

that no longer has offered seats available, the student will be accepted for his/her grade level and the student's sibling will be placed on the waiting list for his/her grade level with sibling preference. Therefore, while sibling preference applies, siblings are not guaranteed a seat.

Appendix 10: School Code of Conduct

BERTHA B. WILLIAMS ACADEMY Code of Student Conduct

STUDENT RIGHTS AND RESPONSIBILITIES:

Individual rights related to individual responsibilities and must be seen in relationship to the safety, health and welfare of all students attending Bertha B. Williams Academy.

VIOLATIONS OF THE CODE OF STUDENT CONDUCT:

Student misconduct is classified into three levels. The definitions of misconduct at each level are not all-inclusive, but only representative and illustrative. A student who commits an act of misconduct not listed herein is nonetheless subject to disciplinary action.

SHORT-TERM SUSPENSION:

A short-term suspension occurs when a student is suspended for one (1) school day, up to and including ten (10) school days. During a short-term suspension, the student's rights and privileges of attending school, including extracurricular activities, are suspended.

LONG-TERM SUSPENSION:

A long-term suspension is when a student is suspended for more than ten (10) school days. During a long-term suspension, the student's rights and privileges of attending school, including extracurricular activities, are suspended.

EXPULSION:

An expulsion occurs when the school district's board of education terminates the student's right and privileges to attend school, including extracurricular activities. An expulsion is for an indefinite time, unless otherwise specified by the school board or state law. The parent/guardian of the student may petition the school board to request the student's reinstatement to school, as permitted by state law.

LEVEL 1 VIOLATIONS:

1. Cheating/Academic Misconduct
2. Defacement of Property
3. Disorderly Conduct
4. Inappropriate Dress and Grooming
5. Insubordination/Unruly Conduct
6. Possession of Inappropriate Personal Property
7. Profanity and/or Obscenity toward students
8. Sexual Harassment
9. Tardiness

LEVEL 11 VIOLATIONS:

1. Alcohol and Drugs
2. Arson
3. Extortion
4. False Fire Alarm or Bomb Report: Tempering with Fire Alarm System

5. Felon
6. Physical Assault
7. Robbery
8. Sexual Assault
9. Theft or Possession of Stolen Property
10. Verbal Assault Against an Employee
11. Weapons: Dangerous instruments
12. Weapons: Dangerous Weapons

LEVEL 111 VIOLATIONS:

Depending of severity or repetition, a Level 1 or Level 11 violation may be reclassified as a Level 111.

DUE PROCESS PROCEDURES

SHORT TERM SUSPENSION: Except in extraordinary circumstances, alleged violations of the Code of Student Conduct are initially handled at Bertha B. Williams Academy. The principal shall provide the student with written notice of the charges or allegations, and an explanation of the evidence or basis for the charge. If the misconduct is found, the principal may authorize disciplinary action in accordance with this Code of Student Conduct, including short term suspension.

LONG-TERM SUSPENSION OR EXPULSION: if recommended by the principal, the school's board of education or its designee shall conduct a hearing to determine whether to impose a long-term suspension or expulsion.

The student and parent/guardian shall be notified of the allegation; the recommended disciplinary action; the time, date and location of the hearing; and be given an explanation of the facts. The explanation may include written or oral testimony of others.

At the request of the student or student's parents, the board of education may meet in a closed session to "consider the dismissal, suspension, or disciplining of a student." (MCL 15.268(b)). The student and parent/guardian may be represented at the hearing by an attorney or other adult. Written or oral evidence may be presented at the hearing on behalf of the student.

After the hearing, the board of education or its designee shall issue a decision, including a determination of disciplinary action.

APPEAL PROCESS: A student aggrieved by the decision of the board of education may, within five (5) days of receipt of the decision, petition the board of education for the opportunity to request review or reconsideration by the board or its designee. The petition shall be in writing and contain the reasons that the board or designee's decision should be reviewed or reconsidered. The board of education may grant or deny the request for an appeal or request for reconsideration. If granted, the board shall notify the student and parent in writing of the procedures to be used for the appeal or request for reconsideration.

SPECIAL EDUCATION SUSPENSION AND EXPULSIONS: Students previously identified under state and federal regulations as eligible for special education are entitled to an extra measure of consideration for the disability in student discipline procedures. Due process provisions are followed as outlined in the *Special Education Considerations in Student Disciplinary Procedures (Michigan Department of Education)*.