style="list-style-type: none"> Attendance 10 Days (Consecutive) 70% or Better on Expectations 15 Plus Days (last 5 consecutive) 2 or Less Directed Quiet Rooms per day (no more than 1 hour total) Follow Directions at Check-In Return Signed Checksheet Consistently Learn & Practice Zones (emotions and strategies) Learn & Practice Expectations/Social Contract 	Level 1 Shelf, M-F	Fridays With \$\$ from Home

Level System Privileges:

	Rec. Privileges		Classroom Completed Work Choices	On Hold
5	Other Privileges Contracted With Staff	Privileges May Include SelfMonitoring	No Change	<ul style="list-style-type: none"> Same Reasons as Levels 2, 3, and 4 <i>When on Hold:</i> Privileges return to Level 1. Responsibilities remain on Level 5. Plus Days don't count toward Leveling Up.
4	Personal Electronic Device During 1 Rec Period (Activity Approved by Staff and Device Returned)	Run Errands	No change	<ul style="list-style-type: none"> Same Reasons as Levels 2 and 3 <i>When on Hold:</i> Privileges return to Level 1. Responsibilities remain on Level 4. Plus Days don't count toward Leveling Up.
3	Pool Table Air Hockey		No change	<ul style="list-style-type: none"> Same Reasons as Level 2 OR Grades fall below 60% OR Less than 60% Work Completion <i>When on Hold:</i> Privileges return to Level 1. Responsibilities remain on Level 3. Plus Days don't count toward Leveling Up.
2	Kickball Ping Pong Foosball	Four Square Video Games (school-owned) Scooters Computer Use - teacher approved sites Classroom Completed Work choices	Level 1 plus... Teacher approved computer or ipad sites/apps Approved two-person games (board, card)	<ul style="list-style-type: none"> Attendance 60% or less for 2 weeks or longer OR 2 out of 3 "N" weeks OR Multiple persistent behaviors that are unproductive or a major disciplinary event <i>When on Hold:</i> Privileges return to Level 1. Responsibilities remain on Level 2. Plus Days don't count toward Leveling Up.
1	Basketball Badminton Swings Organ Walking/Running Laps	Exercise Stations Drawing/Coloring Puzzles Board Games Card Games Classroom Completed Work choices	Read Draw/Journal Independent Card Game Head Down Other staff approved	<i>Does not apply on Level 1</i>

VI. KRESA Information and Policies

[Kalamazoo RESA Board Policy](#) directly related to school topics listed below can be found on the remaining pages of this handbook.

- Attendance
- Anti-Harassment
- Bullying
- Sexual Harassment
- Student Discipline
- Suspension/Expulsion
- Directory Information
- Drug Prevention
- Due Process Rights
- FERPA
- Homeless Students
- Immunization
- Environmental Health and Safety Issues
- Medicaid Billing for Schools
- Nondiscrimination and Access to Equal Educational Opportunity
- Personal Communication Devices
- Search and Seizure
- Student Seclusion and Restraint
- Weapons
- Tobacco

A full listing of Kalamazoo RESA listing of our Board Policies can be found at:

<https://go.boarddocs.com/mi/kresa/Board.nsf/Public?open&id=policies>

[Covid-19 Policy](#) [KRESA Web Page with more Covid Related Info](#)

5200 - ATTENDANCE

The Board of Education as an agency of the State is required to enforce regular attendance of students. The Board recognizes that regular attendance and promptness are marks of a good student and a good citizen. In school, as in other facets of life, regular attendance and punctuality are necessary for success.

Attendance shall be required of all students participating in District programs, except those exempted under Policy [5223](#) or by other provisions of State law, during the days and hours that the programs are in session.

M.C.L. 380.1561, 380.1561 (3a-3c), 380.1586(3)

5517 - ANTI-HARASSMENT

General Policy Statement

It is the policy of the Board of Education to maintain an education and work environment that is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all School District operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct occurs during an activity sponsored by the Board.

The Board will vigorously enforce its prohibition against discriminatory harassment based on race, color, national origin, sex (including sexual orientation and sexual identity), disability, age (except as authorized by law), religion, height, weight, marital or family status, military status, ancestry, or genetic information (collectively, "Protected Classes") that are protected by Federal civil rights laws (hereinafter referred to as unlawful harassment), and encourages those within the School District community as well as third parties, who feel aggrieved to seek assistance to rectify such problems. The Board will investigate all allegations of unlawful harassment and in those cases where unlawful harassment is substantiated, the Board will take immediate steps to end the harassment, prevent its recurrence, and remedy its effects. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

For purposes of this policy, "School District community" means students, administrators, and professional and support staff, as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

For purposes of this policy, "third parties" include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off School District property).

Other Violations of the Anti-Harassment Policy

The Board will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

- A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation.
- B. Filing a malicious or knowingly false report or complaint of unlawful harassment.
- C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of unlawful harassment, when responsibility for reporting and/or investigating harassment charges comprises part of one's supervisory duties.

Definitions

Bullying

Bullying rises to the level of unlawful harassment when one or more persons systematically and chronically inflict physical hurt or psychological distress on one (1) or more students or employees and the bullying is based upon one (1) or more Protected Classes, that is, characteristics that are protected by Federal civil rights laws. It is defined as any unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational or work environment; cause discomfort or humiliation, or unreasonably interfere with the individual's school or work performance or participation; and may involve:

- A. teasing;
- B. threats;
- C. intimidation;
- D. stalking;
- E. cyberstalking;
- F. cyberbullying;

- G. physical violence;
- H. theft;
- I. sexual, religious, or racial harassment;
- J. public humiliation; or
- K. destruction of property.

Harassment

Harassment means any threatening, insulting, or dehumanizing gesture, use of technology, or written, verbal or physical conduct directed against a student or school employee that:

- A. places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property;
- B. has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or an employee's work performance; or
- C. has the effect of substantially disrupting the orderly operation of a school.

Sexual Harassment

Pursuant to Title VII of the Civil Rights Act of 1964 and Title IX of the Educational Amendments of 1972, "sexual harassment" is defined as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- A. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity.
- B. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual.
- C. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may involve the behavior of a person of either gender against a person of the same or opposite gender.

Prohibited acts that constitute sexual harassment may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

- A. Unwelcome sexual propositions, invitations, solicitations, and flirtations.
- B. Unwanted physical and/or sexual contact.
- C. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.
- D. Unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.
- E. Sexually suggestive objects, pictures, videotapes, audio recordings or literature, placed in the work or educational environment, which may embarrass or offend individuals.
- F. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.
- G. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.
- H. Remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.
- I. Inappropriate boundary invasions by a District employee or other adult member of the School District community into a student's personal space and personal life.
- J. Verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based or gender-based conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects, limits, or denies an individual's employment or education, or such that it creates a hostile or abusive employment or educational environment, or such that it is intended to, or has the effect of, denying or limiting a student's ability to participate in or benefit from the educational program or activities.

Race/Color Harassment

Explanatory Information can be found at kresa.org/BoardPolicies

Religious (Creed) Harassment

Explanatory Information can be found at kresa.org/BoardPolicies

National Origin/Ancestry Harassment

Explanatory Information can be found at kresa.org/BoardPolicies

Disability Harassment

Explanatory Information can be found at kresa.org/BoardPolicies

Reports and Complaints of Harassing Conduct

Students and other members of the School District community and third parties are encouraged to promptly report incidents of harassing conduct to a teacher, administrator, supervisor or other District official so that the Board may address the conduct before it becomes severe, pervasive, or persistent. Any teacher, administrator, supervisor, or other District employee or official who receives such a complaint shall file it with the District's Anti-Harassment Compliance Officer at his/her first convenience.

Further Information can be found at kresa.org/BoardPolicies

Anti-Harassment Compliance Officers

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

Tom Zahrt
Director of Human Resources

Margaret McGlinchey
Assistant Superintendent for Instruction

Kalamazoo Regional Educational Service
Agency
1819 East Milham Avenue
Portage, MI 49002
269-250-9200

Kalamazoo Regional Educational Service
Agency
1819 East Milham Avenue
Portage, MI 49002
269-250-9200

The names, titles, and contact information of these individuals will be published annually in the parent and staff handbooks and on the School District's web site.

The Compliance Officers will be available during regular school/work hours to discuss concerns related to unlawful harassment, to assist students, other members of the District community, and third parties who seek support or advice when informing another individual about "unwelcome" conduct, or to intercede informally on behalf of the student, other member of the School District community or third party in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.

Further Information can be found at kresa.org/BoardPolicies

Investigation and Complaint Procedure

Any student who believes that s/he has been subjected to unlawful harassment may seek resolution of his/her complaint through either the informal or formal procedures as described below. Further, a process for investigating claims of harassment or retaliation and a process for rendering a decision regarding whether the claim of legally prohibited harassment or retaliation was substantiated are set forth below.

Due to the sensitivity surrounding complaints of unlawful harassment or retaliation, time lines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) business days of the complaint being received).

The informal and formal procedures set forth below are not intended to interfere with the rights of a student to pursue a complaint of unlawful harassment or retaliation with the United States Department of Education Office for Civil Rights.

Informal Complaint Procedure

The goal of the informal complaint procedure is to stop inappropriate behavior and to investigate and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student who believes s/he has been unlawfully harassed or retaliated against. This informal procedure is not required as a precursor to the filing of a formal complaint.

Students who believe that they have been unlawfully harassed may initiate their complaint through this informal complaint process, but are not required to do so. The informal process is only available in those circumstances where the parties (alleged target of harassment and alleged harasser(s)) agree to participate in the informal process.

Students who believe that they have been unlawfully harassed or retaliated may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

However, all complaints of harassment involving a District employee or any other adult member of the School District community against a student will be formally investigated. Similarly, any allegations of sexual violence will be formally investigated.

As an initial course of action, if a student feels that s/he is being unlawfully harassed and s/he is able and feels safe doing so, the individual should tell or otherwise inform the harasser that the conduct is unwelcome and must stop. Such direct communication should not be utilized in circumstances involving sexual violence. The complaining individual should address the allegedly harassing conduct as soon after it occurs as possible. The Compliance Officers are available to support and counsel individuals when taking this initial step or to intervene on behalf of the individual if requested to do so. An individual who is uncomfortable or unwilling to inform the harasser of his/her complaint is not prohibited from otherwise filing an informal or a formal complaint. In addition, with regard to certain types of unlawful harassment, such as sexual harassment, the Compliance Officer may advise against the use of the informal complaint process.

A student who believes s/he has been unlawfully harassed may make an informal complaint, either orally or in writing: (1) to a teacher, other employee, or building administrator in the school the student attends; (2) to the Superintendent or other District-level employee; and/or (3) directly to one of the Compliance Officers.

All informal complaints must be reported to one of the Compliance Officers who will either facilitate an informal resolution as described below on his/her own, or appoint another individual to facilitate an informal resolution.

The School District's informal complaint procedure is designed to provide students who believe they are being unlawfully harassed with a range of options designed to bring about a resolution of their concerns. Depending upon the nature of the complaint and the wishes of the student claiming unlawful harassment, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the student about how to communicate the unwelcome nature of the behavior to the alleged harasser.
- B. Distributing a copy of the anti-harassment policy as a reminder to the individuals in the school building or office where the individual whose behavior is being questioned works or attends.
- C. If both parties agree, the Compliance Officer may arrange and facilitate

a meeting between the student claiming harassment and the individual accused of harassment to work out a mutual resolution. Such a meeting is not appropriate in circumstances involving sexual violence.

While there are no set time limits within which an informal complaint must be resolved, the Compliance Officer or designee will exercise his/her authority to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. Parties who are dissatisfied with the results of the informal complaint process may proceed to file a formal complaint. And, as stated above, parties may request that the informal process be terminated at any time to move to the formal complaint process.

All materials generated as part of the informal complaint process will be retained by the Compliance Officers in accordance with the School Board's records retention policy and/or Student Records policy. (See Policy [8310](#) and Policy [8330](#).)

Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one of the parties has requested that the informal complaint process be terminated to move to the formal complaint process, or if the student elects to file a formal complaint initially, the formal complaint process shall be implemented.

Further Explanatory Information can be found at kresa.org/BoardPolicies

Privacy/Confidentiality

The School District will employ all reasonable efforts to protect the rights of the complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy and its related administrative guidelines shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. All Complainants proceeding through the formal investigation process will be advised that their identities may be disclosed to the Respondent.

Further Information can be found at kresa.org/BoardPolicies

Sanctions and Monitoring

Explanatory Information can be found at kresa.org/BoardPolicies

Retaliation

Any act of retaliation against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation is prohibited.

Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct

State law requires any school teacher or school employee who knows or suspects that a student with a disability who is twenty-six (26) years or younger or a student under the age of eighteen (18) has suffered or faces a threat of suffering a physical or mental wound, disability or condition of a nature that reasonably indicates abuse or neglect of a child to immediately report that knowledge or suspicion to the county children's services agency. If, during the course of a harassment investigation, the Compliance Officer or a designee has reason to believe or suspect that the alleged conduct reasonably indicates abuse or neglect of the Complainant, a report of such knowledge must be made in accordance with State law and Board Policy.

Any reports made to a county children's services agency or to local law enforcement shall not terminate the Compliance Officer or a designee's obligation and responsibility to continue to investigate a complaint of harassment. While the Compliance Officer or a designee may work cooperatively with outside agencies to conduct concurrent investigations, in no event shall the harassment investigation be inhibited by the involvement of outside agencies without good cause after consultation with the Superintendent.

Education and Training

Explanatory Information can be found at kresa.org/BoardPolicies

Titles VI and VII of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq.; 20 U.S.C. 1400 et seq., The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA); 20 U.S.C. 1681 et seq.; 29 U.S.C. 794, Rehabilitation Act of 1973, as amended; 29 U.S.C. 6101, The Age Discrimination Act of 1975; 42 U.S.C. 2000d et seq.; 2 U.S.C. 2000e et seq. 42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended 42 U.S.C. 1983; 42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act; 29 C.F.R. Part 1635; Title IX of the Educational Amendments of 1972, 20 U.S.C. 1681 et seq.; Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794; The Americans with Disabilities Act of 1990, 42 U.S.C. 12101 et seq.; The Handicappers' Civil Rights Act, M.C.L. 37.1101 et seq.; The Elliott-Larsen Civil Rights Act, M.C.L. 37.2101, et seq. Policies on Bullying, Michigan State Board of Education, 7-19-01; Model Anti-Bullying Policy, Michigan State Board of Education, 09-2006; National School Boards Association Inquiry and Analysis – May 2008

5517.01 - BULLYING AND OTHER AGGRESSIVE BEHAVIOR TOWARD STUDENTS

It is the policy of the District to provide a safe and nurturing educational environment for all of its students.

This policy protects all students from bullying/aggressive behavior regardless of the subject matter or motivation for such impermissible behavior.

Bullying or other aggressive behavior toward a student, whether by other students, staff, or third parties, including Board members, parents, guests, contractors, vendors, and volunteers, is strictly prohibited. This prohibition includes written, physical, verbal, and psychological abuse, including hazing, gestures, comments, threats, or actions to a student, which cause or threaten to cause bodily harm, reasonable fear for personal safety or personal degradation.

Demonstration of appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment or bullying is expected of administrators, faculty, staff, and volunteers to provide positive examples for student behavior.

This policy applies to all "at school" activities in the District, including activities on school property, in a school vehicle, and those occurring off school property, if the student or employee is at any school-sponsored, school-approved or school-related activity or function, such as field trips or athletic events where students are under the school's control, or where an employee is engaged in school business. Misconduct occurring outside of school may also be disciplined if it interferes with the school environment.

Notification

Notice of this policy will be annually circulated to and posted in conspicuous locations in all school buildings and departments within the District and discussed with students, as well as incorporated into the teacher, student, and parent/guardian handbooks. State and Federal rights posters on discrimination and harassment shall also be posted at each building. All new hires will be required to review and sign off on this policy and the related complaint procedure.

Parents or legal guardians of the alleged victim(s), as well as of the alleged aggressor(s), shall be promptly notified of any complaint or investigation as well as the results of the investigation to the extent consistent with student confidentiality requirements. A record of the time and form of notice or attempts at notice shall be kept in the investigation file.

To the extent appropriate and/or legally permitted, confidentiality will be maintained during the investigation process. However, a proper investigation will, in some circumstances, require the disclosure of names and allegations. Further, the appropriate authorities may be notified, depending on the nature of the complaint and/or the results of the investigation.

Reporting

Further Information can be found at kresa.org/BoardPolicies

Implementation

Explanatory Information can be found at kresa.org/BoardPolicies

Procedure

Any student who believes s/he has been or is the victim of bullying, hazing, or other aggressive behavior should immediately report the situation to the Principal or assistant principal. The student may also report concerns to a teacher or counselor who will be responsible for notifying the appropriate administrator or Board official. Complaints against the building principal should be filed with the Superintendent. Complaints against the Superintendent should be filed with the Board President.

A student may also submit a report or complaint to any of the above designated individuals through email, voicemail, regular mail or by leaving a sealed note addressed to the individual at that person's office or desk. The student may submit a report or complaint anonymously, but this may affect the ability to fully investigate the matter, when the complaining student is not available to provide additional information during the course of the investigation.

The identity of a student who reports bullying, hazing or aggressive behavior, as well as those students who provide information during an investigation will remain confidential to the extent possible and to the extent allowable by law. Only school personnel directly involved in the investigation of the complaint or responsible for remedying any violations will be provided access to the identity of the complaining student(s) and student witnesses, and then only to the extent necessary to effectively deal with the situation.

The identity of the student who files the report or complaint will not be voluntarily shared with the alleged perpetrator(s) or the witnesses unless the student (and his/her parent/guardian) give written permission to do so. Any investigation report will likewise not be voluntarily produced with the names of the reporting student(s) or witnesses. However, under certain circumstances, the District may be required by law to disclose the report and/or the student(s) names. Also, under certain circumstances, the identity of the reporting student may become obvious even without disclosure by school personnel.

Every student is encouraged, and every staff member is required, to report any situation that they believe to be aggressive behavior directed toward a student. Reports shall be made to those identified above. While reports may be made anonymously, formal disciplinary action may not be taken solely on the basis of an anonymous report without other corroborating evidence.

The Principal (or other designated administrator) shall promptly investigate and document all complaints about bullying, aggressive or other behavior that may violate this policy. The investigation must be completed as promptly as the circumstances permit after a report or complaint is made.

If the investigation finds an instance of bullying or aggressive behavior has occurred, it will result in prompt and appropriate remedial action. This may include up to expulsion for students, up to discharge for employees, exclusion for parents, guests, volunteers and contractors, and removal from any official position and/or a request to resign for Board members. Individuals may also be referred to law enforcement or other appropriate officials.

If, during an investigation of a reported act of harassment, intimidation and/or bullying/cyberbullying, the Principal or appropriate administrator believes that the reported misconduct may have created a hostile learning environment and may have constituted unlawful discriminatory harassment based on a Protected Class, the Principal will report the act of bullying and/or harassment to one of the Anti-Harassment Compliance Officers so that it may be investigated in accordance with the procedures set forth in Policy [5517](#) - Anti-Harassment.

The individual responsible for conducting the investigation shall document all reported incidents and report all verified incidents of bullying, aggressive or other prohibited behavior, as well as any remedial action taken, including disciplinary actions and referrals, to the Superintendent. The Superintendent shall submit a compiled report to the Board on an annual basis.

Non-Retaliation/False Reports

Retaliation or false allegations against any person who reports, is thought to have reported, files a complaint, participates in an investigation or inquiry concerning allegations of bullying or aggressive behavior (as a witness or otherwise), or is the target of the bullying or aggressive behavior being investigated, is prohibited and will not be tolerated. Such retaliation shall be considered a serious violation of Board policy, independent of whether a complaint of bullying is substantiated. Suspected retaliation should be reported in the same manner as bullying/aggressive behavior.

Making intentionally false reports about bullying/aggressive behavior for the purpose of getting someone in trouble is similarly prohibited and will not be tolerated. Retaliation and intentionally false reports may result in disciplinary action as indicated above.

Definitions

The following definitions are provided for guidance only. If a student or other individual believes there has been bullying, hazing, harassment or other aggressive behavior, regardless of whether it fits a particular definition, s/he should report it immediately and allow the administration to determine the appropriate course of action.

"Aggressive behavior" is defined as inappropriate conduct that is repeated enough, or serious enough, to negatively impact a student's educational, physical, or emotional well-being. Such behavior includes, for example, bullying, hazing, stalking, intimidation, menacing, coercion, name-calling, taunting, making threats, and hitting/pushing/shoving.

"At School" is defined as in a classroom, elsewhere on school premises, on a school bus or other school-related vehicle, or at a school-sponsored activity or event whether or not it is held on school premises. It also includes conduct using a telecommunications access device or telecommunications service provider that occurs off school premises if either owned by or under the control of the District.

"Bullying" is defined as any written, verbal, or physical acts, including cyber bullying (i.e. any electronic communication, including, but not limited to electronically transmitted acts, such as internet, telephone or cell phone, personal digital assistant (PDA), or wireless hand held device) that, without regard to its subject matter or motivating animus, is intended or that a reasonable person would know is likely to harm one (1) or more students either directly or indirectly by doing any of the following:

- A. substantially interfering with educational opportunities, benefits, or programs of one (1) or more students;
- B. adversely affecting the ability of a student to participate in or benefit from the school district's educational programs or activities by placing the student in reasonable fear of physical harm or by causing substantial emotional distress;
- C. having an actual and substantial detrimental effect on a student's physical or mental health; and/or
- D. causing substantial disruption in, or substantial interference with, the orderly operation of the school.

Bullying can be physical, verbal, psychological, or a combination of all three. Some examples of bullying are:

- A. Physical – hitting, kicking, spitting, pushing, pulling; taking and/or damaging personal belongings or extorting money, blocking or impeding student movement, unwelcome physical contact.
- B. Verbal – taunting, malicious teasing, insulting, name calling, making threats.

- C. Psychological – spreading rumors, manipulating social relationships, coercion, or engaging in social exclusion/shunning, extortion, or intimidation. This may occur in a number of different ways, including but not limited to notes, emails, social media postings, and graffiti.

"Harassment" includes, but is not limited to, any act which subjects an individual or group to unwanted, abusive behavior of a nonverbal, verbal, written or physical nature, often on the basis of age, race, religion, color, national origin, marital status or disability, but may also include sexual orientation, physical characteristics (e.g., height, weight, complexion), cultural background, socioeconomic status, or geographic location (e.g., from rival school, different state, rural area, city, etc.).

"Intimidation/Menacing" includes, but is not limited to, any threat or act intended to: place a person in fear of physical injury or offensive physical contact; to substantially damage or interfere with person's property; or to intentionally interfere with or block a person's movement without good reason.

"Staff" includes all school employees and Board members.

"Third parties" include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors, vendors, or others engaged in District business, and others not directly subject to school control at interdistrict or intra-district athletic competitions or other school events.

For further definition and instances that could possibly be construed as:

Harassment, see Policy [5517](#); Hazing, see Policy [5516](#).

M.C.L. 380.1310B (Matt's Safe School Law, PA 241 of 2011), PA 478 of 2014; Policies on Bullying, Michigan State Board of Education; Model Anti-Bullying Policy, Michigan State Board of Education

5600 - STUDENT DISCIPLINE

The Board shall require each student of this District to adhere to the Code of Conduct promulgated by the administration and to submit to such disciplinary measures as are appropriately assigned for infraction of those rules. Such rules shall require that students:

- A. conform to reasonable standards of socially-acceptable behavior;
- B. respect the person and property of others;
- C. preserve the degree of order necessary to the educational program in which they are engaged;
- D. respect the rights of others;
- E. obey constituted authority and respond to those who hold that authority.

The Superintendent shall designate sanctions, excluding corporal punishment, for the infractions of rules which shall:

- A. relate in kind and degree to the infraction;
- B. help the student learn to take responsibility for his/her actions;
- C. be directed, where possible, to reduce the effects of any harm which may have been caused by the student's misconduct.

The Board shall attempt to provide, as resources permit, alternative programs and activities for disruptive students as a means to prevent or reduce discipline problems. In planning such programs, the Superintendent shall include procedures which ensure cooperation with those community agencies and organizations which can provide assistance to such students.

The Superintendent shall publish to all students and their parents the rules of this District regarding student conduct, the sanctions which may be imposed for breach of those rules, and the due process procedures that will be followed in administering the Code of Conduct.

The principal shall have the authority to assign discipline to students, subject to District administrative guidelines and the student's due process right to notice, hearing, and appeal.

Teachers and other employees of this Board having authority over students shall have the authority to take such means as may be necessary to control the disorderly conduct of students

A. in all situations and in all places where such students are within the jurisdiction of this Board. B. when such conduct interferes with the educational program of the schools or threatens the health and safety of others.

5605 - SUSPENSION/EXPULSION OF STUDENTS WITH DISABILITIES

In matters relating to the disciplining of students with disabilities, the Board of Education shall abide by Federal and State laws regarding suspension and expulsion.

20 U.S.C. Section 1401 et seq; Section 504, 1973 Rehab. Act; 29 U.S.C. 701 et seq.; 34 C.F.R. 300.520 et seq; U.S. Supreme Court, **Honig v Doe**, 56 USLW 4091; M.C.L. 380.11

5610 - EMERGENCY REMOVAL, SUSPENSION, AND EXPULSION OF STUDENTS

The Board of Education is continually concerned about the safety and welfare of District students and staff and, therefore, will not tolerate behavior that creates an unsafe environment, a threat to safety, or undue disruption of the educational environment.

Factors to be Considered Before Suspending or Expelling a Student

The Board of Education also recognizes that exclusion from the educational program of the schools is a severe sanction that should only be imposed after careful and appropriate consideration.

Except as otherwise noted below with respect to possession of a firearm in a weapon-free school zone, if suspension or expulsion of a student is considered, the Board (Superintendent) shall consider the following factors prior to making a determination of whether to suspend or expel:

- A. the student's age
- B. the student's disciplinary history
- C. whether the student has a disability
- D. the seriousness of the violation or behavior
- E. whether the violation or behavior committed by the student threatened the safety of any student or staff member

- F. whether restorative practices will be used to address the violation or behavior
- G. whether a lesser intervention would properly address the violation or behavior

The Superintendent will exercise discretion over whether or not to suspend or expel a student. In exercising that discretion for a suspension of more than ten (10) days or expulsion, there is a rebuttable presumption that a suspension or expulsion is not justified unless the Superintendent can demonstrate that it considered each of the factors listed above. For a suspension of ten (10) days or fewer, there is no rebuttable presumption, but the Superintendent will still consider these factors in making the determination.

Restorative Practices

The Superintendent shall consider using restorative practices as an alternative to or in addition to suspension or expulsion. If the District determines that it will utilize restorative practices in addition to or as an alternative to suspension or expulsion of a student, it will engage in restorative practices which emphasize repairing the harm to the victim and school community caused by the student's misconduct.

Restorative practices should be the first consideration to remediate offenses such as interpersonal conflicts, bullying, verbal and physical conflicts, theft, damage to property, class disruption, and harassment and cyberbullying.

If the Superintendent decides to utilize restorative practices as an alternative to or in addition to suspension or expulsion, the restorative practices may include victim-offender conferences that:

- A. are initiated by the victim;
- B. are approved by the victim's parent or legal guardian or, if the victim is at least fifteen (15), by the victim;
- C. are attended voluntarily by the victim, a victim advocate, the offender, members of the school community, and supporters of the victim and the offender (the "restorative practices team");
- D. would provide an opportunity for the offender to accept responsibility for the harm caused to those affected, and to participate in setting consequences to repair the harm, such as requiring the student to apologize; participate in community service, restoration of emotional or material losses, or counseling; pay restitution; or any combination of these.

The selected consequences and time limits for their completion will be incorporated into an agreement to be signed by all participants.

Due Process

The Board recognizes exclusion from the educational programs of the District, whether by suspension or expulsion, is the most severe sanction that can be imposed on a student and is one that cannot be imposed without appropriate due process since exclusion deprives a child of the right to an education. The Board also recognizes that it may be necessary for a teacher to remove a student from class for conduct disruptive to the learning environment and that such removals are not subject to a prior hearing, provided the removal is for a period of less than twenty-four (24) hours. However, if an emergency removal may result in a suspension, then due process must be ensured.

In all cases resulting in short-term suspension, long-term suspension, or expulsion, appropriate due process rights described in Policy 5611 and AG 5610 must be observed. The Principal shall check to make sure the student is not classified as disabled under Section 504. Students with disabilities under IDEA or Section 504 shall be expelled only in accordance with their rights under Federal law.

For purposes of this policy, suspension shall be either short-term (not more than ten (10) days) or long-term (for more than ten (10) days but less than permanent expulsion) removal of a student from a regular District program. The Superintendent may suspend a student for a period not to exceed ten (10) school days.

For purposes of this policy, unless otherwise defined in Federal and/or State law, expulsion is defined as the permanent exclusion of a student from the District. Students who are expelled may petition for reinstatement as provided below.

Emergency Removal or Short-Term Suspension

A student may be removed from a class, subject, or activity for one (1) day by his/her teacher for certain conduct as specified in the Code of Conduct, or he/she may be given a short-term suspension by the Superintendent. A student so removed may not be allowed to attend other classes taught by other teachers during the term of the one (1) day removal. A student removed from the same class for ten (10) days will be entitled to the process for short-term suspensions outlined in AG 5610. A student removed from the same class for more than ten (10) days will be entitled to the process for long-term suspensions outlined in AG 5610. The Board designates the Superintendent as its representative at any hearings regarding the appeal of a suspension.

Long-Term Suspension or Expulsion

Due process set out in Policy 5611 and AG 5610 shall be followed in all circumstances in which a student may be expelled or suspended for a period of more than ten (10) days.

The Superintendent may recommend to the Board a long-term suspension or that a student be expelled.

In all cases resulting in short-term suspension, long-term suspension, or expulsion, appropriate due process rights must be observed. In determining whether a student is to be suspended or expelled, District administrators shall use a preponderance of evidence standard.

The Superintendent shall develop procedures to implement this policy that shall include the following:

- A. strategies for providing special assistance to students in danger of being expelled and not achieving the academic outcomes of the District's core curriculum;
- B. standards of behavior for all students in accordance with District Board policy on student discipline;
- C. procedures that ensure due process; and
- D. provision for make-up work at home, when appropriate.

When making a determination whether or not a student will be expelled or permanently excluded under this policy, the Superintendent shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315 - Information Management (i.e. "Litigation Hold")) created and/or received as part of an investigation.

The documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State law – e.g., student records and confidential medical records.

The documents, ESI, and electronic media (as defined in Policy 8315) shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the District's records retention schedule.

Persistent Disobedience or Gross Misconduct/CSC Against Another District Student

Any student may be removed from the classroom, and/or, after consideration of the factors identified above, suspended or expelled for persistent disobedience or gross misconduct or if the student commits criminal sexual conduct against another student enrolled in the District regardless of the location of the conduct. A student may not be expelled or excluded from the regular school program based on pregnancy status.

In recognition of the negative impact on a student's education, the Board encourages the District's administrators to view suspensions, particularly those over ten (10) days, and permanent expulsions as a discipline of last resort, except where these disciplines are required by law. Alternatives to avoid or to improve undesirable behaviors should be explored when possible prior to implementing or requesting a suspension or expulsion.

Physical and Verbal Assault

Unless a different determination is made after consideration of the factors identified above, the District shall permanently expel a student in grade six (6) or above if that student commits physical assault at school against a staff member, a volunteer, or a contractor.

Unless a different determination is made after consideration of the factors identified above, the District shall suspend or expel a student in grade six (6) or above for up to 180 school days if the student commits physical assault at school against another student.

Physical assault is defined as "intentionally causing or attempting to cause physical harm to another through force or violence."

Unless a different determination is made after consideration of the factors identified above, the District shall suspend or expel a student in grade six (6) or above and may discipline, suspend or expel a student in grade five (5) and below for a period of time as determined at the Board's discretion if the student commits verbal assault at school against a District employee, volunteer, or contractor or makes a bomb threat or similar threat directed at a school building, property, or at a school-related activity.

Verbal assault is a communicated intent to inflict physical or other harm on another person, with a present intent and ability to act on the threat.

"At school" means in a classroom, elsewhere on school premises, on a school bus or other school-related vehicle, or at a school-sponsored activity or event whether or not it is held on school premises.

The District may provide appropriate instructional services at home for an expelled student not placed in an Alternative Education Program. The instructional services provided shall be similar to those provided to homebound or hospitalized students and shall be contracted for in the same manner.

Weapons, Arson, Criminal Sexual Conduct

In compliance with State and Federal law, and unless a different determination is made after consideration of the factors identified above, the District shall expel any student who possesses a dangerous weapon, other than a firearm, in the District's weapon-free school zone (except as noted below), commits either arson or criminal sexual conduct in a school building or on school property, including school buses and other District transportation, or pleads to, is convicted of or is adjudicated of criminal sexual conduct against another student enrolled in the District.

In compliance with State and Federal law, the District shall expel any student who possesses a firearm in the District's weapon-free school zone in violation of State law, unless the student can establish the mitigating factors relating to possession of a dangerous weapon set out below, by clear and convincing evidence.

For purposes of this policy, a "dangerous weapon" is defined by law as 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. This definition also includes other devices designed to (or likely to) inflict bodily harm, including, but not limited to, air guns and explosive devices. The term "firearm" is defined as any weapon (including a starter gun) that will, is designed to, or may readily be converted to expel a projectile by the action of the explosive, the frame, or the bearer of any such weapon, as well as a firearm muffler, firearm silencer, or any such destructive device.

The District need not expel a student for possession of a dangerous weapon, including a firearm, if the student can establish in a clear and convincing manner the following mitigating factor(s) to the satisfaction of the Board the:

- A. object or instrument was not possessed for use as a weapon, or for direct (or indirect) delivery to another person for use as a weapon; or
- B. weapon was not knowingly possessed; or
- C. student did not know (or have reason to know) that the object or instrument in his/her possession constituted a dangerous weapon; or

- D. weapon was possessed at the suggestion, request, direction of, or with the express permission of the Superintendent or the police.

There is a rebuttable presumption that expulsion for possessing the weapon is not justified if the Superintendent determines in writing that the student has established that he or she fits under one of the exceptions above by clear and convincing evidence, and that the student has no previous history of suspension or expulsion.

For expulsions for dangerous weapons, arson, criminal sexual conduct, or assault upon an employee, volunteer, or contractor, the Superintendent shall provide that the expulsion is duly noted in the student's record, the student is referred to the Department of Human Services or Department of Community Health within three (3) school days after the expulsion, and the parents are informed of the referral. Furthermore, if a student who is expelled is below the age of sixteen (16), the Superintendent shall ensure notification of the expulsion is given to the Juvenile Division of the Probate Court. In compliance with Federal law, the Superintendent shall also refer any student (regardless of age) expelled for possession of a dangerous weapon to the criminal justice or juvenile delinquency system serving the District. In addition, the Superintendent shall send a copy of this policy to the State Department of Education and shall include a description of the circumstances surrounding the expulsion of the student for possessing a firearm or weapon in the District's weapon-free school zone, together with the name of the District, the number of students so expelled, and the types of firearms or weapons brought into the weapon-free school zone.

A student expelled under this policy for dangerous weapons, arson, criminal sexual conduct, or assault upon an employee, volunteer, or contractor may apply for reinstatement in accordance with the following guidelines:

- A. If the student is in grade five (5) or below at the time of the expulsion and was expelled for possessing a firearm or threatening another person with a dangerous weapon, the parents, legal guardian, adult student, or emancipated minor may submit a request for reinstatement after sixty (60) school days from the date of expulsion, but the student may not be reinstated before ninety (90) school days from the expulsion date.
- B. If the student is in grade five (5) or below at the time of the expulsion and was expelled for a reason other than possessing a firearm or threatening another person with a dangerous weapon, the parents, legal guardian, or emancipated minor may submit a request for reinstatement at any time, but the student may not be reinstated before ten (10) school days from the expulsion date.
- C. If the student is in grade six (6) or above at the time of the expulsion, the parents, legal guardian, adult student, or emancipated minor may submit a request for reinstatement after 150 school days from the date of the expulsion, but the student may not be reinstated before 180 school days from the expulsion date.
- D. The parent, adult student, or emancipated minor shall submit the request for reinstatement to the Superintendent.
- E. Within ten (10) school days after receiving the petition, the Board shall appoint a committee consisting of two (2) Board members, a school administrator, a teacher, and a school-parent representative. During this time period, the Superintendent shall prepare and submit for consideration by the committee information concerning the circumstances of the expulsion and any factors mitigating for or against reinstatement.
- F. Within ten (10) school days after being appointed, the committee shall review all pertinent information and submit its recommendation to the Board. The recommendation may be for unconditional reinstatement, conditional reinstatement, or non-reinstatement, based on the committee's consideration of the following the:
 - 1. extent to which reinstatement would create a risk of harm to students or school staff;
 - 2. extent to which reinstatement would create a risk of school or individual liability for the Board or school staff;
 - 3. age and maturity of the student;
 - 4. student's school record before the expulsion incident;
 - 5. student's attitude concerning the expulsion incident;

6. student's behavior since the expulsion and the prospects for remediation.
- G. The degree of cooperation and support the parent has provided and will provide if the student is reinstated (if the request was filed by a parent), including, but not limited to the parent's receptiveness toward any conditions placed on the reinstatement. Such conditions, for example, might include a written agreement by the student and/or a parent who filed the reinstatement request to accomplish the following:
 1. abide by a behavior contract involving the student, his/her parents, and an outside agency;
 2. participate in an anger management program or other counseling activities;
 3. cooperate in processing and discussing periodic progress reviews;
 4. meet other conditions deemed appropriate by the committee;
 5. accept the consequences for not fulfilling the agreed-upon conditions.

The Board shall make its decision no later than the next regular Board meeting following the committee's submission of its recommendations. The Board's decision shall be final and is not subject to appeal.

In the event a student who has been permanently expelled from another school requests admission to this District, in making its decision, the Board shall follow the same procedure it has established in paragraphs A-G, above, for the reinstatement of a student.

Students expelled for reasons other than dangerous weapons, arson, criminal sexual conduct, or assault upon an employee, volunteer, or contractor may also petition the Board for reinstatement. The Board may, at its discretion, consider the petition in accordance with the procedures set forth above.

The Superintendent shall ensure Board policies and procedures regarding a student's rights to due process are followed when dealing with a possible suspension or expulsion under this policy.

In-School Discipline

The purpose of this policy is to provide an alternative to out of school suspension. The availability of in-school discipline options is dependent upon the financial ability of the Board to support such a program.

In-school discipline will only be offered at the discretion of the Superintendent for offenses found in the Student Code of Conduct.

The Superintendent is to establish procedures for the proper operation of such a program and to ensure appropriate dueprocess procedures are followed as applicable. (See Policy 5630.01)

Due Process Rights

The Board recognizes the importance of safeguarding a student's constitutional rights, particularly when subject to the District's disciplinary procedures.

To better ensure appropriate due-process is provided to a student, the Board establishes the following:

A. Students Subject to Short-Term Suspension

Except when emergency removal is warranted, a student must be given at least oral notice of the charges against him/her and the opportunity to respond prior to the implementation of a suspension. When emergency removal has been implemented, notice and opportunity to respond shall occur as soon as reasonably possible. The Superintendent or other designated administrator shall provide the opportunity to be heard and shall be responsible for making the suspension decision. An appeal may be addressed to the Superintendent whose decision will be final.

B. Students Subject to Long-Term Suspension and Expulsion

A student and his/her parent or guardian must be given written notice of the intention to suspend or expel and the reasons therefor and must also be given an opportunity to appear before the Board with a representative to answer the charges. The student and/or his/her guardian must also be provided a brief description of the student's rights and the hearing procedure, a list of the witnesses who will provide testimony to the Board, and a summary of the facts to which the witnesses will testify. At the student/parent's request, the hearing shall be held in closed session, but the Board must act publicly. The Board shall act by providing a written decision on any appeal of an expulsion, a request for reinstatement, or a request for admission after permanent expulsion from another school.

The Superintendent shall develop procedures to ensure all members of the staff use the above guidelines when dealing with students. In addition, this statement of due process rights shall be placed in all student handbooks, in a manner that facilitates understanding by students and their parents.

Corporal Punishment

While recognizing that students may require disciplinary action in various forms, the Board does not condone the use of unreasonable force and fear as an appropriate procedure in student discipline.

Staff shall not use physical force or violence to compel obedience. If all other means fail, staff members may always resort to the removal of the student from the classroom or District through suspension or expulsion procedures.

Within the scope of their employment, all staff may use reasonable force and apply restraint to accomplish the following:

- A. restrain or remove a student who refuses to comply with a request to behave or report to the office;
- B. quell a disturbance threatening physical injury to self or others;
- C. obtain possession of weapons or other dangerous objects within the control of the student, for either self-defense; or
- D. the protection of persons or property.

In accordance with State law, corporal punishment shall not be permitted. If any staff member (full-time, part-time, or substitute) deliberately inflicts, or causes to be inflicted, physical pain upon the student (by hitting, paddling, spanking, slapping, or any other kind of physical force) as a means of discipline, the staff member may be subject to discipline and possibly criminal assault charges. This prohibition also applies to volunteers and those with whom the District contracts for services.

The Superintendent shall provide guidelines, including a list of alternatives to corporal punishment.

Removal, Suspension, and Expulsion of Students with Disabilities

The District shall abide by Federal and State laws in matters relating to discipline, suspension, and expulsion of disabled students.

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Legal

M.C.L. 380.1301, 380.1309, 380.1310d, 380.1311

20 U.S.C. 3351

State Board of Education, Resolution to Address School Discipline Issues Impacting Student Outcomes, Adopted June 12, 2012

5611 - DUE PROCESS RIGHTS

The Board of Education recognizes the importance of safeguarding a student's constitutional rights, particularly when subject to the District's disciplinary procedures.

To better ensure appropriate due-process is provided to a student, the Board establishes the following guidelines which District Administrators shall use when dealing with students:

A. Students subject to short-term suspension:

Except when emergency removal is warranted, a student must be given oral or written notice of the charges against him/her and the opportunity to respond prior to the implementation of a suspension. When emergency removal has been implemented, notice and opportunity to respond shall occur as soon as reasonably possible. The principal or other designated administrator shall provide the opportunity to be heard and shall be responsible for making the suspension decision. An appeal may be addressed to the Superintendent whose decision will be final.

B. Students subject to long-term suspension and expulsion:

A student and his/her parent or guardian must be given written notice of the intention to suspend or expel and the reasons therefor, and an opportunity to appear with a representative before the Superintendent to answer the charges. The student and/or his/her guardian must also be provided a brief description of the student's rights and of the hearing procedure, a list of the witnesses who will provide testimony to the Superintendent, and a summary of the facts to which the witnesses will testify. At the student's request, the hearing may be private. The Board shall act on any appeal, which must be submitted in writing, to an expulsion, to a request for reinstatement, or to a request for admission after being permanently expelled from another district (Policy 5610).

In determining whether disciplinary action set forth in this policy is to be implemented, District Administrators shall use a preponderance of evidence standard. Further, any individual charged with making a disciplinary determination under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315 - Information Management (i.e. "Litigation Hold")) created and/or received as part of an investigation.

The documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State law (e.g., R.C. 3319.321) – e.g., student records and confidential medical records.

The documents, ESI, and electronic media (as defined in Policy 8315) shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the District's records retention schedule.

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8330 - STUDENT RECORDS

In order to provide appropriate educational services and programming, the Board of Education must collect, retain, and use information about individual students. Simultaneously, the Board recognizes the need to safeguard student's privacy and restrict access to student's personally identifiable information.

Student "personally identifiable information" ("PII") includes, but is not limited to: the student's name; the name of the student's parent or other family members; the address of the student or student's family; a personal identifier, such as the student's social security number, student number, or biometric record; other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name; other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or information requested by a person who the District reasonably believes knows the identity of the student to whom the education record relates.

The Board of Education is responsible for maintaining records of all students attending schools in this District. Only records mandated by the State or Federal government and/or necessary and relevant to the function of the School District or specifically permitted by this Board will be compiled by Board employees. The Board hereby authorizes collection of the following student records, in addition to the membership record required by law:

- A. observations and ratings of individual students by professional staff members acting within their sphere of competency
- B. samples of student work
- C. information obtained from professionally acceptable standard instruments of measurement such as:
 - 1. interest inventories and aptitude tests,
 - 2. vocational preference inventories,
 - 3. achievement tests,
 - 4. standardized intelligence tests,
- D. authenticated information provided by a parent or eligible student concerning achievements and other school activities which the parent or student wants to make a part of the record
- E. verified reports of serious or recurrent behavior patterns
- F. psychological tests
- G. attendance records
- H. health records
- I. custodial arrangements

In all cases, permitted, narrative information in student records shall be objectively-based on the personal observation or knowledge of the originator.

Student records shall be available only to students and their parents, eligible students, and designated school officials who have a legitimate educational interest in the information, or to other individuals or organizations as permitted by law. The term "parents" includes legal guardians or other persons standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child). The term "eligible student" refers to a student who is eighteen (18) years of age or older or a student of any age who is enrolled in a postsecondary institution.

In situations in which a student has both a custodial and a noncustodial parent, both shall have access to the student's educational records unless stipulated otherwise by court order. In the case of eligible students, parents will be allowed access to the records without the student's consent, provided the student is considered a dependent under section 152 of the Internal Revenue Code.

A school official is a person employed by the Board as an administrator, supervisor, teacher/instructor (including substitutes), or support staff member (including health or medical staff and law enforcement unit personnel); and a person serving on the Board. The Board further designates the following individuals and entities as "school officials" for the purpose of FERPA:

- A. persons or companies with whom the Board has contracted to perform a specific task (such as an attorney, auditor, insurance representative, or medical consultant);
- B. contractors, consultants, volunteers or other parties to whom the Board has outsourced a service or function otherwise performed by the Board employees (e.g. a therapist, authorized information technology (IT) staff, and approved online educational service providers).

The above-identified outside parties must (a) perform institutional services or functions for which the Board would otherwise use its employees, (b) be under the direct control of the Board with respect to the use and maintenance of education records, and (c) be subject to the requirements of 34 C.F.R. 99.33(a) governing the use and re-disclosure of PII from education records.

Finally, a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks (including volunteers) is also considered a "school official" for purposes of FERPA provided s/he meets the above-referenced criteria applicable to other outside parties.

"Legitimate educational interest" shall be defined as a "direct or delegated responsibility for helping the student achieve one (1) or more of the educational goals of the District" or if the record is necessary in order for the school official to perform an administrative, supervisory or instructional task or to perform a service or benefit for the student or the student's family. The Board directs that reasonable and appropriate methods (including but not limited to physical and/or technological access controls) are utilized to control access to student records and to make certain that school officials obtain access to only those education records in which they have legitimate educational interest.

The Board authorizes the administration to:

- A. forward student records, including any suspension and expulsion action against the student, on request to a school or school district in which a student of this District seeks or intends to enroll upon condition that the student's parents be notified of the transfer, receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the record;
- B. forward student records, including disciplinary records with respect to suspensions and expulsions, upon request to a public school or school district in which a student in foster care is enrolled. Such records shall be transferred within one (1) school day of the enrolling school's request;
- C. provide "personally-identifiable" information to appropriate parties, including parents of an eligible student, whose knowledge of the information is necessary to protect the health or safety of the student or other individuals, if there is an articulable and significant threat to the health or safety of a student or other individuals, considering the totality of the circumstances;
- D. report a crime committed by a child with or without a disability to appropriate authorities and, with respect to reporting a crime committed by a student with a disability, to transmit copies of the student's special education records and disciplinary records including any suspension and expulsion action against the student to the authorities and school officials for their consideration;
- E. release de-identified records and information in accordance with Federal regulations;
- F. disclose personally identifiable information from education records, without consent, to organizations conducting studies "for, or on behalf of" the District for purposes of developing, validating or administering predictive tests, administering student aid programs, or improving instruction;

Information disclosed under this exception must be protected so that students and parents cannot be personally identified by anyone other than representative of the organization conducting the study, and must be destroyed when no longer needed for the study. In order to release information under this provision, the District will enter into a written agreement with the recipient organization that specifies the purpose of the study. (See Form 8330 F14.) Further, the following personally identifiable information will not be disclosed to any entity: a student or his/her family member's social security number(s); religion; political party affiliation; voting history; or biometric information.

This written agreement must include: (1) specification of the purpose, scope, duration of the study, and the information to be disclosed; (2) a statement requiring the organization to use the personally identifiable information only to meet the purpose of the study; (3) a statement requiring the organization to prohibit personal identification of parents and students by anyone other than a representative of the organization with legitimate interests; and (4) a requirement that the organization destroy all personally identifiable information when it is no longer needed for the study, along with a specific time period in which the information must be destroyed.

While the disclosure of personally identifiable information (other than social security numbers, religion, political party affiliation, voting record, or biometric information) is allowed under this exception, it is recommended that deidentified information be used whenever possible. This reduces the risk of unauthorized disclosure.

- G. disclose personally identifiable information from education records without consent, to authorized representatives of the Comptroller General, the Attorney General, and the Secretary of Education, as well as state and local educational authorities. The disclosed records must be used to audit or evaluate a federal or state supported education program, or to enforce or comply with Federal requirements related to those education programs. A written agreement between the parties is required under this exception. (See Form 8330 F16)

The District will verify that the authorized representative complies with FERPA regulations.

- H. request each person or party requesting access to a student's record to abide by the Federal regulations concerning the disclosure of information.

The Board will comply with a legitimate request for access to a student's records within a reasonable period of time but not more than forty-five (45) days after receiving the request or within such shorter period as may be applicable to students with disabilities. Upon the request of the viewer, a record shall be reproduced, unless said record is copyrighted, and the viewer may be charged a fee equivalent to the cost of handling and reproduction. Based upon reasonable requests, viewers of education records will receive explanation and interpretation of the records.

The Board shall maintain a record of those persons to whom information about a student has been disclosed. Such disclosure records will indicate the student, person viewing the record, information disclosed, date of disclosure, and date parental/eligible student consent was obtained (if required).

Upon written request by a student's parent or legal guardian, the District shall disclose to the parent or legal guardian any personally identifiable information concerning the student that is collected or created by the District as part of the student's education records.

If the District provides any personally identifiable information concerning the student that is collected or created by the District as part of the student's education records to any person, agency, or organization, then the District shall disclose to the student's parent or legal guardian upon his or her written request: A. the specific information that was disclosed;

- B. the name and contact information of each person, agency, or organization to which the information has been disclosed;

- C. the legitimate reason that the person, agency, or organization had in obtaining the information.

This information shall be provided without charge within thirty (30) days after the District receives the written request and without charge to the parent or legal guardian.

The District is not required to disclose to the parent or legal guardian, even upon written request, any personally identifiable information concerning the student that is collected or created by the District as part of the student's education records and is provided to any person, agency, or organization in any of the following situations:

- A. provision of such information to the Michigan Department of Education or CEPI
- B. provision of such information to the student's parent or legal guardian
- C. provision of such information to its authorizing body or to an educational management organization with which it has a management agreement
- D. provision of such information to or from its intermediate school district or to another intermediate school district providing services to the District or its students pursuant to a written agreement
- E. provision of such information to a person, agency, or organization with written consent from the student's parent or legal guardian or, if the student is at least age eighteen (18), the student
- F. provision of such information to a person, agency, or organization seeking or receiving records in accordance with an order, subpoena, or ex parte order issued by a court of competent jurisdiction
- G. provision of such information as necessary for standardized testing that measures the student's academic progress and achievement
- H. provision of such information that is covered by the opt-out form described above, unless the student's parent or legal guardian or, if the student is at least age eighteen (18) or is an emancipated minor, the student has signed and submitted the opt-out form referenced below

Only "directory information" regarding a student shall be released to any person or party, other than the student or his/her parent, without the written consent of the parent; or, if the student is an eligible student, the written consent of the student, except those persons or parties stipulated by the Board policy and administrative guidelines and/or those specified in the law.

The Board shall exempt from disclosure directory information, as requested for the purpose of surveys, marketing, or solicitation, unless the Board determines that the use is consistent with the educational mission of the Board and beneficial to the affected students. The Board may take steps to ensure that directory information disclosed shall not be used, rented, or

sold for the purpose of surveys, marketing, or solicitations. Before disclosing the directory information, the Board may require the requester to execute an affidavit stating that directory information provided shall not be used, rented, or sold for the purpose of surveys, marketing, or solicitation.

DIRECTORY INFORMATION

Each year the Superintendent shall provide public notice to students and their parents of the District's intent to make available, upon request, certain information known as "directory information." The Board designates as student "directory information":

- A. a student's name;
- B. address;
- C. date and place of birth;
- D. dates of attendance;
- E. date of graduation;
- F. school photographs or videos of students participating in school activities, events or programs;

The Board designates school-assigned e-mail accounts as "directory information" for the limited purpose of facilitating students' registration for access to various online educational services, including mobile applications/apps that will be utilized by the student for educational purposes. School assigned e-mail accounts shall not be released as directory information beyond this/these limited purpose(s) and to any person or entity but the specific online educational service provider and internal users of the District's Education Technology.

The Assistant Superintendent for Technology will also develop a list of uses for which the District commonly would disclose a student's directory information and develop an opt-out form that lists all of the uses or instances and allows a parent or legal guardian to elect not to have his or her child's directory information disclosed for one (1) or more of these uses.

Each student's parent or legal guardian will be provided with the opt-out form within the first thirty (30) days of the school year. The form shall also be provided to a parent or legal guardian at other times upon request.

If an opt-out form is signed and submitted to the District by a student's parent or legal guardian, the District shall not include the student's directory information in any of the uses that have been opted out of in the opt-out form. A student who is at least age eighteen (18) or is an emancipated minor may act on his or her own behalf with respect to the opt-out form.

Parents and eligible students may also refuse to allow the District to disclose any or all of such "directory information" upon written notification to the District within ten (10) days after receipt of the District's public notice.

Whenever consent of the parent(s)/eligible student is required for the inspection and/or release of a student's education records or for the release of "directory information", either parent may provide such consent unless stipulated otherwise by court order. If the student is under the guardianship of an institution, the Superintendent shall appoint a person who has no conflicting interest to provide such written consent.

The Board may disclose "directory information" on former students without student or parental consent, unless the parent or eligible student previously submitted a request that such information not be disclosed without their prior written consent.

The Board shall not sell or otherwise provide to a for-profit business entity any personally identifiable information that is part of a student's education records. This does not apply to any of the following situations:

- A. providing the information as necessary for standardized testing that measures the student's academic progress and achievement
- B. providing the information as necessary to a person that is providing educational or educational support services to the student under a contract with the District

The Board may establish online access for the parents or the eligible student to the student's confidential academic and attendance record. To authorize such access, the parents or the eligible student must sign a release (see Form 8330 F10). This release shall remind the parents or eligible student that the account and confidential information about the student is only as secure as they keep their account information. Neither the District nor its employees will be held responsible for any breach of this policy by the parent/eligible student or any unauthorized party.

The Superintendent shall prepare administrative guidelines to ensure that students and parents are adequately informed each year regarding their rights to:

- A. inspect and review the student's education records;
- B. request amendments if the record is inaccurate, misleading, or otherwise in violation of the student's rights;
- C. consent to disclosures of personally-identifiable information contained in the student's education records, except to unauthorized disclosures allowed by the law;
- D. challenge the Board's noncompliance with a parent's request to amend the records through a hearing;
- E. file a complaint with the United States Department of Education;
- F. obtain a copy of the Board's policy and administrative guidelines on student records. The Superintendent shall also develop procedural guidelines for:
 - A. the proper storage and retention of records including a list of the type and location of records;
 - B. informing Board employees of the Federal and State laws concerning student records.

The Board authorizes the use of the microfilm process or electromagnetic processes of reproduction for the recording, filing, maintaining, and preserving of records.

No liability shall attach to any member, officer, or employee of this District specifically as a consequence of permitting access or furnishing student records in accordance with this policy and regulations.

Any entity receiving personally identifiable information pursuant to a study, audit, evaluation or enforcement/compliance activity must comply with all FERPA regulations. Further, such an entity must enter into a written contract with the Board of Education delineating its responsibilities in safeguarding the disclosed information. Specifically, the entity must demonstrate the existence of a sound data security plan or data stewardship program, and must also provide assurances that the personally identifiable information will not be redisclosed without prior authorization from the Board. Further, the entity conducting the study, audit, evaluation or enforcement/compliance activity is required to destroy the disclosed information once it is no longer needed or when the timeframe for the activity has ended, as specified in its written agreement with the Board of Education. See Form 8330 F14 and Form 8330 F16 for additional contract requirements.

Legal

M.C.L. 380.1135, 380.1136

Letter, April 6, 2004 Jeremy Hughes, Deputy Supt. Department of Education

34 C.F.R. Part 99, 2002

Section 444 of subpart of part C of the General Education Provisions Act © Neola 2017

Title IV of Public Law 90-247

20 U.S.C., Section 1232f through 1232i (FERPA)

20 U.S.C. 1400 et seq., Individuals with Disabilities Education Improvement Act

20 U.S.C. 7165(b)

26 U.S.C. 152

20 U.S.C. 7908

FERPA: Family Educational Rights and 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.

Public Law 112-278 (Uninterrupted Scholars Act, January 2013). This act permits educational agencies and institutions to disclose a student's education records, without parental consent, to a caseworker or other representative of a State or local child welfare agency or tribal organization authorized to access a student's case plan "when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student."

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.

Children who are identified as meeting the Federal definition of "homeless" will be provided a free appropriate public education (FAPE) in the same manner as all other students of the District. To that end, homeless students will not be stigmatized or segregated on the basis of their status as homeless. The District shall establish safeguards that protect homeless students from discrimination on the basis of their homelessness. The District shall regularly review and revise its policies, including school discipline policies that may impact homeless students, including those who may be a member of any of the Protected Classes (Policy 2260).

Homeless children and youth are defined as individuals who lack a fixed, regular, and adequate nighttime residence, and include children and youth who meet any of the following criteria:

- A. share the housing of other persons due to loss of housing, economic hardship, or similar reason
 - B. live in motels, hotels, trailer parks, or camping grounds due to a lack of alternative adequate accommodations
 - C. live in emergency or transitional shelters
 - D. are abandoned in hospitals
 - E. have a primary night time residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings, or
 - F. live in a car, park, public space, abandoned building, substandard housing¹, bus or train station, or similar setting
- Pursuant to the McKinney-Vento Act, an unaccompanied youth includes a homeless child or youth not in the physical custody of a parent or guardian.

Services to Homeless Children and Youth

The District will work with local districts and/or a contracted transportation provider to provide services to homeless students that are comparable to other students in the District, including:

- A. transportation services;
- B. public preschool programs and other educational programs and services for which the homeless student meets eligibility criteria including:
 - 1. programs for children with disabilities;
 - 2. programs for English Learners (ELs) (i.e., students with Limited English Proficiency (LEP);
 - 3. programs in career and technical education;
 - 4. programs for gifted and talented students;
 - 5. school nutrition programs; and
 - 6. before - and after-school programs.

The Superintendent will appoint a Liaison for Homeless Children who will perform the duties as assigned by the Superintendent. Additionally, the Liaison will coordinate and collaborate with the State Coordinator for the Education of Homeless Children and Youth as well as with community and school personnel responsible for the provision of education and related services to homeless children and youths. For more information on the role of the Liaison, refer to AG 5111.01.

School Stability

Maintaining a stable school environment is crucial to a homeless student's success in school. To ensure stability, the District must make school placement determinations based on the "best interest" of the homeless child or youth based on student-centered factors. The District must:

- A. continue the student's education in the school of origin for the duration of homelessness when a family becomes homeless between academic years or during an academic year; and for the remainder of the academic year even if the child or youth becomes permanently housed during an academic year; or
- B. enroll the student in any public school that non-homeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.

When determining a child or youth's best interest, the District must assume that keeping the homeless student in the school of origin is in that student's best interest, except when doing so is contrary to the request of the student's parent or guardian, or the student if he or she is an unaccompanied youth. The school of origin is the school the student attended or enrolled in when permanently housed, including a public preschool. The school of origin also includes the designated receiving school at the next level for feeder school patterns, when the student completes the final grade level at the school of origin.

When determining the student's best interest, the District must also consider student-centered factors, including the impact of mobility on achievement, education, health, and safety of homeless students and give priority to the request of the student's parent or guardian, or youth (if an unaccompanied youth). The District also considers the school placement of siblings when making this determination.

If the District finds that it is not in the student's best interest to attend the school of origin or the school requested by the parent or guardian, or unaccompanied youth, the District must provide the individual with a written explanation and reason for the determination in a manner and form understandable to the parent, guardian or unaccompanied youth. This written explanation will include appeal rights and be provided in a timely manner.

Immediate Enrollment

The District has an obligation to remove barriers to the enrollment and retention of homeless students. A school chosen on the basis of a best interest determination must immediately enroll the homeless student, even if the student does not have the documentation typically necessary for enrollment, such as immunization and other required health records, proof of residency, proof of guardianship, birth certificate or previous academic records. The homeless student must also be enrolled immediately regardless of whether the student missed application or enrollment deadlines during the period of homelessness or has outstanding fines or fees.

The enrolling school must immediately contact the school last attended by the homeless student to obtain relevant academic or other records. If the student needs immunization or other health records, the enrolling school must immediately refer the parent, guardian or unaccompanied youth to the local liaison, who will help obtain the immunizations, screenings or other required health records.

Records usually maintained by the school must be kept so that they are available in a timely fashion if the child enters a new school or district. These records include immunization or other required health records, academic records, birth certificates, guardianship records, and evaluations for special services or programs. Procedures for inter-State records transfer between schools should be taken into account in order to facilitate immediate enrollment.

In addition, the District will also make sure that, once identified for services, the homeless student is attending classes and not facing barriers to accessing academic and extracurricular activities, including magnet school, summer school, career and technical education, advanced placement, online learning, and charter school programs (if available). Additionally, the District should consider giving homeless children and youths priority if there is a waitlist for these schools, programs, and activities.

Transportation

The District will work with local districts and/or a contracted transportation provider to provide homeless students with transportation services that are comparable to those available to non-homeless students. The District also provides or arranges for transportation to and from the school of origin at the parent or guardian's request, or the liaison's request in the case of an unaccompanied youth.

Transportation is arranged promptly to allow for immediate enrollment and will not create barriers to a homeless student's attendance, retention, and success.

- A. If the homeless student continues to live in the District, where the school of origin is located, transportation will be provided or arranged for the student's transportation to or from the school of origin.
- B. If the homeless student moves to an area served by another district, though continuing his/her education at the school of origin (which is in the District), the District and the district in which the student resides must agree upon a method to apportion responsibility and costs for transportation to the school of origin. If the districts cannot agree upon such a method, the responsibility and costs will be shared equally.
- C. When the student obtains permanent housing, transportation shall be provided to and from the school of origin until the end of the school year.

The mode of transportation will be determined in consultation with the parent or guardian and based on the best interest of the student.

In accordance with Federal law, the above transportation requirements still apply during the resolution of any dispute. The District will work with the State to resolve transportation disputes with other districts. If the disputing district is in another State, the District will turn to the State for assistance as Federal guidance says that both States should try to arrange an agreement for the districts.

Dispute Resolution

Homeless families and youths have the right to challenge placement and enrollment decisions. If a dispute arises between a school and a parent, guardian or unaccompanied youth regarding eligibility, school selection, or enrollment of a homeless student, the District must follow its dispute resolution procedures, consistent with the State's procedures. If such a dispute occurs, the District will immediately enroll the homeless student in the school in which enrollment is sought pending final resolution of the dispute, including all appeals. The student will receive all services for which they are eligible until all disputes and appeals are resolved.

Pursuant to State, District and Board of Education policies, the District will provide the parent, guardian or unaccompanied youth with a written explanation of all decisions regarding school selection and enrollment made by the school, District, or State, along with a written explanation of appeal rights.

The District's notice and written explanation about the reason for its decision will include, at a minimum, an explanation of how the school reached its decision regarding eligibility, school selection, or enrollment, including 1) a description of the proposed or refused action by the school, 2) an explanation of why the action is proposed or refused, 3) a description of other options the school considered and why those options were rejected, 4) a description of any other relevant factors to the school's decision and information related to the eligibility or best interest determination such as the facts, witnesses, and evidence relied upon and their sources, and 5) an appropriate timeline to ensure deadlines are not missed. The District must also include contact information for the Liaison and the State Coordinator, and a brief description of their roles. The District will also refer the parent, guardian or unaccompanied youth to the Liaison, who will carry out the dispute resolution process.

The District ensures that all decisions and notices are drafted in a language and format appropriate for low-literacy, limited vision readers, and individuals with disabilities. For children and youth and/or parents or guardians who are English learners or whose dominant language is not English, the District will provide translation and interpretation services in connection with all phases of the dispute resolution process pursuant to federal laws. The District will also provide electronic notices via email if the parent, guardian or unaccompanied youth has access to email followed by a written notice provided in person or sent by mail.

Homeless Children in Preschool

Homeless preschool-aged children and their families shall be provided equal access to the educational services for which they are eligible, including preschool programs, including Head Start programs, administered by the District. Additionally, the homeless child must remain in the public preschool of origin, unless a determination is made that it is not in the child's best interest. When making such a decision on the student's best interest, the District takes into account the same factors as it does for any student, regardless of age. It also considers pre-school age specific factors, such as 1) the child's attachment to preschool teachers and staff; 2) the impact of school climate on the child, including school safety; the quality and availability of services to meet the child's needs, including health, developmental, and social-emotional needs; and 3) travel time to and from school.

The District must also provide transportation services to the school of origin for a homeless child attending preschool. It is the District's responsibility to provide the child with transportation to the school of origin even if the homeless preschooler who is enrolled in a public preschool in the District moves to another district that does not provide widely available or universal preschool.

Public Notice

In addition to notifying the parent or guardian of the homeless student or the unaccompanied youth of the applicable rights described above, the District shall post public notice of educational rights of children and youth experiencing homelessness in each school. In addition, the District shall post public notice of the McKinney-Vento rights in places that homeless populations frequent, such as shelters, soup kitchens, and libraries in a manner and form understandable to the parents and guardians and unaccompanied youths.

Records

The local liaison will assist the homeless students and their parent(s) or guardian(s) or unaccompanied homeless students in their efforts to provide documentation to meet State and local requirements for entry into school.

All records for homeless students shall be maintained, subject to the protections of the Family Educational Rights and Privacy Act (FERPA) and Policy 8330, and in such a manner so that they are available in a timely fashion and can be transferred promptly to the appropriate parties, as required. Pursuant to the McKinney-Vento Act, information regarding a homeless student's living situation is not considered directory information and must be provided the same protections as other nondirectory personally identifiable information (PII) contained in student education records under FERPA. The District shall incorporate practices to protect student privacy as described in AG 5111.01, AG 8330, and in accordance with the provisions of the Violence Against Women Act (VAWA) and the Family Violence Prevention and Services Act (FVPSA).

No Board policy, administrative procedure, or practice will be interpreted or applied in such a way as to inhibit the enrollment, attendance, or school success of homeless children.

Note:

1 According to nonregulatory guidance from the U.S. Department of Education (ED), standards for adequate housing may vary by locality. Please see ED guidance for factors to consider when determining whether a child or youth is living in "substandard housing."

Education for Homeless Children and Youth Programs, Non-Regulatory Guidance, U.S. Department of Education (ED), Title VII-B of the McKinney-Vento Homeless Assistance Act, as amended by the Every Student Succeeds Act, at A-3 (July 27, 2016).

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Legal

42 U.S.C. 11431 et seq. (McKinney - Vento Homeless Act)

5320 - IMMUNIZATION

Students must meet the immunization requirements set by State for attendance at school in order to enroll or attend.

Students who do not meet the immunization requirements on the opening day of a District program shall be admitted in accordance with District administrative guidelines. Transfer students shall not be admitted without proof of immunization as required by the State.

There are three (3) circumstances in which a required vaccine may be waived or delayed:

- A. A valid medical contraindication exists to receiving the vaccine. The child's physician must certify the contraindication on the appropriate form.
- B. The parents hold religious or philosophical beliefs against receiving a vaccination. Any parent/guardian/in loco parentis who wants to claim a nonmedical waiver will need to receive education regarding the benefits of vaccination and the risks of disease from a county health department before obtaining the certified nonmedical waiver form through the Local Health Department.
- C. The child has received at least one (1) dose of each immunizing agent and the next dose(s) are not due yet.

When the District provides information on immunizations, infectious disease, medications, or other school health issues to parents and guardians of students in at least grades 6, 9, and 12, the Board shall include information about meningococcal meningitis and, the vaccine for meningococcal meningitis and about human papillomavirus and the vaccine for human papillomavirus. The information shall include at least the causes and symptoms of meningococcal meningitis and how it is spread and the risks associated with human papillomavirus. In addition, the information shall

include sources where parents/guardian may obtain additional information about both diseases and where they may obtain meningococcal meningitis and/or human papillomavirus vaccination of a child.

M.C.L. 333.9201 et seq., 380.1177, 380.1177a; A.C. 325.176

8405 - ENVIRONMENTAL HEALTH AND SAFETY ISSUES : INTEGRATED PEST MANAGEMENT

The District shall implement a pest management program in accordance with the U.S. Environmental Protection Agency's Integrated Pest Management (IPM) in the school's guidelines. This program will include appointment of a District IPM Coordinator and advisory committee, implementation of training for custodians, and provide for notification to all affected persons when chemical use becomes necessary. The advisory committee shall semiannually review and evaluate the District's progress toward its pesticide use, reduction, and minimization goals. This program shall also include implementation of an IPM awareness program. All persons applying pesticides on District property shall hold appropriate State certification and be approved by the District IPM Coordinator (see AG 8431A).

MEDICAID BILLING FOR SCHOOL BASED SERVICES - NOTICE OF RIGHTS

With the informed written consent of the parent/guardian, the Medicaid School Based Services program, as authorized by the Individuals with Disabilities Education Act (IDEA), allows school districts to bill the Michigan Medicaid program for reimbursement for health services provided by the school-districts pursuant to the IEPs or IFSPs for Medicaid eligible students with disabilities.

Participation in the **Medicaid School Based Services Program** in Michigan:

- Provides districts partial reimbursement for IEP/IFSP services: Occupational Therapy, Physical Therapy, Speech Therapy, Psychological Services, Social Work Services, Orientation and Mobility Services, Transportation, Nursing Services, Case Management, Assistive Technology, Audiology and Personal Care services.
- Does **NOT** affect a family's Medicaid insurance benefits and there is **NO** cost to the family, now or in the future.
- Helps school districts because it offsets some of the costs of health care that we provide to children and students.
- Is voluntary, and must comply with both the Individuals with Disabilities Education Act (IDEA) and the Family Educational Rights and Privacy Act (FERPA). **Specifically, before a district may access a family's Medicaid benefits for the first time to pay for school based health services, it must first give appropriate notice of the consent being sought, and then obtain the parent/guardian's written consent for two purposes:**
 - 1.) **To release personally identifiable information** about their child to the Michigan Medicaid and billing agencies in order to obtain this reimbursement. This information could include date of birth, disability, gender, school, date of therapy, type of therapy, progress reports, and Medicaid number;
 - 2.) **To allow the district to access the family's Medicaid benefits** to pay for school based health services.

This initial consent for release of personally identifiable information and permission to access Medicaid is voluntary and may be revoked in writing at any time. If the parent refuses consent, or revokes consent previously given, the district will cease to receive any Medicaid reimbursement for school based health services, but will still have the obligation to provide these services at no cost.

This notice of rights must be given to the parent/guardian prior to accessing Medicaid benefits for the first time and annually thereafter. If you have any questions, please contact the KRESA Special Education Department at: (269) 250-9323.

2260 - NONDISCRIMINATION AND ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY

Any form of discrimination or harassment can be devastating to an individual's academic progress, social relationship and/or personal sense of self-worth.

As such, the Board of Education does not discriminate on the basis of race, color, national origin, sex (including sexual orientation or transgender identity), disability, age (except as authorized by law), religion, military status, ancestry, or genetic information (collectively, "Protected Classes") in its educational programs or activities.

The Board also does not discriminate on the basis of Protected Classes in its employment policies and practices as they relate to students, and does not tolerate harassment of any kind.

Equal educational opportunities shall be available to all students, without regard to the Protected Classes, age (unless age is a factor necessary to the normal operation or the achievement of any legitimate objective of the program/activity), place of residence within the boundaries of the District, or social or economic background, to learn through the curriculum offered in this District. Educational programs shall be designed to meet the varying needs of all students.

Further Explanatory Information can be found at kresa.org/BoardPolicies

5136 - PERSONAL COMMUNICATION DEVICES

Students may use personal communication devices (PCDs) before and after school, in between classes as long as they do not create a distraction, disruption or otherwise interfere with the educational environment, during after school activities (e.g., extra-curricular activities), or at school-related functions. Use of PCDs, except those approved by a teacher or administrator, at any other time is prohibited and they must be powered completely off (i.e., not just placed into vibrate or silent mode) and stored out of sight.

For purposes of this policy, "personal communication device" includes computers, tablets (e.g., iPads and similar devices), electronic readers ("e-readers"; e.g., Kindles and similar devices), cell phones (e.g., mobile/cellular telephones, smartphones (e.g., BlackBerry, iPhone, Android devices, Windows Mobile devices, etc.)), telephone and/or other webenabled devices of any type. Students may not use PCDs on school property or at a school-sponsored activity to access and/or view Internet web sites that are otherwise blocked to students at school. Students may use PCDs while riding to and from school on a school bus or other Board-provided vehicles or on a school bus or Board-provided vehicle during school-sponsored activities, at the discretion of the bus driver, classroom teacher, or sponsor/advisor/coach. Distracting behavior that creates an unsafe environment will not be tolerated.

Also, during after school activities, PCDs shall be powered completely off (not just placed into vibrate or silent mode) and stored out of sight when directed by the administrator or sponsor.

Under certain circumstances, a student may keep his/her PCD "On" with prior approval from the building principal.

Except as authorized by a teacher, administrator or IEP team, students are prohibited from using PCDs during the school day, including while off-campus on a field trip, to capture, record and/or transmit the words or sounds (i.e., audio) and/or images (i.e., pictures/video) of any student, staff member or other person. Using a PCD to capture, record and/or transmit audio and/or pictures/video of an individual without proper consent is considered an invasion of privacy and is not permitted. Students who violate this provision and/or use a PCD to violate the privacy rights of another person shall have their PCD confiscated and held until the end of the school day or a parent/guardian picks it up, and may be directed to delete the audio and/or picture/video file while the parent/guardian is present. If the violation involves potentially illegal activity, the confiscated-PCD may be turned over to law enforcement.

PCDs, including but not limited to those with cameras, may not be activated or utilized at any time in any school situation where a reasonable expectation of personal privacy exists. These locations and circumstances include, but are not limited to, classrooms, gymnasiums, locker rooms, shower facilities, rest/bathrooms, and any other areas where students or

others may change clothes or be in any stage or degree of disrobing or changing clothes. The Superintendent and building principals are authorized to determine other specific locations and situations where use of a PCD is absolutely prohibited.

Students shall have no expectation of confidentiality with respect to their use of PCDs on school premises/property.

Students may not use a PCD in any way that might reasonably create in the mind of another person an impression of being threatened, humiliated, harassed, embarrassed or intimidated. See Policy 5517.01 – Bullying and Other Forms of Aggressive Behavior. In particular, students are prohibited from using PCDs to: (1) transmit material that is threatening, obscene, disruptive, or sexually explicit or that can be construed as harassment or disparagement of others based upon their race, sexual identity, color, national origin, sex, sexual orientation, disability, age, religion, ancestry, or political beliefs; and (2) engage in "sexting" - i.e., sending, receiving, sharing, viewing, or possessing pictures, text messages, emails or other materials of a sexual nature in electronic or any other form. Violation of these prohibitions shall result in disciplinary action. Furthermore, such actions will be reported to local law enforcement and child services as required by law.

Students are also prohibited from using a PCD to capture, record, and/or transmit test information or any other information in a manner constituting fraud, theft, cheating, or academic dishonesty. Likewise, students are prohibited from using PCDs to receive such information.

Possession of a PCD by a student at school during school hours and/or during extra-curricular activities is a privilege that may be forfeited by any student who fails to abide by the terms of this policy, or otherwise abuses this privilege.

Violations of this policy may result in disciplinary action and/or confiscation of the PCD. The building principal will also refer the matter to law enforcement or child services if the violation involves an illegal activity (e.g., child pornography, sexting). Discipline will be imposed on an escalating scale ranging from a warning to an expulsion based on the number of previous violations and/or the nature of or circumstances surrounding a particular violation. If the PCD is confiscated, it will be released/returned to the student's parent/guardian after the student complies with any other disciplinary consequences that are imposed, unless the violation involves potentially illegal activity in which case the PCD may be turned-over to law enforcement. A confiscated device will be marked in a removable manner with the student's name and held in a secure location in the building's central office until it is retrieved by the parent/guardian or turned-over to law enforcement. School officials will not search or otherwise tamper with PCDs in District custody unless they reasonably suspect that the search is required to discover evidence of a violation of the law or other school rules. Any search will be conducted in accordance with Policy [5771](#) – Search and Seizure. If multiple offenses occur, a student may lose his/her privilege to bring a PCD to school for a designated length of time or on a permanent basis.

A person who discovers a student using a PCD in violation of this policy is required to report the violation to the building principal.

Students are personally and solely responsible for the care and security of their PCDs. The Board assumes no responsibility for theft, loss, or damage to, or misuse or unauthorized use of, PCDs brought onto its property.

Parents/Guardians are advised that the best way to get in touch with their child during the school day is by calling the school office.

Students may use school phones to contact parents/guardians during the school day.

5771 - SEARCH AND SEIZURE

The Board of Education has charged school authorities with the responsibility of safeguarding the safety and well-being of the students in their care. In the discharge of that responsibility, school authorities may search school property such as lockers used by students or the person or property, including vehicles, of a student, in accordance with the following policy.

School Property

The Board acknowledges the need for in-school storage of student possessions and shall provide storage places, including desks and lockers, for that purpose. Where locks are provided for such places, students may lock them against incursion by other students, but in no such places shall students have an expectation of privacy as to prevent examination by a school official. The Board directs the school principals to conduct a routine inspection at least annually of all such storage places. In the course of any search, student's privacy rights will be respected regarding any items that are not illegal or against Board policy.

The Board also authorizes the use of canines, trained in detecting the presence of drugs or devices, when the Superintendent has reasonable suspicion that illegal drugs or devices may be present in a school. This means of detection shall be used only to determine the presence of drugs in locker areas and other places in the school where such substances could be concealed. Canine detection must be conducted in collaboration with law enforcement authorities or other certified organizations and is not to be used to search students unless either a warrant or parental permission has been obtained prior to the search.

Student Person and Possessions

The Board recognizes that the privacy of students or his/her belongings may not be violated by unreasonable search and seizure and directs that no student be searched without reasonable suspicion or in an unreasonable manner. The extent of the search will be governed by the seriousness of the alleged infraction, the student's age, and the student's disciplinary history.

This authorization to search shall also apply to all situations in which the student is under the jurisdiction of the Board.

Reasonable suspicion that a communication device has been used to violate District policies or administrative guidelines shall be subject to disciplinary action and may result in the communication device being confiscated.

Administrators are authorized to arrange for a breath-test instrument, according to the Superintendent's guidelines, for the purpose of determining if a student has consumed an alcoholic beverage. It is not necessary for the test to determine blood-alcohol level, since the Board has established a zero tolerance for alcohol use.

Except as provided below, a request for the search of a student or a student's possessions will be directed to the principal. S/He shall attempt to obtain the freely-offered consent of the student to the inspection; however, provided there is reasonable suspicion, s/he may conduct the search without such consent. Whenever possible, a search will be conducted by the principal in the presence of the student and a staff member other than the principal. A search prompted by the reasonable belief that health and safety are immediately threatened will be conducted with as much speed and dispatch as may be required to protect persons and property.

Search of a student's person or intimate personal belongings shall be conducted by a person of the student's gender, in the presence of another staff member of the same gender, and only in exceptional circumstances when the health or safety of the student or of others is immediately threatened.

The principal shall be responsible for the prompt recording in writing of each student search, including the reasons for the search; information received that established the need for the search and the name of informant, if any; the persons present when the search was conducted; any substances or objects found and the disposition made of them; and any subsequent action taken. The principal shall be responsible for the custody, control, and disposition of any illegal or dangerous substance or object taken from a student.

M.C.L. 380.1306

5630.01 - STUDENT SECLUSION AND RESTRAINT

This policy is intended to provide the framework for organizational supports that result in effective interventions based on team-based leadership, data-based decision-making, continuous monitoring of student behavior, regular universal screening and effective ongoing professional development. The District is committed to investing in prevention efforts and to teach, practice and reinforce behaviors that result in positive academic and social outcomes for students.

In the event that staff members need to restrain and/or seclude students, it must be done in accordance with this policy, which is intended to:

- A. promote the care, safety, welfare and security of the school community and the dignity of each student;
- B. encourage the use of proactive, effective, evidence and research-based strategies and best practices to reduce the occurrence of challenging behaviors, eliminate the use of seclusion and restraint, and increase meaningful instructional time for all students; and
- C. ensure that seclusion and restraint are used only as a last resort in an emergency situation and are subject to diligent assessment, monitoring, documentation and reporting by trained personnel.

In furtherance of these objectives, the District will utilize Positive Behavioral Interventions and Supports (PBIS) to enhance academic and social behavior outcomes for all students. PBIS implemented by the District will include socially valued and measurable outcomes, empirically validated and practical practices, systems that efficiently and effectively support implementation of these practices, and continuous collection and use of data for decision-making.

EMERGENCY SECLUSION

A. Prohibited Practices and Limitations on Use

The following practices are prohibited under all circumstances, including emergency situations:

- 1. confinement of students who are severely self-injurious or suicidal
- 2. corporal punishment, as defined in M.C.L. 380.1312(1) of the revised school code, 1976 PA 451
- 3. the deprivation of basic needs
- 4. anything constituting child abuse
- 5. seclusion of pre-school children
- 6. seclusion that is used for the convenience of school personnel
- 7. seclusion as a substitute for an educational program
- 8. seclusion as a form of discipline or punishment
- 9. seclusion as a substitute for less restrictive alternatives, adequate staffing or school personnel training in PBIS
- 10. when contraindicated based on (as documented in a record or records made available to the school) a student's disability, health care needs, or medical or psychiatric condition

B. Definition of Emergency Seclusion

Seclusion means the confinement of a student in a room or other space from which the student is physically prevented from leaving. Seclusion does not include the general confinement of students if that confinement is an integral part of an emergency lockdown drill required under Section 19(5) of the Fire Prevention Code, 1941 PA 207, M.C.L. 29.19, or of another emergency security procedure that is necessary to protect the safety of students.

Emergency seclusion is a last resort emergency safety intervention involving seclusion that is necessitated by an ongoing emergency situation and that provides an opportunity for the student to regain self-control while maintaining the safety of the student and others.

To qualify as emergency seclusion, there must be continuous observation by school personnel of the student and the room or area used for confinement:

1. must not be locked
 2. must not prevent the student from exiting the area should staff become incapacitated or leave that area
 3. must provide for adequate space, lighting, ventilation, viewing, and the safety of the student
 4. must comply with State and local fire and building codes
- C. **Time and Duration** Emergency seclusion should not be used any longer than necessary, based on research and evidence, to allow a student to regain control of his/her behavior to the point that the emergency situation necessitating the use of emergency seclusion is ended, but generally no longer than:
1. fifteen (15) minutes for an elementary school student;
 2. twenty (20) minutes for a middle school or high school student

If an emergency seclusion lasts longer than the suggested maximum times above, the following are required:

1. additional support (which may include change of staff, introducing a nurse or specialist, or additional key identified personnel)
2. documentation to explain the extension beyond the time limit

Additional procedures and requirements applicable to both seclusion and restraint are set out below.

EMERGENCY RESTRAINT

A. Prohibited Practices

The following procedures are prohibited under all circumstances, including emergency situations:

1. mechanical restraint
2. chemical restraint
3. corporal punishment as defined in 380.1312(1) of the revised school code, 1976 PA 451, otherwise known as the Corporal Punishment Act
4. the deprivation of basic needs
5. anything constituting child abuse
6. restraint that is used for the convenience of school personnel
7. restraint as a substitute for an educational program
8. restraint as a form of discipline or punishment
9. restraint as a substitute for less restrictive alternatives, adequate staffing or school personnel training in PBIS
10. when contraindicated based on (as documented in a record or records made available to the school) a student's disability, health care needs, or medical or psychiatric condition

11. any restraint that negatively impacts breathing, including any positions, whether on the floor, facedown, seated or kneeling, in which the student's physical position (e.g., bent over) is such that it is difficult to breathe, including situations that involve sitting or lying across an individual's back or stomach

12. prone restraint (the restraint of a person face down)

NOTE: School personnel who find themselves involved in the use of a prone restraint as the result of responding to an emergency must take immediate steps to end the prone restraint.

13. the intentional application of any noxious substance(s) or stimuli that results in physical pain or extreme discomfort

A noxious substance or stimuli can either be generally acknowledged or specific to the student.

14. physical restraint, other than emergency physical restraint

15. any other type of restraint not expressly allowed

B. Definition of Restraint

Restraint means an action that prevents or significantly restricts a student's movement. Physical restraint is intended for the purposes of emergency situations only, in which a student's behavior poses an imminent risk to the safety of the individual student or to the safety of others. An emergency situation requires immediate intervention.

Emergency physical restraint is a last resort emergency safety intervention involving physical restraint that is necessitated by an ongoing emergency situation and that provides an opportunity for the student to retain self-control while maintaining the safety of the student and others. An emergency situation requires immediate intervention. Emergency physical restraint may not be used in place of appropriate less restrictive interventions.

There are three (3) types of restraint: physical, chemical, and mechanical.

1. **Physical restraint** involves direct physical contact.

Restraint does not include actions undertaken for the following reasons:

- a. to break up a fight
- b. to take a weapon away from a student
- c. to briefly hold the student (by an adult) in order to calm or comfort him/her
- d. to have the minimum contact necessary to physically escort a student from one area to another
- e. to assist a student in completing a task/response if the student does not resist or if resistance is minimal in intensity or duration
- f. to hold a student for a brief time in order to prevent an impulsive behavior that threatens the student's immediate safety (e.g., running in front of a car)
- g. to stop a physical assault as defined in M.C.L. 380.1310
- h. actions that are an integral part of a sporting event, such as a referee pulling football players off from a pile or similar action

2. **Chemical Restraint** is the administration of medication for the purpose of restraint.

Restraint does not include administration of medication prescribed by and administered in accordance with the directions of a physician.

3. **Mechanical Restraint** means the use of any device, article, garment, or material attached to or adjacent to a student's body to perform restraint.

Restraint does not include the following:

- a. an adaptive or protective device recommended by a physician or therapist (when it is used as recommended)
- b. safety equipment used by the general student population as intended (e.g., seat belts, safety harness on school transportation)

C. Time and Duration

Restraint should not be used:

1. any longer than necessary, based on research and evidence, to allow students to regain control of their behavior to the point that the emergency situation necessitating the use of emergency physical restraint is ended; and
2. generally no longer than ten (10) minutes.

If an emergency restraint lasts longer than ten (10) minutes, all of the following are required:

1. additional support, which may include a change of staff, or introducing a nurse, specialist, or additional key identified personnel
2. documentation to explain the extension beyond the time limit

Additional procedures and requirements applicable to both seclusion and restraint are set out below.

USE OF EMERGENCY SECLUSION/RESTRAINT

A. When to Use Emergency Seclusion/Restraint

Seclusion/restraint must be used only under emergency situations and if essential. Emergency situation means a situation in which a student's behavior poses an imminent risk to the safety of the individual student or to the safety of others. An emergency situation requires immediate intervention.

B. General Procedures for Emergency Seclusion/Restraint:

1. An emergency seclusion/restraint may not be used in place of appropriate, less restrictive interventions.
2. Emergency seclusion/restraint shall be performed in a manner that is:
 - a. safe;
 - b. appropriate; and
 - c. proportionate to and sensitive to the student's:
 1. severity of behavior;
 2. chronological and developmental age;
 3. physical size;

4. gender;
 5. physical condition;
 6. medical condition;
 7. psychiatric condition; and
 8. personal history, including any history of physical or sexual abuse or other trauma.
3. School personnel shall call key identified personnel for help from within the school building either immediately at the onset of an emergency situation or, if it is reasonable under the particular circumstances for school personnel to believe that diverting their attention to calling for help would increase the risk to the safety of the student or to the safety of others, as soon as possible once the circumstances no longer support such a belief.
 4. While using emergency seclusion/restraint, staff must do all of the following:
 - a. ensure that at all times during the use of emergency seclusion/restraint there are school personnel present who can communicate with the student using the student's primary mode of communication
 - b. ensure to the extent practicable, in light of the ongoing emergency situation, that the emergency seclusion/restraint does not interfere with the student's ability to communicate using the student's primary mode of communication
 - c. document observations
 - d. continually observe the student in emergency seclusion for indications of physical distress and seek medical assistance if there is a concern
 - e. involve key identified personnel to protect the care, welfare, dignity, and safety of the student
 5. Each use of an emergency seclusion/restraint and the reason for each use shall be documented and reported according to the following procedures:
 - a. a report shall be written for each use of seclusion/restraint (including multiple uses within a given day) and the written report(s) provided to the parent or guardian within the earlier of one (1) school day or seven (7) calendar days
 - b. report in writing or orally to the parent or guardian immediately
 - c. document in writing and report in writing or orally to the building administration immediately
 6. After any use of an emergency seclusion/restraint, staff must make reasonable efforts to debrief and consult with the parent or guardian, or the parent or guardian and the student (as appropriate) regarding the determination of future actions.

C. Students Exhibiting a Pattern of Behavior

If a student exhibits a pattern of behavior that poses a substantial risk of creating an emergency situation in the future that could result in the use of emergency seclusion/restraint, school personnel should do the following:

1. conduct a functional behavioral assessment
2. develop or revise a PBIS plan to facilitate the reduction or elimination of the use of seclusion/restraint
3. develop an assessment and planning process conducted by a team knowledgeable about the student, including at least:

- a. people who are knowledgeable in PBIS
 - b. people who are responsible for implementation of the PBIS plan
 - c. the student (if appropriate)
 - d. the parent or guardian
4. develop a written emergency intervention plan ("EIP") to protect the health, safety, and dignity of the student. An EIP may not expand the legally permissible use of emergency seclusion/restraint.

The EIP should be developed by a team in partnership with the parent or guardian. The team shall include:

- 1. a teacher;
- 2. an individual knowledgeable about legally permissible use of seclusion/restraint; and
- 3. an individual knowledgeable about the use of PBIS to eliminate the use of seclusion/restraint.

The EIP should be developed and implemented by taking all of the following documented steps:

- 1. describe in detail the emergency intervention procedures
- 2. describe in detail the legal limits on the use of emergency seclusion/restraint, including examples of legally permissible and prohibited uses
- 3. inquire of the student's medical personnel (with parent or guardian consent) regarding any known medical or health contraindications for the use of seclusion/restraint
- 4. conduct a peer review by knowledgeable staff
- 5. provide the parent or guardian with all of the following, in writing and orally:
 - a. A detailed explanation of the PBIS strategies that will reduce the risk of the student's behavior creating an emergency situation.
 - b. An explanation of what constitutes an emergency, including examples of situations that would fall within and outside of the definition.
 - c. A detailed explanation of the intervention procedures to be followed in an emergency situation, including the potential use of emergency seclusion/restraint.
 - d. A description of possible discomforts or risks.
 - e. A detailed explanation of the legal limits on the use of emergency seclusion/restraint, including examples of legally permissible and prohibited uses.
 - f. Answers to any questions.

A student who is the subject of an EIP should be told or shown the circumstances under which emergency intervention could be used.

D. Data Collection and Reporting

The building administrator shall develop a system of data collection, collect the data and forward all incident reports and data regarding the use of seclusion/restraint to the Superintendent.

The data must:

- 1. be analyzed to determine the efficacy of the school's school-wide system of behavioral support;

2. be analyzed in the context of suspension, expulsion, and dropout data;
3. be analyzed for the purposes of continuous improvement of training and technical assistance toward the reduction or elimination of seclusion/restraint;
4. be analyzed on a schedule determined by the Michigan Department of Education (MDE);
5. be reported to the MDE, if and as required;
6. include a list of appropriately trained, identified personnel and their levels of:
 - a. education;
 - b. training; and
 - c. knowledge.

NOTE: The District must report to the MDE on the use of seclusion and restraint periodically. MDE will develop guidelines that outline the process for reporting redacted, aggregated data regarding the emergency use of seclusion and restraint.

Training Framework

A comprehensive training framework will be implemented which includes the following:

- A. awareness training for all school personnel who have regular contact with students; and
- B. comprehensive training for key identified personnel.

All substitute teachers must be informed of and understand the procedures regarding the use of emergency seclusion and emergency restraint. This requirement may be satisfied using online training developed or approved by MDE and online acknowledgement of understanding and completion of the training by the substitute teacher.

Comprehensive Training for Identified Personnel

Each building administrator will identify sufficient key personnel to ensure that trained personnel are generally available for an emergency situation. Before using emergency seclusion or emergency physical restraint with students, key identified personnel who may have to respond to an emergency safety situation must be trained in all of the following:

- A. proactive practices and strategies that ensure the dignity of students
- B. conflict resolution
- C. mediation
- D. social skills training
- E. de-escalation techniques
- F. positive behavioral intervention and support strategies
- G. techniques to identify student behaviors that may trigger emergency safety situations
- H. related safety considerations, including information regarding the increased risk of injury to students and staff when seclusion or restraint is used
- I. instruction in the use of emergency seclusion and emergency physical restraint

- J. identification of events and environmental factors that may trigger emergency safety situations
- K. instruction on the State policy on the use of seclusion and restraint
- L. description and identification of dangerous behaviors
- M. methods for evaluating the risk of harm to determine whether the use of emergency seclusion or emergency physical restraint is warranted
- N. types of seclusion
- O. types of restraint
- P. the risk of using seclusion and restraint in consideration of a student's known and unknown medical or psychological limitations
- Q. cardiopulmonary resuscitation and first aid
- R. the effects of seclusion and restraint on all students
- S. how to monitor for and identify physical signs of distress and the implications for students generally and for students with particular physical or mental health conditions or psychological limitations
- T. ways to obtain appropriate medical assistance

GLOSSARY OF TERMS

"Chemical Restraint" means the administration of medication for the purpose of restraint.

"De-escalation Techniques" means evidence- and research-based strategically employed verbal or nonverbal interventions used to reduce the intensity of threatening behavior before, during, and after a crisis situation occurs.

"Documentation" means documentation developed by the Michigan Department of Education that is uniform across the State.

"Emergency Situation" means a situation in which a student's behavior poses imminent risk to the safety of the individual student or to the safety of others. An emergency situation requires an immediate intervention.

"Functional Behavioral Assessment" means an evidence-and research-based systematic process for identifying the events that trigger and maintain problem behavior in an educational setting. A functional behavioral assessment shall describe specific problematic behaviors, report the frequency of the behaviors, assess environmental and other setting conditions where problematic behaviors occur, and identify the factors that are maintaining the behaviors over time.

"Key Identified Personnel" means those individuals who have received the mandatory training described in M.C.L. 380.1307G(B)(I) to (XVI), listed under Comprehensive Training for Identified Personnel above.

"Law Enforcement Officer" means an individual licensed under the Michigan Commission on Law Enforcement Standards Act, M.C.L. 28.601 to 28.615.

"Mechanical Restraint" means the use of any device, article, garment, or material attached to or adjacent to a student's body to perform restraint.

"Physical Restraint" means restraint involving direct physical contact.

"Positive Behavioral Intervention and Support (PBIS)" means a framework to assist school personnel in adopting and organizing evidence-based behavioral interventions into an integrated continuum of intensifying supports based on student need that unites examination of the function of the problem behavior and the teaching of alternative skill repertoires to enhance academic and social behavior outcomes for all students.

"Positive Behavioral Intervention and Support Plan" means a student-specific support plan composed of individualized, functional behavioral assessment-based intervention strategies, including, as appropriate to the student, guidance or instruction for the student to use new skills as a replacement for problem behaviors, some rearrangement of the antecedent environment so that problems can be prevented and desirable behaviors can be encouraged, and procedures for monitoring, evaluating, and modifying the plan as necessary.

"Prone Restraint" means the restraint of an individual face down.

"Regularly and Continuously Work Under Contract" means that term as defined in section M.C.L. 380.1230.

"Restraint" means an action that prevents or significantly restricts a student's movement. Restraint does not include the brief holding of a student in order to calm or comfort, the minimum contact necessary to physically escort a student from one area to another, the minimum contact necessary to assist a student in completing a task or response if the student does not resist or resistance is minimal in intensity or duration, or the holding of a student for a brief time in order to prevent an impulsive behavior that threatens the student's immediate safety, such as running in front of a car. Restraint does not include the administration of medication prescribed by and administered in accordance with the directions of a physician, an adaptive or protective device recommended by a physician or therapist when it is used as recommended, or safety equipment used by the general student population as intended, such as a seat belt or safety harness on school transportation. Restraint does not include necessary actions taken to break up a fight, to stop a physical assault, as defined in M.C.L. 380.1310, or to take a weapon from a student. Restraint does not include actions that are an integral part of a sporting event, such as a referee pulling football players off of a pile or a similar action.

Restraint that negatively impacts breathing means any restraint that inhibits breathing, including floor restraints, facedown position, or any position in which an individual is bent over in such a way that it is difficult to breathe. This includes a seated or kneeling position in which an individual being restrained is bent over at the waist and restraint that involves sitting or lying across an individual's back or stomach.

"School Personnel" includes all individuals employed in a public school or assigned to regularly and continuously work under contract or under agreement in a public school, or public school personnel providing service at a nonpublic school. Except for the obligations set out above to document seclusion or restraint, report to/consult with parents, undertake the required actions if a student shows a pattern of behavior, and collect and report data to the state, school personnel does not include a law enforcement officer (as defined above) assigned to regularly and continuously work under contract or under agreement in a public school.

"Seclusion" means the confinement of a student in a room or other space from which the student is physically prevented from leaving. Seclusion does not include the general confinement of students if that confinement is an integral part of an emergency lockdown drill required under Section 19(5) of the Fire Prevention Code, 1941 PA 207, M.C.L. 29.19, or of another emergency security procedure that is necessary to protect the safety of student.

5512 - USE OF TOBACCO BY STUDENTS

The Board of Education recognizes that the use of tobacco presents a health hazard which can have serious consequences both for the user and the nonuser and is, therefore, of concern to the Board.

In order to protect students and employees who choose not to use tobacco from an environment noxious to them and potentially damaging to their health, the Board prohibits the use of tobacco on District premises, in District vehicles, and in all school buildings owned and/or operated by the District.

The Board prohibits the use or possession of tobacco product by students in District buildings, on District property (owned or leased), on District buses, and at any District-related event.

For purposes of this policy,

- A. "tobacco product" means a preparation of tobacco to be inhaled, chewed, or placed in a person's mouth.
- B. "use of a tobacco product" means any of the following:
 - 1. the carrying by a person of a lighted cigar, cigarette, pipe, or other lighted smoking device
 - 2. the inhaling or chewing of a tobacco product

3. the placing of a tobacco product within a person's mouth, and/or
4. the use of electronic, "vapor," or other substitute forms of cigarettes, clove cigarettes or other lighted smoking devices for burning tobacco or any other substance

The term "tobacco" includes any product that contains tobacco, is derived from tobacco, contains nicotine, or e-cigarettes and other electronic smoking devices (including but not limited to "JUUL's"), but does not include any cessation product approved by the United States Food and Drug Administration for use as a medical treatment to reduce or eliminate nicotine or tobacco dependence.

In order to protect students and staff who choose not to use tobacco from an environment noxious to them, the Board prohibits the possession, consumption, purchase or attempt to purchase and/or use of tobacco or tobacco substitute products by students at all times (twenty-four (24) hours a day, seven (7) days a week) on Board premises, in Board-owned vehicles, within any indoor facility owned or leased or contracted for by the Board, and/or used to provide education or library services to children, and at all Board-sponsored events.

This prohibition extends to any Board-owned and/or operated vehicles used to transport students and to all other Board-owned and/or operated vehicles. Such prohibition also applies to school grounds.

Advertising/Promotion

In accordance with Policy 9700.01, tobacco advertising is prohibited on school grounds, in all school-sponsored publications, and at all school-sponsored events.

Tobacco promotional items that promote the use of tobacco products, including clothing, bags, lighters, and other personal articles are not permitted on school grounds, in school vehicles, or at school-sponsored events.

Notification

"No Tobacco" signs will be posted throughout the District. Students will be provided notice of this policy through student handbooks.

District vehicles will display the international "No Smoking" insignia.

Announcements will be made during home athletic events both before the event and during intermission, as well as at all school functions where deemed appropriate.

School programs will include a written reminder of the tobacco-free policy.

Educational Programming

Tobacco-use prevention education shall be coordinated with the other components of the school health program. Staff responsible for teaching tobacco-use prevention education shall have adequate pre-service training and participate in ongoing professional development activities to effectively deliver education programming. Preparation and professional development activities shall provide basic knowledge about the effects of tobacco use and effects of peer pressure on tobacco use combined with effective instructional techniques and strategies and program-specific activities.

Students who violate this policy shall be subject to disciplinary action in accordance with the Student Code of Conduct/Student Discipline Code and in accordance with policies of the Board.

M.C.L. 333.12601 et seq.; M.C.L. 750.473

5514.01 - STUDENT USE OF MOTOR VEHICLES

The Board regards the use of motor vehicles for travel to and from school by students as an assumption of responsibility on the part of those students - a responsibility in the care of property, in the observation of safety rules, and in the display of courtesy and consideration toward others.

The Board will permit the use of motor vehicles by students, in accordance with the rules of this District, provided that such students are licensed drivers and have been granted permission by the principal to drive a motor vehicle on school grounds.

7217 - WEAPONS

The Board of Education prohibits visitors from possessing, storing, making, or using a weapon in any setting that is under the control and supervision of the Board including, but not limited to, property leased, owned, or contracted for by the Board, a school-sponsored event, or in a Board-owned vehicle.

The Board has a constitutional and statutory obligation to provide a free and appropriate education to all students who qualify. This includes the obligation to provide a safe and secure learning environment. The presence of dangerous weapons on school property or at school sponsored events, except under very controlled circumstances, creates a potentially dangerous situation for students, staff and visitors, and may trigger precautionary safety responses which disrupt the educational process and learning environment for students.

The Board therefore concludes that prohibiting weapons on school property and at school sponsored events is reasonably related to legitimate educational concerns, including the ability to provide a safe and secure learning and social environment for its students and controlling and minimizing disruptions to the educational process.

Federal law establishes a "Weapon-Free School Zone" that extends 1,000 feet from the boundary of any school property.

The term "weapon" means any object which, in the manner in which it is used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons. Weapons include, but are not limited to, firearms, guns of any type, including spring, air and gas-powered guns, (whether loaded or unloaded), that will expel a BB, pellet, or paint balls knives, razors, clubs, electric weapons, metallic knuckles, martial arts weapons, ammunition, and explosives or any other weapon described in 18 U.S.C. 921.

This prohibition applies regardless of whether the visitor is otherwise authorized by law to possess the weapon, including if the visitor holds a concealed weapons permit. The exceptions to this policy are weapons under the control of law enforcement personnel.

These restrictions shall not apply in the following circumstances to persons who are also properly licensed to carry a concealed weapon:

- A. A parent or legal guardian of a student of the school may carry a concealed weapon while in a vehicle on school property, if s/he is dropping the student off at the school or picking up the student from the school and any person may carry a concealed weapon solely in the parking lot.
- B. A county corrections officer, a member of a Sheriff's posse, a police or sheriffs reserve or auxiliary officer, or a State Department of Corrections parole or corrections officer, a private investigator, a Michigan State Police motor carrier officer or Capitol security officer, a State court judge, a security officer required by the employer to carry a concealed weapon while on the premises, a court officer, a parole, probation, or corrections officer or absconder recovery unit member of the Department of Corrections, if that individual has obtained a Michigan Department of Corrections weapons permit.
- C. A retired police or law enforcement officer, a retired Federal law enforcement officer, or a retired State court judge, a retired corrections officer of a county sheriff's department, if that individual has received county sheriff approved weapons training, a retired parole, probation, or corrections officer or retired absconder recovery unit member of the Department of Corrections, if that individual has obtained a Michigan Department of Corrections weapons permit.

The Superintendent shall take the necessary steps to prosecute for a violation of the Weapon-Free School Zone.

In the event that a visitor violates this policy and refuses to leave the property or take other action as directed by the administrator, the administration is directed to immediately initiate a lockdown of the affected school or area, consistent with the lockdown procedures set out at Policy [8420](#). There are no exceptions to this mandate.

The Superintendent shall refer a visitor who violates this policy to law enforcement officials and may take any steps necessary to exclude the visitor from Board property and Board-sponsored events.

18 U.S.C. 922; M.C.L. 28.425o, 123.1101, 750.222; 20 U.S.C. 4141(g)

5772 - WEAPONS

The Board of Education prohibits students from possessing, storing, making, or using a weapon in any setting that is under the control and supervision of the District for the purpose of school activities approved and authorized by the District including, but not limited to, property leased, owned, or contracted for by the District, a school-sponsored event, including athletic events, or in a District vehicle.

The term "weapon" means any object which, in the manner in which it is used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons. Weapons include, but are not limited to, firearms, guns of any type whatsoever, including spring, air and gas-powered guns (whether loaded or unloaded) that will expel a BB, pellet, or paint balls, knives, razors, clubs, electric weapons, metallic knuckles, martial arts weapons, ammunition, and explosives or any other weapon described in 18 U.S.C 921.

This policy shall also encompass such actions as look-alike items, false fire alarms, bomb threats, or intentional calls to falsely report a dangerous condition.

The Superintendent will refer any student who violates this policy to the student's parents or guardians and to the criminal justice or juvenile delinquency system. The student may also be subject to disciplinary action, up to and including expulsion. Policy exceptions include:

- A. weapons under the control of law enforcement personnel;
- B. items pre-approved by the building principal as part of a class or individual presentation under adult supervision, if used for the purpose and in the manner approved; (Working firearms and any ammunition will never be approved as part of a presentation.)
- C. theatrical props that do not meet the definition of "weapons" above, used in appropriate settings.

This policy will be published annually in all District student and staff handbooks. Publication is not a precondition to enforcement of this policy.

M.C.L. 380.1311, 380.1312(1), 380.1313; 20 U.S.C. 7151