



Progress Park Program Handbook and Code of Conduct

SECTION I

Introduction:

WISD's mission is to promote the continuous improvement of achievement for every student while providing high-quality service to our customers through leadership, innovation, and collaboration.

Progress Park is dedicated to providing a learning environment that will guide our students toward responsible behavior and academic success.

Program Description:

Progress Park is a center-based program operated by the WISD for special education students who have significant emotional and behavioral needs that cannot be met in their local school district. The majority of students who are enrolled at Progress Park have a primary special education eligibility of Emotional Impairment.

Progress Park has one elementary classroom, two middle school classrooms and two high school classrooms with a maximum of 10 students per classroom. There is a high staff to student ratio to provide each student with the support they need to be successful. The school has five highly qualified special education teachers, three social workers, and teaching assistants in each classroom. In addition, related service providers, including a school psychologist, speech/language therapist, occupational therapist, a clinical, contracted psychiatrist and school nurse support the program. Progress Park has a rotating Support Team each day which includes a clinical team leader (social worker or psychologist) and four teaching assistants to provide support to students. All staff at Progress Park complete annual Crisis Prevention Institute training, including de-escalation strategies, physical intervention skills if needed to ensure the safety of students and staff, and debriefing/problem solving processes to reduce the likelihood that the inappropriate &/or unsafe behavior will occur again.

Supports and Resources:

To foster each student's academic success and pro-social development, Progress Park implements research-based social and emotional learning strategies and options designed to promote positive behavior and modify negative behavior while holding students accountable. Students are provided with academic work modified to be at their instructional level, in addition to integrated social, emotional and behavioral interventions throughout the school day. These interventions include:

1. Social/behavioral point and level system with hourly feedback on behavioral goals, reinforcement for achieving goals and increasing privileges at each level. Students have the opportunity to earn recognition checks, points to spend at classroom point stores, and daily/weekly reward activities
2. Positive Behavioral Intervention and Support:
PBIS is a proactive, team-based framework for creating a positive, safe school environment. The emphasis of PBIS is on preventing problem behavior by teaching and reinforcing pro-social skills. Progress Park expectations are: **Respect; Own Your Own**

Behavior; **Always Be Safe**; **Responsibility**. There are posted expectations for what it means to display Respect, Own Your Own Behavior, Always Be Safe and Responsibility in each area of the school building. Staff provide direct instruction and practice to teach students what each expectation looks like in the school building. Students are then reinforced for exhibiting “ROAR” behaviors throughout the school day with ROAR slips and additional weekly and monthly incentives.

3. Individualized behavior intervention plans for each student.
4. Daily social work services embedded in the program including individual and group interventions.
5. Social skills / life skills training.
6. Ongoing communication/collaboration with the student’s parent/guardian and outside community mental health professionals.
7. Instructional Consultation Team intervention plans: ICT is a research-based collaborative problem solving model that assists teachers in creating an instructional match between the student, task and instruction.
8. Teacher Consultant support in the implementation of educational interventions for students with diverse academic, social and behavioral needs.

Resources available to students who need academic and/or emotional/behavioral support include:

1. Focused, individualized instruction and assistance with assignments, as needed.
2. Alternate locations in the school building to complete assignments (study carrel in hallway; cafeteria; resource room; media center; support room).
3. Alternate locations in the school building to calm down talk with staff (walk in hallway; resource room; media center; support room).
4. Sensory regulation strategies and tools.
5. Processing with social work or other staff who student has relationship with.
6. Request for phone call to parent or other support person.

Progress Park is dedicated to creating and maintaining a positive learning environment for all students. All students, school personnel, parents, and engaged service providers must assume a responsible role in promoting behavior that enhances academic and social success. Courteous, respectful, safe and responsible behavior fosters a positive climate for the learning community. Those responsibilities include, but are not limited to, the following:

Student Rights: Students have the right to a Free and Appropriate Public Education (FAPE) in a school or alternative setting that best meets his/her academic, social and behavioral needs.

Students have the responsibility to:

1. Take responsibility for their learning and recognize that it is a process.
2. Attend school regularly, arrive on time, and be prepared to learn.
3. Respect 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 their 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.

Parents have the responsibility to:

1. Take responsibility for their child's development as learners by, as much as possible, providing a home environment suited for learning and developing good study habits.
2. See that their child attends school regularly and on time.
3. Provide for their child's general health and welfare as much as possible.
4. Teach and model respect for themselves, their child, 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 their child and take an active role in the school community.
8. Attend all scheduled meetings pertaining to their child's education.

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, parents, and other school personnel in an effort to understand and resolve academic and behavioral problems. Make every effort to accommodate families whose work schedules, access to transportation, or distance from school limits their ability to meet or participate.
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.

CODE OF STUDENT CONDUCT:

The Code of Student Conduct sets forth interventions and disciplinary actions for instances of student misconduct, policies and procedures, student's due process rights special education guidelines and legal mandates. When determining the consequences of student misconduct, school officials may use intervention strategies and/or disciplinary actions.

When and Where the Code of Student Conduct Applies

The Code of Student Conduct applies before, during, and after school and whenever the 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.

Off Campus Activities

Students at school-sponsored, off-campus events and activities shall be governed by District rules and regulations and are subject to the authority of Schools Officials. Any conduct that adversely affects the school climate and has a direct and immediate adverse effect on the discipline or general welfare of the school, and/or its students is prohibited, on as well as off-school property. Failure to obey the rules and regulations or failure to obey the lawful instructions of School Officials shall result in loss of eligibility to attend school-sponsored, off-campus events or activities and may result in suspension and/or other disciplinary measures as outlined in the Student Code of Conduct.

LEGAL MANDATES:

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.) for a student determined to be eligible for special education programs and services.

Due Process

Due process refers to procedural safeguards that protect the rights of individuals. **Due process procedures in regard to disciplinary actions for special education students are presented in Section IV.**

Special Education

Students with an Individualized Education Program (IEP) are responsible for following The Code of Student Conduct. Federal and state laws set forth specific procedures for determining the appropriate disciplinary action for special education students as a consequence of a violation of The Code of Student Conduct. **Special Education Suspension and Expulsion Guidelines are presented in Section IV.**

Legal mandates and community safety may require removal of individuals who possess a dangerous weapon, commit arson, or engage in criminal sexual conduct (Gun Free Schools Act, 1994; Michigan Compiled Laws under MCL 380.1311), make bomb threats or engage in verbal assault (MCL 380.1311a), and/or commit physical assault against another at school or a school-related event (MCL 380.1310, 380.1311, 380.1311a, 380.1312).

SECTION II

DISCIPLINARY ACTIONS:

The information in the following pages explains levels of disciplinary actions used at Progress Park for misconduct infractions that will be used as a reference to ensure fair and equitable treatment for all members of our student population. The infractions and definitions have been taken from the Michigan Department of Education, Model of Code of Conduct, 2014.

Disciplinary actions will be taken at the discretion of the building administrator and in consideration of special education laws and procedures.

The lists of infractions are not all-inclusive. A student committing a behavioral infraction that is not specifically listed is subject to disciplinary action.

Elastic Cause:

The administrator reserves the right to establish fair and reasonable rules and regulations for circumstances that may arise requiring actions that are not covered in this handbook. In all cases, rules, regulations and possible consequences shall be as consistent as possible with previously established rules, regulations and consequences for similar incidents.

Misconduct violations are cumulative and consequences for repeated violations may be more severe. Disciplinary actions range from Level 1 – Level 5. Serious infractions or repeated infractions may result in an action level higher than indicated below for each infraction.

DISCIPLINARY ACTION LEVELS:

One or more of the actions listed are taken by the administrator or other designated person. A meeting, letter or telephone call with the parent or guardian and the student must take place in addition to the level of action. The communication must include discussion of the student's achievement, unacceptable conduct, and a plan for dealing with a similar situation in the future. The student will be able to continue with his/her schoolwork.

Each action level may include the consequences or sanctions of the previous level.

Considerations: Recognizing the importance of keeping students in school learning as much as possible, educators will consider the severity or repetition of misconduct, age and grade level of the student, mental/physical health conditions, level of cognitive ability, circumstances surrounding the misconduct, impact of the student's misconduct on others in the school community, and any other relevant factors in determining consequences.

Documentation: Behavioral infractions, staff interventions, program consequences and disciplinary actions are documented on Progress Park Intervention Sheets and Incident Report Forms. These forms are scanned into the Power School Integration System. Attendance and suspensions are also reported on Power School.

LEVEL 1: PROGRAM DISCIPLINARY ACTIONS/INTERVENTIONS

CLASS EXCLUSION: Student is denied the right to attend one or more classes for one day. The student is given school work to complete in an alternative setting in the school building. Staff are assigned to supervise and provide instructional assistance during the Out of Classroom Instruction (OCI) consequence.

COLLECTION OF UNAUTHOURIZED MATERIALS: School administrators and teachers may collect materials that students are prohibited from possessing during the school day.

CONFERENCE WITH STUDENT: A problem solving, conflict management discussion with student about changes in behavior.

COMMUNICATION TO PARENT OR GUARDIAN: Notification to the parent/guardian by phone or in written form regarding behavior(s) of concern, the actions taken, expectations for future behavior and necessary follow-up.

CONFERENCE WITH STAFF, PARENT/GUARDIAN & STUDENT: A meeting or telephone conversation with staff, parent/guardian and student to discuss student achievement and unacceptable conduct, behavioral expectations and a plan for future behavior. Meetings may also include outside agency service providers.

CONFISCATION OF ITEMS: The administrator may confiscate personal items that are not allowed at Progress Park or are being misused by students. The administrator will determine if the item can be returned to the student at the end of the day, or returned to the student's parent/guardian.

ISOLATED MEALS: Student is assigned to an alternate location in the building to eat breakfast &/or lunch.

LOSS OF LEVEL PRIVILEGES: Student's level privileges are suspended for one or more days.

LOSS OF SPECIAL ACTIVITY: Student is unable to participate in an earned daily, weekly or monthly classroom or school activity.

SPECIAL ASSIGNMENT: Student is given an assignment to complete that builds awareness, knowledge and skills to meet similar situations more positively.

TIME-OUT SYSTEM: Student is directed to or assigned to a different location in the classroom or building to de-escalate &/or complete a behavioral worksheet.

LEVEL 2 IN-SCHOOL DISCIPLINARY ACTIONS:

IN-SCHOOL SUSPENSION (up to 5 days): The administrator may impose an action that temporarily denies a student the right to attend scheduled classes and requires attendance in a separate room in the school for up to 5 consecutive school days. This student will have full access to the Michigan Merit curriculum and specialized instruction support from his/her teacher.

LEVEL 3 DISCIPLINARY ACTIONS: Short-Term Suspensions

EMERGENCY REMOVAL: A student may be removed from school prior to administrator decision regarding what level of disciplinary action will be imposed for a behavioral infraction if the administrator determines that the student's continued presence is an immediate danger to persons or property or is disruptive to orderly school operation.

ONE-SCHOOL-DAY-SUSPENSION: The administrator may impose an action to deny a student's right to attend scheduled classes for one school day. School work will be provided and will be due upon return to school.

TWO-TO-FIVE-DAY SUSPENSION: An administrator may impose an action to deny a student's right to attend classes and activities for one to five school days. School work will be provided and will be due upon return to school.

Students returning from a two-to-five day suspension will have re-entry meeting with parent, self and school team before re-entry will occur. This should be in the form of a face-to-face meeting but in the case that this cannot occur, we can hold a telephone meeting. Meetings may also include outside agency service providers.

A student receiving special education services may not be suspended for more than 10 days, cumulative, including in-school suspension, without holding a Manifestation Determination Review.

LEVEL 4 DISCIPLINARY ACTIONS: Long-Term Suspensions

SIX-TO-TEN –DAY SUSPENSION: An administrator may impose an action which denies the student the right to attend all classes and school activities for a minimum of 6 days to a maximum of 10 days. School work will be provided and will be due upon return to school.

A student receiving special education services may not be suspended for more than 10 days, cumulative, including in-school suspension, *without holding a Manifestation Determination Review (MDR).* See Section IV.

SEMESTER-OR-LESS SUSPENSION AND ALTERNATIVE PLACEMENT:

An administrator may impose an action which denies the student to attend all classes and school activities from 11 school days to a semester in length. This action includes the provision of an alternative placement for special education students.

SUSPENSIONS UP TO 180 DAYS:

An administrator may impose an action which denies the student to attend all classes and school activities for up to 180 days. This action includes the provision of an alternative placement for special education students.

Students returning from a long-term suspension will have re-entry meeting with parent, self and school team before re-entry will occur. This should be in the form of a face-to-face meeting but in the case that this cannot occur, we can hold a telephone meeting. Meetings may also include outside agency service providers.

LEVEL 5 DISCIPLINARY ACTIONS: Expulsion

EXPULSIONS:

Expulsion from school is defined as permanent removal from the school district, subject to possible reinstatement in 180 days. Expulsion is the most severe sanction that can be imposed on a student and cannot be imposed without due process. Each student subject to expulsion will have his/her situation reviewed by the student's local school district superintendent and board of education on a case-by-case basis.

Mandatory Expulsion:

The Michigan Department School Code states that a student must be expelled from all public schools in the state if the student commits criminal sexual conduct, arson, or physical or verbal assault on school employees/volunteers/contractors; makes a bomb threat (Grade 6 and above); or is found to be in possession of a dangerous weapon. The term dangerous weapon means a firearm, dirk, dagger, stiletto, iron bar, knife with a blade over 3 inches in length, pocketknife opened by a mechanical device and brass knuckles. The district is **not** required to expel a student for possessing a weapon if at least one of the following criteria is established:

- The weapon was not possessed for use as a weapon.
- The student did not know the item was a weapon.
- The weapon was not knowingly possessed by the student.
- The weapon was in the student's possession with the permission of school or police authorities.

Expulsion guidelines and procedures for special education students, are referenced in Section IV.

DESCRIPTIONS OF BEHAVIORAL MISCONDUCT AND POSSIBLE LEVELS OF ACTION:

ARSON: Malicious, intentional burning or any property belonging to, rented by or on loan to the district or property of students or school personnel.

Disciplinary Action: A student who commits arson on school property may be subject to expulsion.

BOMB THREAT (6TH GRADE OR ABOVE): Making a bomb threat or similar threat directed at a school building, other school property or school-related event.

Disciplinary Action: A student who commits a bomb threat on school property may be subject to expulsion.

CHEATING: Plagiarizing, cheating, gaining unauthorized access to or tamper with educational materials.

Possible Disciplinary Action: Level 1-3

DEFAACEMENT OF PROPERTY: Willfully causing defacement of or damage to property of the schools or others. Actions such as writing in books or on desks and walls; carving into woodwork or desks/tables.
Possible Disciplinary Action: Level 1-3

DESTRUCTION OF PROPERTY: Intentionally causing destruction of the property of the school or others. Actions that impair the use of something or damage things to the point where repair is necessary.
Possible Disciplinary Actions: Level 1-3

DISORDERLY CONDUCT: Inappropriate behavior that disrupts or obstructs the educational process.
Possible Disciplinary Actions: Level 1-3

FAILURE TO SERVE ASSIGNED CONSEQUENCE: Refusing to serve out of classroom consequence in designated alternative setting.
Possible Disciplinary Actions: Level 1-3

FALSE FIRE ALARM: Reporting or setting off a fire alarm without reasonable belief that a fire exists.
Possible Disciplinary Actions: Level 1-3

FIGHTING: Physically fighting with another person. Self-defense or defense of others will be taken into consideration in determining whether this provision has been violated.
Possible Disciplinary Actions: Level 1-4

FORGERY: Signing another person's name to any document or alter or falsify documents.
Possible Disciplinary Actions: Level 1-3

GAMBLING: Illegal participation in games of skill or chance for money &/or other items of value.
Possible Disciplinary Actions: Level 1-3

GANG ACTIVITY: Use of violence, force, coercion or threat of violence associated with gang affiliation causing disruption or obstruction to the educational process. Gang activity includes: wearing or displaying any clothing, jewelry, colors or insignia that identifies a student as a member of a gang; using any word, phrase, written symbol or gesture that identifies a student as a member of a gang; recruiting students for a gang; gathering two or more people together to discuss or promote gangs.
Possible Disciplinary Actions: Level 1-4

HAZING: Intentional knowing, or reckless act by a person acting alone or with others that is directed against an individual and that the person knew or should have known endangers the physical health or safety of the individual done for the purpose of pledging or maintaining membership in an organization.
Possible Disciplinary Actions: Level 1-3

INAPPROPRIATE DISPLAYS OF AFFECTION: Engaging in inappropriate displays of affection.
Possible Disciplinary Actions: Level 1

INAPPROPRIATE DRESS AND GROOMING: Dressing or grooming in a manner which interferes or disrupts the educational process, interferes with the maintenance of a positive teaching/learning climate, or compromises reasonable standards of health, safety and decency. Refer to Dress Code Policy.
Possible Disciplinary Actions: Level 1

INAPPROPRIATE USE OF ELECTRONIC COMMUNICATION DEVICE: Using a cell phone or other electronic communication device while at school without authorized permission from school personnel.
Possible Disciplinary Actions: Level 1-3

INSTIGATION AND PROVOCATION: Purposeful verbal, written or physical contact with the intent to engage others in misconduct.

Possible Disciplinary Actions: Level 1-3

INSUBORDINATION / OPEN DEFIANCE / WILLFUL DISOBEDIENCE: Failure to obey, comply with or carry out a reasonable directive from any school staff.

Possible Disciplinary Actions: Level 1-3

INTERFERENCE WITH SCHOOL PERSONNEL: Willful or intentional attempts to undermine or interfere with school personnel fulfilling their duties.

Possible Disciplinary Actions: Levels 1-4

LEAVING SCHOOL OR CLASSROOM WITHOUT PERMISSION: Leaving the school building, classroom or assigned area without permission from school personnel.

Possible Disciplinary Actions: Level 1-3

LOITERING: Remaining in or around the school building without permission or staff supervision.

Possible Disciplinary Actions: Level 1-3

PHYSICAL AGGRESSION: One individual being aggressive toward another, including pushing, horseplay, shoving, charging, hitting, kicking, throwing objects or any forceful action intended to hurt or dominate another person.

Possible Disciplinary Actions: Levels 1-4

PHYSICAL ASSAULT AGAINST SCHOOL PERSONNEL OR STUDENTS: Intentionally causing or attempting to cause physical harm to another person through force or violence.

Disciplinary Action: A student who commits physical assault on school property may be subject to expulsion.

POSSESSION OF INAPPROPRIATE PERSONAL PROPERTY: Possession of personal property that is prohibited by school rules or is disruptive to teaching and learning.

Possible Disciplinary Actions: Levels 1-3

POSSESSION/USE OF WEAPONS: Possession/use of any device intended to cause injury or bodily harm, any device used in a threatening manner that could cause injury or bodily harm, any device that is used primarily for personal protection, or any weapon replica, facsimile or look-alike.

Possible Disciplinary Actions: Levels 3-5

Disciplinary Action: A student who possesses and/or use weapons on school property may be subject to expulsion.

POSSESSION OR USE OF FIRECRACKERS OR EXPLOSIVES: Possession, handling, transmitting, concealing or using any fireworks, firecrackers or explosives on school property or school-related events.

Possible Disciplinary Actions: Levels 1-4

PROFANITY and/or OBSCENTLY TOWARD STUDENTS OR STAFF: Students verbally, in writing, electronically, with photographs or drawings direct profanity or insulting/obscene gestures toward any other person.

Possible Disciplinary Actions: Levels 1-3

SALE OR DISTRIBUTION OF ALCOHOL and/or ANY ILLEGAL OR UNAUTHORIZED MEDICINES, INHALANTS, DRUGS, DRUG PARAPHERNALIA OR NARCOTICS.

Possible Disciplinary Actions: Levels 2-5

SEXUAL MISCONDUCT:

A. Consensual: Mutually consensual sexual conduct, including, but not limited to intentional touching of the other person's genitals, groin, inner thigh, buttock or breast or the clothing covering those areas.

Possible Disciplinary Actions: Levels 1-4

B. Non-Consensual (criminal sexual conduct): Unwanted or unwelcome sexual contact, including but not limited to intentional touching of the other person's genitals, groin, inner thigh, buttock or breast or the clothing covering those areas.

Disciplinary Action: A student who commits criminal sexual conduct on school property may be subject to expulsion.

TARDINESS: Failing to be in classroom at assigned time without a valid excuse.

Possible Disciplinary Actions: Level 1

TECHNOLOGY ABUSE: Violation of district technology use guidelines and acceptable use agreement.

Possible Disciplinary Actions: Levels 1-4

THEFT OR POSSESSION OF STOLEN PROPERTY: Stealing or unlawfully taking/keeping property belonging to the school district or another person with the intent of depriving the owner of its possession.

Possible Disciplinary Actions: Levels 1-5

THREAT OF VIOLENCE: Words or actions that may threaten to do injury to another or others.

Possible Disciplinary Actions: Levels 1-5

TRESPASSING: Entering school property without proper authority, including during a period of suspension or expulsion.

Possible Disciplinary Actions: Levels 1-4

TRUANCY: Persistent and excessive unexcused absences from school or class

Possible Disciplinary Actions: Levels 1-3

USE and/or POSSESSION OF TOBACCO PRODUCTS and/or SMOKING PARAPHERNALIA (including e-cigarette and personal vaporizers)

Possible Disciplinary Actions: Level 1-3

USE and/or POSSESSION OF ALCOHOL and/or ANY ILLEGAL OR UNAUTHORIZED MEDICINES, INHALANTS, DRUGS, DRUG PARAPHERNALIA OR NARCOTICS.

Possible Disciplinary Actions: Levels 1-5

VIOLATION OF ANTI-BULLYING POLICY (refer to anti-bullying policy)

Possible Disciplinary Actions: Levels 1-4

VIOLATION OF HARASSMENT POLICY (refer to harassment policy)

Possible Disciplinary Actions: Levels 1-4

POLICE REFERRAL / POLICE REMOVAL: For conduct that violates the rules and may also be a violation of criminal law a referral may be made to the police.

SECTION III

POLICIES AND PROCEDURES:

ABSENCE/TRUANCY

When a student will be absent, the parent/guardian must call the school office before the start of the school day. Excused/verified absences may include absences due to: illness or hospitalization; medical or dental appointment; death in the family; court appointments; incarceration at a juvenile detention facility.

If a student is out on an extended illness, the parent/guardian needs to provide a doctor's note giving the diagnosis and stating that the student is unable to attend school for a specified period of time.

Attendance Procedures:

- After the student has been absent for 3 days in a month (unless the absences have been due to a verified extended illness, hospitalization or incarceration at a juvenile detention facility or other verified extenuating circumstance) the student's teacher &/or social worker will call the family to let them know of the school's concern. This communication will be documented.
- After 7 days of absence from school (unless the absences have been due to a verified extended illness, hospitalization or incarceration at a juvenile detention facility or other verified extenuating circumstance) the Progress Park administrator will mail a letter and make a phone call home and document the communication.
- After 10 days of absence from school (unless the absences have been due to a verified extended illness, hospitalization or incarceration at a juvenile detention facility or other verified extenuating circumstances) a referral will be made to the WISD attendance supervisor.

Chronic tardiness can be considered truancy.

BULLYING:

A student will not engage in bullying any student for any reason 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. "At school" includes conduct using a telecommunications access device or telecommunications service provider that occurs off school premises if the telecommunications access device or the telecommunications service provider is owned by or under the control of the school district or public school academy.

"Telecommunications access device" and "telecommunications service provider" mean those terms as defined in section 219a of the Michigan penal code, 1931 PA 328, MCL 750.219a.

"Bullying" means any written, verbal, or physical act, or any electronic communication that is intended or that a reasonable person would know is likely to harm one or more pupils either directly or indirectly by doing any of the following:

- Substantially interfering with educational opportunities, benefits, or programs of one (1) or more pupils.
- Adversely affecting the ability of a pupil to participate in or benefit from the school district or public school's educational programs or activities by placing the pupil in reasonable fear of physical harm or by causing substantial emotional distress.
- Having an actual and substantial detrimental effect on a pupil's physical or mental health.

- Causing substantial disruption in, or substantial interference with, the orderly operation of the school.

Any student who believes he/she has been or is currently the victim of bullying or retaliation should immediately report the situation to the school administrator, teacher or other staff member (who will notify the school administrator).

All reports about bullying behavior shall be promptly investigated by the school administrator.

The investigation will include: contacting the parent/guardian; interviewing students involved and witnesses; providing appropriate agency referrals to all parties involved.

If the incident is substantiated, immediate disciplinary actions will be taken.

CELL PHONES/ELECTRONIC DEVICES:

Students are prohibited from using a cell phone or other electronic device during the school day. Devices must be kept in the student's locker during the school day.

Students in violation of the policy will have their devices confiscated and turned over to the administrator.

Student refusal to give up the device is considered Insubordination and will result in additional disciplinary actions.

DRESS CODE:

All students are expected to dress in a manner that does not create a safety hazard or distract from the educational process.

- All shorts, skirts, dresses must be at least fingertip length while standing with hands straight down.
- Halter tops, strapless tops, low cut necklines, and clothing with bare midriffs are not allowed. Tank tops must have straps at least 2 inches wide.
- While yoga pants and leggings are allowed, tights/nylons worn without clothing over them are not.
- Inappropriate slogans &/or pictures on clothing are not allowed, including those that refer to violence, weapons, gang-related activity, alcohol, tobacco or drugs. Clothing displaying profane, offensive or suggestive language is not allowed.
- Pants are to be worn fitting to the waist and not sagging.
- Clothing considered to be "underwear" must not be visible.
- Hats or hoods may not be worn.
- Bandanas, "do-rags" or potentially gang-related symbols are not allowed.
- Coats/jackets deemed as "outerwear" may not be worn during the school day.

Students wearing prohibited clothing will be directed to change, remove or conceal the prohibited garment. Refusal to comply will be considered insubordination.

HARASSMENT or 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.

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, or other verbal or physical conduct that substantially interferes with the individual’s education or creates an intimidating, hostile or offensive school environment.

Any student who believes he/she has been or is currently the victim of harassment should immediately report the situation to the school administrator, teacher or other staff member (who will notify the school administrator).

All reports about harassment shall be promptly investigated by the school administrator. The investigation will include: contacting the parent/guardian; interviewing students involved and witnesses; providing appropriate agency referrals to all parties involved.

If the incident is substantiated, immediate disciplinary actions will be taken.

MEDICATIONS:

Students taking prescribed medication or over-the-counter medication must have a Medical Authorization Form completed by a physician and co-signed by the parent/guardian. All medications are to be kept in the original container and kept in the nurse’s office.

SEARCH AND SEIZURE:

Lockers & Locker Contents:

All lockers assigned to students are the property of the school district. A student’s locker and/or locker contents may be searched by the building administrator or designee without prior permission in order to uphold the safety and security of students and staff. The administrator or his/her designee shall respect the privacy rights of the student regarding any items discovered that are not illegal or against school policy and rules.

Backpacks, Purses, School Bags, Clothing:

Search of a student and his/her possessions may be conducted at any time the student is under the jurisdiction of the school district if there is reasonable suspicion that the student is in violation of school rules. A search may be conducted to protect the health and safety of others and to maintain order. All searches may be conducted with or without prior permission or consent.

“WANDING” OF STUDENTS:

If the administrator has reasonable suspicion that the student may be in possession of prohibited items, the administrator may “wand” the student with a metal detector before allowing the student to enter the school building.

The school reserves the right not to return an item that is confiscated or to return it to the student’s parent/guardian. Illegal or contraband materials will be turned over to the proper legal authorities.

SMOKING:

No person, at any time, shall smoke, chew or otherwise use tobacco products or any kind on school district property or property under the control of the school district, in any school buildings, indoor facilities or school district vehicles.

TECHNOLOGY GUIDELINES:

- Students are responsible for properly using and caring for school technology.
- Students need to follow all directions/rules given by supervising adults.
- Students are allowed to use technology only for educational purposes.
- Students may only log into computers or email using their own name and password.
- Students may only use licensed software that has been installed on computers by the school district technology department.
- Students are responsible for compliance with local, state and federal laws while using school technology and the WISD Technology Acceptable Use Agreement.

Section IV: Special Education Discipline Procedures and Policies**Overview:**

Under the provisions of the Individuals with Disabilities Education Act (IDEA), school authorities may suspend special education students for disciplinary purposes, up to 10 days, to the same extent removal would be applied to nondisabled students and without providing services. When a suspension of a special education student goes beyond 10 cumulative days in a school year, procedural guidelines must be followed.

Manifestation Determination Review (MDR):

For each subsequent suspension beyond the 10 cumulative days in the school year, the IEP team must complete a Manifestation Determination Review to review all relevant information and determine if the conduct subject to discipline was:

- Caused by, or was in direct and substantial relationship to the child's disability
- A direct result of failure to implement the IEP

If either statement is true, the behavior is considered to be a manifestation of the student's disability, the disciplinary response is discontinued, and:

- The student's Behavior Intervention Plan is reviewed and modified as necessary to address the behavior. A new Functional Behavioral Assessment may be necessary.
- Any deficiencies in the implementation of the IEP are remedied.

If the behavior **IS NOT** a manifestation, the disciplinary consequences will proceed and the team will determine how the student's Free and Appropriate Public Education (FAPE) will continue.

MICHIGAN DEPARTMENT OF EDUCATION PROCEDURAL SAFEGUARDS FOR SPECIAL EDUCATION STUDENTS:

School personnel may consider any unique circumstances on a case-by-case basis when determining whether a change of placement, made in accordance with the following requirements related to discipline, is appropriate for a child with a disability who violates a school code of student conduct.

General

To the extent that they also take such action for children without disabilities, school personnel may, for not more than **10 school days** in a row, remove a child with a disability who violates a code of student conduct from his or her current placement to an appropriate interim alternative educational setting, another setting, or suspension. School personnel may also impose additional removals of the child of not more than **10 school days** in a row in that same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement (see **Change of Placement Because of Disciplinary Removals** for the definition, below).

Once a child with a disability has been removed from his or her current placement for a total of **10 school days** in the same school year, the school district must, during any subsequent days of removal in that school year, provide services to the extent required below under the sub-heading, **Services**.

Additional authority

If the behavior that violated the student code of conduct was **not** a manifestation of the child's disability (see **Manifestation determination**, below) and the disciplinary change of placement would exceed **10 school days** in a row, school personnel may apply the disciplinary procedures to that child with a disability in the same manner and for the same duration as it would to children without disabilities, except that the school must provide services to that child as described below under **Services**. The child's IEP Team determines the interim alternative educational setting for such services.

Services

The services that must be provided to a child with a disability who has been removed from the child's current placement may be provided in an interim alternative educational setting. A school district is only required to provide services to a child with a disability who has been removed from his or her current placement for **10 school days or less** in that school year, if it provides services to a child without disabilities who has been similarly removed. Michigan does not require services to students who are nondisabled who have been removed for disciplinary reasons. A child with a disability who is removed from the child's current placement for **more than 10 school days** must:

1. Continue to receive educational services, so as to enable the child to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP;

And

2. Receive, as appropriate, a functional behavioral assessment (FBA), and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not happen again.

After a child with a disability has been removed from his or her current placement for **10 school days** in that same school year, and if the current removal is for **10 school days** in a row or less **and** if the removal is not a change of placement (see definition below), then school personnel, in consultation with at least one of the child's teachers, determine the extent to which services are needed to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP. If the removal is a change of placement (see definition below), the child's IEP Team determines the appropriate services to enable the child to continue to participate in the general education

curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP.

Manifestation determination

Within **10 school days** of any decision to change the placement of a child with a disability because of a violation of a code of student conduct, (except for a removal that is for **10 school days** in a row or less and not a change of placement), the school district, the parent, and relevant members of the IEP Team (as determined by the parent and the school district) must review all relevant information in the student's file, including the child's IEP, any teacher observations, and any relevant information provided by the parents to determine:

1. If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
2. If the conduct in question was the direct result of the school district's failure to implement the child's IEP.

If the school district, the parent, and relevant members of the child's IEP Team determine that either of those conditions was met, the conduct must be determined to be a manifestation of the child's disability.

If the school district, the parent, and relevant members of the child's IEP Team determine that the conduct in question was the direct result of the school district's failure to implement the IEP, the school district must take immediate action to remedy those deficiencies.

Determination that behavior was a manifestation of the child's disability

If the school district, the parent, and relevant members of the IEP Team determine that the conduct was a manifestation of the child's disability, the IEP Team must either:

1. Conduct a FBA, unless the school district had conducted a FBA before the behavior that resulted in the change of placement occurred, and implement a behavioral intervention plan (BIP) for the child; or
2. If a BIP already has been developed, review the BIP, and modify it, as necessary, to address the behavior.

Except as described below under the sub-heading, **Special circumstances**, the school district must return the child to the placement from which the child was removed, unless the parent and the district agree to a change of placement as part of the modification of the BIP.

Special circumstances

Whether or not the behavior was a manifestation of the child's disability, school personnel may remove a student to an interim alternative educational setting (determined by the child's IEP Team) for up to 45 school days, if the child:

1. Carries a weapon to school or has a weapon at school, on school premises, or at a school function under the jurisdiction of the MDE or a school district;
2. Knowingly has or uses illegal drugs, or sells or solicits the sale of a controlled substance while at school, on school premises, or at a school function under the jurisdiction of the MDE or a school district; or

3. Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of the MDE or a school district.

Definitions

Controlled substance means a drug or other substance identified under schedules I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)).

Illegal drug means a controlled substance; but does not include a controlled substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under that Act or under any other provision of Federal law.

Serious bodily injury has the meaning given the term “serious bodily injury” under paragraph (3) of subsection (h) of section 1365 of title 18, United States Code.

Weapon has the meaning given the term “dangerous weapon” under paragraph (2) of the first subsection (g) of section 930 of title 18, United States Code.

Notification

On the date it makes the decision to make a removal that is a change of placement of the child because of a violation of a code of student conduct, the school district must notify the parents of that decision, and provide the parents with a procedural safeguards notice.

CHANGE OF PLACEMENT BECAUSE OF DISCIPLINARY REMOVALS

A removal of a child with a disability from the child’s current educational placement is a **change of placement** if:

1. The removal is for more than 10 school days in a row; **or**
2. The child has been subjected to a series of removals that constitute a pattern because:
 - a. The series of removals total more than 10 school days in a school year;
 - b. The child’s behavior is substantially similar to the child’s behavior in previous incidents that resulted in the series of removals; and
 - c. Of such additional factors as the length of each removal, the total amount of time the child has been removed, and the proximity of the removals to one another.

Whether a pattern of removals constitutes a change of placement is determined on a case-by-case basis by the school district and, if challenged, is subject to review through due process and judicial proceedings.

DETERMINATION OF SETTING

The IEP Team must determine the interim alternative educational setting for removals that are changes of placement.

APPEAL

General

The parent of a child with a disability may file a due process complaint (see above) to request a due process hearing if he or she disagrees with:

1. Any decision regarding placement made under these discipline provisions; or
2. The manifestation determination described above.

The school district may file a due process complaint (see above) to request a due process hearing if it believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others.

Additional Information:

For additional information regarding special education disciplinary guidelines and procedural safeguards, the student and/or parent/guardian is encouraged to:

- Contact the Progress Park administrator &/or the student's local school district special education administrator &/or the Washtenaw Intermediate School District compliance monitor.
- Refer to the Michigan Department of Education Procedural Safeguards handbook which is provided to students/parents annually.
- Refer to the Michigan Administrative Rules for Special Education.