Oxford Community Schools

2025-2026 Student Code of Conduct



Oxford Community Schools

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VISION

Empowering Learners. Building Community. Inspiring Futures.

MISSION

Providing a support, safe, and opportunity-rich educational experience that fosters belonging, builds self-empowerment, and prepares learners to contribute to a connected community.

CORE VALUES

Empowerment - Belonging - Innovation - Integrity

Student Code of Conduct

Revised July 2025

The Student Code of Conduct can be found on the district website:
www.oxfordschools.org

OXFORD COMMUNITY SCHOOLS
STUDENT CODE OF CONDUCT 2025-2026

Preamble

Oxford Community Schools' students, in all their diversity, must be educated in a safe and supportive environment that fosters academic success and healthy development. Schools can create those environments by fostering student connectedness, establishing clear behavioral expectations, and employing preventative measures with constructive discipline that prioritizes keeping students in school through graduation.

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), in compliance with MCL 380.1310(c)(d) as revised, which includes rebuttable presumption and the 7 factors to consider.

A rebuttable presumption means an assumption made that is taken to be true unless someone comes forward to contest it and prove otherwise. State law (380.1310d) mandates that districts consider the 7 factors, including lessor interventions, for all suspensions and expulsions, except those involving students knowingly in possession of a gun with an intent to use. In all other cases, it is presumed that removals over 10 days are not justified unless districts can demonstrate that they considered the 7 factors, including lesser interventions.

Numerous studies have shown that exclusionary discipline often sets the stage for student disenfranchisement, academic failure, dropout, and the potential for criminalization. Also, exclusionary discipline is disproportionally applied to students of color, students with disabilities, and low-income students. This results in staggering costs to students, school districts, and society. Districts should consider these factors when developing local policy for the implementation of mcl 380.1310(c)(d) as amended.

This document intentionally proposes an approach to school discipline that gives preference to keeping students in school where they can receive the academic and social-emotional supports they need. It includes recommended responsibilities of each school community member, and it lists the proactive steps of positive behavior supports and restorative practices available before articulating the school community's consequences for disruptive conduct.

This document is not intended to be all-encompassing and does not create a contract between the school and parents or students. School officials may revise this document to implement the education programs and ensure student wellbeing. School officials are responsible for interpreting this document and, if a situation is not specifically addressed, the school will make decisions based upon staff discretion, applicable board policies and state and federal statutes and regulations, consistent with the student's best interests.

Title IX

The Board of Education of the Oxford Community School District does not discriminate on the basis of sex (including sexual orientation or gender identity), in its education programs or activities, and is required by Title IX of the Education Amendments Act of 1972, and its implementing regulations, not to discriminate in such a manner. The requirement not to discriminate in its education program or activity extends to admission and employment. The Board is committed to maintaining an education and work environment that is free from discrimination based on sex, including sexual harassment.

The Board prohibits Sexual Harassment that occurs within its education programs and activities. When the District has actual knowledge of Sexual Harassment in its education program or activity against a person in the United States, it shall promptly respond in a manner that is not deliberately indifferent.

Pursuant to its Title IX obligations, the Board is committed to eliminating Sexual Harassment and will take appropriate action when an individual is determined responsible for violating this policy. Board employees, students, third-party vendors and contractors, guests, and other members of the School District community who commit Sexual Harassment are subject to the full range of disciplinary sanctions. The Board will provide persons who have experienced Sexual Harassment ongoing remedies as reasonably necessary to restore or preserve access to the District's education programs and activities.

Please refer to Board of Education policy 3118 that can be found on our website under Board of Education Policy.

Prohibited Behavior

Members of the school district community who believe that a Title IX violation may have occurred, should discuss their concerns and/or file a complaint with the District's Title IX coordinator. If you would like to report a Title IX concern, please contact the following:

Mrs. Ryan Reid
Assistant Superintendent of Human Resources
Title IX Coordinator
Oxford Community Schools
775 W. Drahner Road, Oxford, MI 48371
248-969-5000

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SECTION I: INTRODUCTION

The Oxford Community School District is dedicated to creating and maintaining a positive learning environment for all students. All members of our learning community—including students, educators (including teachers, secretaries, custodians, aides, paraprofessionals, and other school personnel), parents, 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:

- Take responsibility for your learning and recognize that it is a process.
- Attend school regularly, arrive on time, and be prepared to learn.
- Respect yourself and others in class, on school grounds, on buses, and at any school-related activity.
- Respect the rights and feelings of all stakeholders
- Work within the existing structure of the school to address concerns.
- Know and comply with school district rules and policies.
- 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.

Parents have the responsibility to:

- 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.
- See that your child(ren) attends school regularly and on time.
- Provide for your child(ren)'s general health and welfare as much as possible.
- Teach and model respect for yourself, your child(ren), and all members of the school community.
- Support the school's efforts to provide a safe and orderly learning environment.
- Know and support the school and district rules and policies and work within the existing structure of the school to address concerns.
- Advocate for your child(ren) and take an active role in the school community.
- Attend your child(ren)'s parent/teacher conferences.

Educators have the responsibility to:

- Take responsibility for students' development as learners, including their academic success, and positive social-emotional development, recognizing children should be subject to behavior management and discipline policies appropriate to their ages and levels of understanding.
- Model and provide a mutually respectful and accountable atmosphere for learning that includes all members of the school community.
- 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.
- Keep parents informed of their students' challenges, effort, and success.
- Encourage students to participate in classroom, extracurricular, and other school-related activities.
- Know and enforce the rules and policies consistently, fairly, and equitably, particularly procedures involving student due process and required consideration of the 7 factors.
- Participate in formulating rules and procedures and other learning and developmental opportunities in the school.
- Participate in training and professional learning communities provided by the district that supports providing a positive culture and climate and promotes student learning.

The Student Code of 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 severity or repetition of misconduct, age and grade level of the student, circumstances surrounding the misconduct, impact of the student's misconduct on others in the school community, and any other relevant factors in determining how they will address misconduct.

The Student Code of Conduct will be administered fairly, without partiality or discrimination.

The Student Code of 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.

<u>When and Where the Student Code of Conduct Applies</u>
The Student Code of Conduct applies before, during, and after school and whenever 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, at bus stop 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.

<u>Regarding Exclusionary Discipline</u>

Numerous studies have shown that exclusionary discipline often sets the stage for student disenfranchisement, academic failure, dropout, negative school climate, and

potential criminalization. This runs counter to the Michigan State Board of Education's (SBE's) mission and goal that all students will graduate prepared for careers, college, and community.

Further, based on a preponderance of research, the U.S. Department of Education (USED) links school attendance with academic success and links exclusionary discipline with lower school performance and higher rates of students' academic failure. Recognizing exclusionary discipline's negative impact, the school community will reserve exclusion for only the most serious offenses. We will also employ social and emotional learning, positive behavioral expectations, restorative practices and constructive discipline measures and early intervention/diversion strategies that focus on screening and treatment to minimize a suspended student's time away from school and potential court involvement.

To foster each student's academic success and pro-social development, the school will consider research-based social and emotional learning strategies and options designed to promote positive behavior and modify negative behavior while holding students accountable and minimizing exclusion time. (For this code, a program is considered research-based if some research demonstrates its effectiveness. The practice does not have to earn the rank of evidence-based— which means the practice has been proven effective in multiple-site random controlled trials across heterogeneous populations—though evidence-based is preferred.) These may include research- or evidence-based preventative and discipline measures such as:

- Positive Behavioral Interventions and Supports (PBIS)
- Michigan Model for Health™
- Focused instruction to avert academic failure
- Restorative practices
- Early intervention/diversion programs for substance abuse and other appropriate violations
- Family supports and referrals to available community-based resources as appropriate
- Addressing school climate and culture

While the ten-day limit for short-term suspension may be widely accepted, the evidence exists that excluding a student from two weeks of instruction can have a devastating effect on the student, school performance, and long-term success.

Recognizing that grades should reflect learning rather than behavior, when suspension is used, students have the right to complete, turn in, and receive any credit earned on assignments and tests scheduled during their disciplinary absences in accordance with the suspension/expulsion plan.

Administered well and appropriately, positive discipline can become a powerful tool for teaching students to succeed. When considering intervention options, we will strive to address disciplinary matters as opportunities for learning and reserve exclusion for only the most serious offenses.

SECTION II: DUE PROCESS PROCEDURES

The Due Process Clause of the Fourteenth Amendment to the U.S. Constitution provides two types of protection: substantive due process and procedural due process.

In developing a policy governing school rules and regulations, the following principles to assure substantive due process should be considered:

- The policy must provide notice of what conduct is prohibited or permitted.
- The rules must be reasonably understandable to the average child/student, taking into account the age of the individual child/student.
- The rules must be rationally related to a valid educational purpose.
- The rules must be precise so as not to prohibit constitutionally protected activities.
- The policy must provide students with notice of potential consequences for violating specific rules.
- The type of consequence specified in the policy must be within the expressed or implied authority of the school district to utilize.
- The consequence must be of reasonable severity in relation to the seriousness of the misconduct or the number of times the misconduct was committed.
- Rules and procedures must be disseminated to all students and parents.

The following are some of the elements of procedural due process that should be considered:

- The timely and specific notice of charges against a student.
- The student's right to present evidence on his or her behalf.
- The student's right to an impartial hearing.
- The student's right to rebut adverse testimony.
- The student's opportunity to be represented by qualified counsel at the hearing.
- The student's opportunity to a record of the hearing.
- The student's opportunity to appeal.

As noted in the Introduction, The Student Code of 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. Students with an Individualized Education Program (IEP) are responsible for following The Student Code of Conduct. As a consequence of a violation of The Student Code of Conduct by a student with an IEP, specific procedures may apply. Information about these procedures is available at www.michigan.gov/ose-eis.

Short-Term Suspension Definition

For purposes of this code, 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.

Due Process for Short-Term Suspensions

For a **suspension of ten (10) days or less**, a student is entitled to minimal due

process protections, including oral or written notice of the accusation(s), consideration of the 7 factors, what disciplinary measures are being proposed, and an opportunity to respond. If feasible, the notice and hearing should precede the student's removal from school. If the student's presence poses a danger to persons or property or threatens to disrupt the academic process, prior notice and hearing may not be feasible. In this case, a hearing should follow the student's removal from school as soon as possible.

Except in extraordinary circumstances, alleged violations of The Student Code of Conduct are initially handled at the student's school. If a short-term suspension is contemplated, the principal or assistant principal or designee shall provide the student and the parent/guardian with oral or written notice of the charges or allegations and an explanation of the evidence or basis for the charges. The student's request to have a parent/guardian present should be respected.

Long-Term Suspension and Expulsion Definition

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.

An expulsion occurs when the school district's Discipline Tribunal terminates the student's rights and privileges to attend school, including extracurricular activities, for sixty (60) school days or more. An expulsion may be for an indefinite time, as specified by the school board or state law.

*The Discipline Tribunal consists of a school administrator from all levels, (high school, middle school and elementary), and one district administrator.

Due Process for Long-Term Suspension and Expulsion

A more formal due process procedure is required when serious disciplinary measures are alleged against a student. This includes rebuttable presumption and consideration of the seven factors:

- The pupil's age.
- The pupil's disciplinary history.
- Whether the pupil is a student with a disability.
- The seriousness of the violation or behavior committed by the pupil.
- Whether the violation or behavior committed by the pupil threatened the safety of any pupil or staff member.
- Whether restorative practices will be used to address the violation or behavior committed by the pupil.
- Whether a lesser intervention would properly address the violation or behavior committed by the pupil.

When the student's misconduct requires legal action, school district staff will work to protect the student's due process by explaining what the student is accused of and giving him/her the opportunity to speak with an adult advocate such as a parent or other family member, guardian, mentor, friend, and/or attorney. The student shall be given reasonable time to prepare for a hearing. The person conducting the disciplinary hearing must be impartial.

If long term suspension or expulsion is recommended by the principal or designee, the school district's Discipline Tribunal 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(s), the recommended disciplinary action, the time, date, and location of the hearing, and of their right to attend and participate in the hearing.

Prior to the hearing, the student and parent/guardian will have an opportunity to review all documents, videos, other media, or any other types of evidence, within a reasonable amount of time.

Prior to the hearing, the student and parent/guardian should be notified of the district's processes for hearings and appeals.

The Discipline Tribunal shall conduct a hearing, which may be recorded if the hearing is held in open session. The student shall be advised of the alleged violation and be given an explanation of the facts. The explanation may include the written or oral testimony of others, but names or personally identifying information of student witnesses may be redacted.

The student and parent/guardian may be represented at the hearing by an attorney or other adult. If a family plans to bring an attorney to the hearing, we request to be notified immediately so we may also schedule our attorney to appear. Written or oral evidence may be presented at the hearing on behalf of the student.

After the hearing, the Discipline Tribunal shall issue a decision, including a determination of disciplinary action.

The parents may appeal the expulsion to the Board, in writing, within ten (10 days after receipt of the notice. The parents shall state in the appeal the reasons they think the Superintendent's decision is not justified and provide any extenuating circumstances they wish the Board to consider. The Board may conduct a hearing or respond with its decision in writing within ten (10) days after it receives the appeal. The Board of Education must conduct the hearing in compliance with the Open Meetings Act.

Before returning to school, the student and parent will do the following:

- Short term suspension – the student will return to school and meet with building administration before reporting to class.
- Long term suspension and expulsion – the student will return to school and meet with building administration to develop a behavior plan before reporting to class.
- Expulsion of a "permanent expulsion" – the student will meet with the Discipline Tribunal representative and building administration to discuss the reinstatement and develop a behavior plan prior to returning to school.

SECTION III: TYPES OF SUSPENSION AND EXPULSION

The Revised School Code provides each school district with the authority to establish a local discipline policy. Each local school board or its designee has the authority to suspend or expel students guilty of “gross misdemeanor or persistent disobedience,” after considering the 7 factors, including lesser interventions. This must not, however, infringe on any of the federally protected rights guaranteed to students who qualify for special education programs and services [MCL 380.1311(9)]. County Intermediate School Districts or Regional Educational Service Agencies’ consultants, Community Mental Health Centers, medical clinics, and other human service agencies may need to be involved with a child whose behavior is “persistent.”

Recognizing exclusionary discipline’s negative impact, the school community will reserve exclusion for only the most serious offenses and will employ discipline measures and early intervention/diversion strategies with a focus on screening and treatment to minimize a suspended student’s time away from school and potential court involvement. Districts are required to develop and implement a Student Code of Conduct and to enforce its provisions with regard to student misconduct in a classroom, on school grounds, on a school bus or other school-related vehicle, and/or at a school-sponsored activity or event whether or not it is held on school grounds.

In considering students’ suspension or expulsion, a district shall comply with MCL 380.1310(c)(d) as follows:

The Discipline Tribunal shall consider using restorative practices as an alternative or in addition to suspension or expulsion. If the Discipline Tribunal suspends or expels a pupil under this act, the Discipline Tribunal shall consider using restorative practices in addition to suspension or expulsion. If the Discipline Tribunal decides not to suspend or expel a pupil for a disciplinary issue, the Discipline Tribunal shall consider using restorative practices to address the disciplinary issue. 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.

<u>Restorative practices may include:</u>

- Victim-offender conferences that are initiated by the victim;
- That are approved by the victim's parent or legal guardian or, if the victim is at least age 15, by the victim;
- That are attended voluntarily by the victim, a victim advocate, the offender, members or the school community, and supporters of the victim and the offender;
- And that provide an opportunity for the offender to accept responsibility for the harm caused to those affected by the misconduct and to participate in setting consequences to repair the harm.

The selected consequences shall be incorporated into an agreement that sets time limits for completion of the consequences and is signed by all participants.

As used in this section, "restorative practices" means practices that emphasize repairing the harm to the victim and the school community caused by a pupil's misconduct.

Before suspending or expelling a pupil under section the board of a school district or intermediate school district or board of directors of a public school academy, or a superintendent, school principal, or other designee under section 1311(1), shall consider each of the following seven factors:

- The pupil's age.
- The pupil's disciplinary history.
- Whether the pupil is a student with a disability.
- The seriousness of the violation or behavior committed by the pupil.
- Whether the violation or behavior committed by the pupil threatened the safety of any pupil or staff member.
- Whether restorative practices will be used to address the violation or behavior committed by the pupil.
- Whether a lesser intervention would properly address the violation or behavior committed by the pupil.

In exercising discretion with regard to a suspension of more than 10 days or an expulsion, there is a rebuttable presumption that a suspension or expulsion is not justified unless the board or its designee can demonstrate that it considered each of the seven factors listed. For a suspension of 10 or fewer days, there is no rebuttable presumption, but the board or its designee, shall consider each of the factors listed.

This section does not apply to a pupil being expelled under section 1311(2) for possessing a firearm in a weapon free school zone.

Consideration of the factors listed in subsection (1) is mandatory before suspending or expelling a student under section 1310, 1311(1), 1311(2), or 1311a. The method used for consideration of the factors is at the sole discretion of the board of a school district or intermediate school district or board of directors of a public school academy, or its designee. Subject to 1310(d), Michigan law requires a school district to permanently expel (subject to possible reinstatement) a student who possesses a dangerous weapon in a weapon-free school zone unless that student meets one of four exceptions (listed below) provided in the law. Michigan law also requires permanent expulsion (subject to possible reinstatement) of students who commit arson, criminal sexual conduct (as defined in the law and noted below), or a physical assault against a school employee, contractor, or volunteer. Michigan law also requires school districts to suspend or expel a student in grades 6 and above who commits physical assault against another student. Those exclusions can last no more than 180 days. In addition, Michigan law also allows any teacher to impose one-day “snap suspensions” from his/her class for students, and it establishes procedures the teacher must follow when exercising this option. Under the law, the suspending teacher must take a number of steps explained in greater detail below. The following information describes the law.

Weapons, Arson, or Criminal Sexual Conduct Expulsion

School districts are required to permanently expel (subject to possible reinstatement) 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:
    a.) The object or instrument possessed by the student was not possessed for the use as a weapon, or for direct or indirect delivery to another person for use as a weapon.
    b.) The weapon was not knowingly possessed by the student.
    c.) The student did not know or have reason to know that the object or instrument possessed by the student constituted a dangerous weapon.
    d.) The weapon was possessed by the student at the suggestion, request or direction of, or with the express permission of school or police authorities.

There is a rebuttable presumption that expulsion under subsection (2) for possession of a weapon is not justified if both of the following are met:

- The school board or its designee determines in writing at least 1 of the factors listed has been established in a clear and convincing manner.
- The pupil has no history of suspension or expulsion.

A student who possesses a weapon in a weapon-free school zone or commits arson or criminal sexual conduct at school or on school grounds is expelled from all Michigan public schools unless the school district operates or participates in an alternative education program appropriate for expelled students or unless the student is reinstated by the expelling board of education pursuant to the statutory reinstatement procedure.

If a student is expelled for possession of a dangerous weapon in a weapon-free school zone, arson in a school building or on school grounds, or criminal sexual conduct in a school building or on school grounds, the school board shall ensure that within three (3) days after the expulsion an official of the school district refers the individual to the appropriate county department of health and human services or county department of community mental health agency, and notifies the individual’s parent or legal guardian, or, if the individual is at least age 18 or an emancipated minor, notifies the individual of the referral. [MCL 380.1311(5)].

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].

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 enroute 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, Contractor, or Volunteer

A student in grade six (6) or above who commits a physical assault against an employee, contractor, 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].

A student expelled for committing physical assault against an employee, contractor, or volunteer of a district at school or on school grounds is expelled from all Michigan public schools unless the school district operates or participates in an alternative education program appropriate for expelled students or unless the student is reinstated by the expelling board of education pursuant to the statutory reinstatement process.

If a student in grade six (6) or above is expelled for committing a physical assault against a school employee, contractor, or volunteer, the school board shall ensure that within three days after the expulsion an official of the school district refers the individual to the appropriate county Department of Human Services or county Department of Community Mental Health agency, and notifies the individual's parent or legal guardian or, if the individual is at least age 18 or is an emancipated minor, notifies the individual of the referral [MCL 380.1311(4)].

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.

Petitioning for Reinstatement of a "Permanent Expulsion"

For students in grades six (6) or above, although the law calls for the "permanent" expulsion, if the district has considered the 7 factors and not found a suitable lesser intervention, of a student who possesses a dangerous weapon in a weapon-free school

zone, commits arson, criminal sexual conduct, or a physical assault against an employee, contractor, or a volunteer of a district, at school or on school grounds, the law provides a process for petitioning for reinstatement to school [MCL 380.1311(5) and 380.1311a(5)]. It is the responsibility of the petitioning person (a parent, legal guardian, or the expelled student if he or she is at least 18 years of age or is an emancipated minor) to prepare and submit the petition for reinstatement.

LEAs may consider early reinstatement, particularly in cases where students have followed through on district recommendations and services such as counseling, social skills training, etc.

Petition for Student to Return to School

If a petition form is requested by a person wishing to be reinstated, the district must make the petition form available.

For a student in grade five (5) or below that is expelled for possessing a firearm or threatening another person with a dangerous weapon, the parent/guardian or the student (if he or she is at least 18 years of age or an emancipated minor) may initiate a petition for reinstatement any time after 60 school days following the date of the expulsion. The student may be reinstated 90 school days following the date of expulsion.

For a student in grade five (5) or below that is expelled for committing arson or criminal sexual conduct in a school building or on school grounds, the parent/ guardian may initiate a petition for reinstatement at any time, and the student may be reinstated ten school days after the expulsion.

For a student in grade six (6) or above that is expelled for possessing a dangerous weapon in a weapon-free school zone, or who commits arson or criminal sexual conduct, the parent/guardian or the student (if he or she is at least 18 years of age or an emancipated minor) may initiate a petition any time after 150 school days following the date of expulsion. A student may be reinstated not earlier than 180 school days following the date of expulsion.

For a student in grade six (6) or above that is expelled for committing a physical assault against an employee, contractor, or volunteer, the parent/guardian or the student (if he or she is at least 18 years of age or an emancipated minor) may initiate a petition any time after 150 school days following the date of expulsion. A student may be reinstated 180 school days following the date of expulsion.

MCL L 750.1 to 750.568 sec. 520o states (1) as part of its adjudication order, order of disposition, judgment of sentence, or order of probation a court shall order that an individual who is convicted of or, a juvenile who is adjudicated for, a violation of section 520b, 520c, 520d, 520e, or 520g and who is a student at a school in this state is prohibited from doing either of the following:
a.) attending the same school building that is attended by the victim of the violation
b.) utilizing a school bus for transportation to and from any school if the individual or juvenile will have contact with the victim during use of the school bus.

A district may establish reinstatement procedures for students expelled for reasons other than those listed.

Oxford Community Schools' reinstatement procedures:

- Short term suspension - student will return to school and meet with appropriate school-based staff (administrator and/or school-based mental health staff) before reporting to class.
- Long term suspension and expulsion - student will return to school and meet with school-based staff - administrator and school-based mental health staff to develop a behavior plan before reporting to class.
- Permanent Expulsion - Please see board policy 5206C.01 https://meetings.boardbook.org/Public/File/1339?file=7c903716-816e-4f8b-ab5e-b35236e9deaa

Committee Review and Recommendation

The local school board may include conditions in a petition for reinstatement, including the successful completion of a restorative justice process or a similar effort, which the student can complete during the exclusion period or as a condition for returning to school. If the expelling school board denies a petition for reinstatement, the petitioner may petition another school board for reinstatement. The following timelines and procedures apply to reinstatement:

Within ten (10) school days after receiving a petition for reinstatement, the school board must appoint a committee comprised of two school board members, one school administrator, one teacher, and one parent of a student in the school district to review the petition and any supporting information submitted by the petitioner. During this time, the superintendent may prepare and submit information concerning the circumstances of the expulsion and any factors weighing in favor of or against reinstatement.

Not later than ten (10) school days after being appointed, the committee must review the petition and supporting information, together with information provided by the school district, and submit a recommendation to the school board. The committee may recommend unconditional reinstatement, conditional reinstatement, or against reinstatement. The recommendation must be accompanied by an explanation of the reasons for the recommendation. If the recommendation is for conditional reinstatement, it must include any recommended conditions.

According to the law, the committee's recommendation must be based on all of the following factors:

- The extent to which reinstatement of the student would create a risk of harm to pupils or school personnel.
- The extent to which reinstatement would create a risk of school district or individual liability for the school board or school district personnel.
- The age and maturity of the individual.
- The student's school record before the incident that caused the expulsion.
- The student's attitude concerning the incident that caused the expulsion.
- The student's behavior since the expulsion and the prospects for remediation.
- If the petition was filed by a parent or legal guardian, the degree of cooperation and support that has been provided by, and that can be expected from, that person if the student is reinstated, including, but not limited to, receptiveness

toward possible conditions placed on the reinstatement [MCL 380.1311(6)(e)].

The committee may also choose to consider such factors as the successful completion of restorative justice measures, the presence of mental health considerations, family situations that might be impacting the child's behavior, observations from a school-based advocate for the student, and more.

Alternative Education

A school district may provide alternative education for a student who has been suspended or expelled. The Michigan Attorney General issued an opinion cited as 1985 OAG 6271 in which he stated that the board of education of a school district which, in accordance with due process requirements, suspends for a lengthy period of time or permanently expels a non-disabled student who is subject to the compulsory education requirements is not required to provide an alternative education program for a student. The Michigan State Board of Education, however, encourages school districts to provide alternative education opportunities for excluded students.

- Ideally students would be placed in a comprehensive alternative program that devotes resources to academics and social skills.
- In situations where programs are unavailable, districts may provide community-based or home-based instruction and receive prorated per pupil funding.
- Students may be enrolled in an online program, with attention paid on providing proper instructional support.

Ultimately, it is the responsibility of the parent or legal guardian to locate a suitable alternative education program and to enroll their child in a program during the expulsion.

A student who has been suspended or expelled from his or her resident district for any reason may attend a nonresident alternative education program without the resident district's approval (MCL 388.1606(60(h)).

If there is no available alternative education program through his or her resident district, an expelled student may enroll in an adult education program (MCL 388.1707 (2)(b)(ii)). The expelled student must be at least 16 years of age on September 1 of the school year. The reason of expulsion must be due to weapons, arson, criminal sexual assault or physical assault against an employee or a volunteer of the district.

Mandatory Permanent Expulsion

Subject to 1310(d), a student who has been expelled for possession of a dangerous weapon, arson, criminal sexual conduct, or physical assault against an employee, contractor, or volunteer is expelled from all Michigan public schools unless the district operates or participates in an alternative education program appropriate for the mandatory expelled student. [MCL 380.1311(2) and 380.1311a(2)].

A program operated for mandatorily expelled students must ensure that a student is physically separated at all times during the school day from the general pupil population. If the student is not placed in an alternative education program or a "strict discipline academy," the school district may provide or arrange for the intermediate school district to provide to the student appropriate instructional services at home. Homebound services are designed to help students who are unable to attend school to keep up with their studies [MCL 388.1709].

SECTION IV: VIOLATIONS OF THE STUDENT CODE OF CONDUCT AND THE SCHOOL COMMUNITY RESPONSES

Schools are required to consider restorative practices as an alternative to, or in addition to, suspension or expulsion. [MCL 380.1310C(1)] Schools are also required to implement a plan that reduces expulsions and suspensions that exceed 10 school days. [MCL 388.1767a]

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 pages list actions that can cause disruptions and, therefore, require some action to address the harm they cause. Whenever possible, the action to address this misconduct should include steps to heal the harm and restore the community members affected.

Violations of the Student Code of Conduct

Various types of student misconduct are defined below. These definitions of misconduct are not all-inclusive, but only representative and illustrative of a violation. A student who commits an act of misconduct not listed herein is nonetheless subject to disciplinary action.

Violations are categorized into consequence levels based on the following factors:

- severity of the infraction(s)
- impact on the educational environment
- impact on the operations of the school day/year
- safety of others
- ability of others to learn
- ability of others to feel socially, emotionally or physically safe
- ability of staff to perform their duties

Violation Definitions and School Responses

LEVEL 1

1. **Cheating/Academic Dishonesty**
   A student will not plagiarize, cheat, collude, duplicate, invent or manipulate information, gain unauthorized access to, or tamper with educational materials including improper use of artificial intelligence. Discipline under this section may result in academic sanctions in addition to other discipline consequences. Please refer to OMS-OHS Academic Integrity Policy.
   Level 1 - 2

2. **Closed campus violation**
   Once a student arrives on school grounds, and school is in session, they may not leave without permission from school authorities and must check out through the Main Office. Students may not leave campus for the expressed purpose of obtaining any type of food or beverage. Food deliveries by outside vendors are prohibited.
   Level 1 – 3

3. **Disregard for the Educational Environment or School Operations**
   A student will not knowingly 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 disregard for the educational environment/school operations. Behavior is considered disorderly if a teacher is prevented from starting an activity or lesson, or has to stop instruction to address the disruption, and/or becomes a danger to the transportation of students.
   Level 1 - 2

4. **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. Clothing and grooming must conform to school dress code policy.
   Level 1 - 2

5. **Electronic Communication Devices**
   Students will not possess a cellular telephone or other electronic communication device unless authorized by a teacher or school administrator.
   Level 1 - 2

6. **Failure to properly register a motor vehicle driven to school**
   Improper parking of a motor vehicle driven to school or failure to have a school issued parking pass.
   Level 1

7. **Failure to Serve Assigned Detention**
   A student shall serve an assigned detention of which students and/or parents/guardians have been notified. The detention notification method must be confirmed by a school employee. Alternative consequences may, on a case-by-case basis, be approved by school administrators for students who lack transportation.
   Level 1 - 2

8. **False Information**
   A student will not use another person's identification or give false identification to any school official with intent to deceive school personnel, to avoid discipline, to falsely obtain money or property, or for any other reason. A student will not provide false information that obstructs the operation of the school day.
   Level 1 - 2

9. **Forgery**
   A student will not sign the name of another person for the purpose of defrauding another.
   Level 1 - 2

10. **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.
    Level 1 – 2

11. **Harassment/Intimidation**
    A student will not engage in or participate in any behavior that is included in the definition of 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, staff member, or visitor; or damaging their property, placing them in reasonable fear of harm to their person or damage to their property; or that has the effect of insulting or demeaning any student, staff member, visitor or group of people in such a way as to disrupt or interfere with the school’s educational mission or the education of any student.
    Level 1 – 5

12. **Improper, Negligent, or Reckless Operation of a Motor Vehicle**
    A student will not intentionally or recklessly operate a motor vehicle so as to endanger the safety, health, or welfare of others on school property.
    Level 1 - 2

13. **Inappropriate Physical Contact Against Another Student**
    A student will not knowingly engage in horseplay or other inappropriate physical contact with other students. The inappropriate physical contact does not reach the level of assault or fighting.
    Level 1 - 2

14. **Inappropriate Physical Contact Against Staff, Contractor, or Volunteer**
    A student will not knowingly engage in inappropriate physical contact with staff, contractor, or volunteer. The inappropriate physical contact does not reach the level of assault or fighting.
    Level 1 - 2

15. **Insubordination/Unruly Conduct**
    A student will not willfully 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, running away from school staff when told to stop or any repeated behavior that has been addressed by school administration and personnel constitutes unruly conduct.
    Level 1 – 3

16. **Leaving School without Permission**
    A student will not leave the school building, classroom, cafeteria, assigned area, or campus without permission from authorized school personnel. Intentionally providing misleading information to school officials or staff to leave is prohibited.
    Level 1 – 3

17. **Loitering**
    A student will not remain or linger on school property without a legitimate purpose and/or without proper authority.
    Level 1 - 2

18. **Plagiarism**
    A student will not plagiarize, cheat, gain unauthorized access to, or tamper with educational materials. Discipline under this section may result in academic sanctions in addition to other discipline. Please refer to OMS-OHS Academic Integrity Policy. *Refer to Policy No. 5208 and Student Acceptable Use and Internet Safety Policy.*
    Level 1 - 2

19. **Profanity and/or Obscenity use of racial or ethnic slurs toward staff**
    A student will not verbally, in writing, electronically, or with photographs or drawings direct profanity or insulting, obscene gestures or disrespect toward any school district staff members or visitors.
    Level 1 – 3

20. **Profanity and/or Obscenity and use of racial or ethnic slurs toward students**
    A student will not verbally, in writing, electronically, or with photographs or drawings direct profanity or insulting, obscene gestures toward any other student.
    Level 1 – 3

21. **Public Display of Affection**
    Students will not engage in inappropriate displays of affection and inappropriate public intimacy.
    Level 1 - 2

22. **Smoking/Vaping**
    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. *Police may be contacted.*
    Level 1 - 2

23. **Tardiness**
    A student will not fail to be in his or her place of instruction at the assigned time without a valid excuse.
    Level 1 - 2

24. **Theft or Possession of Stolen Property (values up to $100.00)**
    A student will not, without permission of the owner or custodian of the property, take property or have in his or her possession property which does not belong to the student. For values over $100.00 refer to Serious Violations Section.
    Level 1 - 2

25. **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.
    Level 1 - 2

LEVEL 2

26. **Bullying/Cyberbullying**
    A student will not engage in bullying or cyberbullying 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 this includes outside of school day and off school premises and becomes a disruption to the school environment is subject to discipline. "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.

    Oxford Community Schools practices the Olweus Bullying Prevention Program. This is a long-term, system-wide program for change involving program components at four levels: school level, classroom level, individual level, and community level. The Olweus Bullying Prevention Program is designed to improve peer relations and make schools safer, more positive places for students to learn and develop.

    "Bullying" means any written, verbal, or physical act, or any electronic communication, including, but not limited to, cyberbullying, that is intended or that a reasonable person would know is likely to harm 1 or more pupils either directly or indirectly by doing any of the following:

    Substantially interfering with education opportunities, benefits, or programs of 1 or more pupils adversely affecting the ability of a pupil to participate in or benefit from the school district's 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.

Mich. Comp. Laws Serv. § 380.1310b (2016)
Level 2 – 5, Police may be contacted.

Refer to Policy No. 5207.01 Bullying and Other Aggressive Behavior Toward Students.

"Cyberbullying" means any electronic communication that is intended or that a reasonable person would know is likely to harm 1 or more pupils either directly or indirectly by doing any of the following:
Substantially interfering with educational opportunities, benefits, or programs of 1 or more pupils.

Adversely affecting the ability of a pupil to participate in or benefit from the school district's 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.

Mich. Comp. Laws Serv. § 380.1310b (2016)
Level 2 – 5, Police may be contacted.

Refer to Policy No. 5208 Student Acceptable Use and Internet Safety Policy.

27. **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. *Restitution may apply.*
Level 2 - 4

28. **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. *Restitution may apply.*
Level 2 – 4

29. **Fighting**
A student will not physically fight with another person.
Level 2 - 4

30. **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.
Level 2 – 3

31. **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. Per Michigan Penal Code 750.411u gangs are defined as an ongoing organization, association, or group of 5 or more people, other than a nonprofit organization, that identifies itself by all of the following:
    - A unifying mark, manner, protocol, or method of expressing membership, including a common name, sign or symbol, means of recognition, geographical or territorial sites, or boundary or location.
    - An established leadership or command structure.
    - Defined membership criteria.

    Level 2 – 5

32. **Hazing**

    The act of hazing is a crime in Michigan and will not be tolerated in the district. A student will not engage in or participate in any behavior that is included in the definition of hazing. The term "hazing" means "an intentional, knowing, or reckless act by a person acting alone or acting 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, and that is done for the purpose of pledging, being initiated into, affiliating with, participating in, holding office in, or maintaining membership in any organization." The term “organization” means "a fraternity, sorority, association, corporation, order, society, corps, cooperative, club, service group, social group, athletic team, or similar group whose members are primarily students at an educational institution." [MCL 750.411t].
    Level 2 - 4

33. **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, or personal entertainment devices. Certain devices may be permitted for health or other reasons, if approved by the administration.

    WARNING: The taking, disseminating, transferring, or sharing of obscene, pornographic, lewd or otherwise illegal images or photographs, whether by electronic data transfer or otherwise (commonly called texting, sexting, emailing, etc.) may constitute a crime under state and/or federal law. A police report will be made.
    Level 2 – 5

34. **Sexual Conduct**
    Students will not engage in consensual sexual behaviors occurring on school property, a school bus, or at a school sponsored event/activity.
    Level 2 – 3

35. **Technology Abuse**
    A student will not violate the district’s “Technology Use Guidelines.” Technology Policy and Guidelines can be found on the district website. All families sign an

Acceptable Use Policy (AUP) annually through the student update information portal during student registration.
Level 2 – 5

Refer to Policy No. 5208 Student Acceptable Use and Internet Safety Policy.

36. **Threat/Coercion**
A student will not threaten another with bodily harm, verbally or electronically. A student will not coerce another to act or refrain from acting. Consideration will be made regarding a threat assessment and the situation may be reported to police.
Level 2 – 5

37. **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. Failure to leave when directed by school personnel will be considered trespassing as well. If removed, suspended, or expelled from school, a student will not return to the school premises without permission of the proper school authorities.
Level 2 – 3

LEVEL 3

38. **Weapon Look-A-Likes**
A student will 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.
Level 3 - 4

39. **Sexual Harassment**
A student will not use words, pictures, video, 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. 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 visitors.
Level 3 – 5

Serious Violations

Legal mandates and community safety may require removal of individuals subject to MCL 380.1310(d) who possess weapons, 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 who commit physical assault against another (380.1310, 380.1311, 380.1311a, 380.1312). However, the USED links school attendance with academic success and links exclusionary discipline with lower school performance and higher rates of students' academic failure. Recognizing exclusionary discipline's negative impact, the school community will reserve exclusion for only the most serious offenses. The district will employ discipline

measures and early intervention/diversion strategies with a focus on screening and treatment to minimize suspended students' time away from school and potential court involvement. Districts shall consider the 7 factors and rebuttal presumption, where appropriate, before using exclusionary practices such as suspension and expulsion.

When the student's misconduct requires legal action, school district staff will take the following steps:

- To the extent practicable, the school will explain what the student is accused of and will give him/her the opportunity to speak with an adult advocate such as a parent or other family member, guardian, mentor, friend, and/or attorney.
- If the student's disciplinary action requires a hearing, the school will provide the student and his/her representative with copies of all documents that might be used in the hearing.
- If the student is found not guilty of the alleged misconduct in a criminal trial, the school district may consider re-evaluating the student's expulsion.

The school community will persistently check that students understand what is respectful and accountable conduct toward themselves, their peers, adults, and property. In the event that students violate the following rules, the school community will apply any of the options listed above with the support and guidance to increase the opportunity for the student to offer restitution, learn from mistakes, and restore both the offender and the offended.

LEVEL 2

40. **Fireworks**
    A student will not possess, handle, transmit, conceal, or use any fireworks or firecrackers on school property or any school-related event. *Police may be contacted.*
    Level 2 - 4

41. **Interference with School Authorities**
    A student will not interfere with administrators, teachers, or other school personnel or volunteers by threat or violence.
    Level 2 – 4

LEVEL 3

42. **Alcohol and Drugs**
    A student will not be under the influence of, 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 may include, but not limited to: marijuana, hashish, other cannabinoids, or other illicit drugs. 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. Drug paraphernalia and distribution with the intent to distribute may result in a higher level of consequence. Student with multiple drug offenses will receive increased consequences and potentially be directed to drug

counseling courses for safe transition back into the school environment. *Police will be contacted.*
Level 3 – 5

43. **Extortion**
A student will not make another person do any act against his or her will, by force or threat, expressed or implied. *Police will be contacted.*
Level 3 – 4

44. **Robbery**
A student will not take or attempt to take from another person any property, by force or threat of force, expressed or implied. *Police will be contacted.*
Level 3 – 4

45. **Tampering with Security/Fire Alarm System/Communication 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. A student will not destroy, damage, or otherwise tamper with any fire alarm system, duress system, stop the bleed kit, night lock or any communication system in any school building. These acts are prohibited, irrespective of the whereabouts of the student. *Police will be contacted*.

    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, or if a student tampers with a Security/Fire Alarm System/Communication System the Discipline Tribunal may be required to 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)]. *Police will be contacted*.
    Level 3 – 5

46. **Theft or Possession of Stolen Property (values over $100.00)**
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. Police will be contacted.
Level 3 - 5

47. **Threats (Bomb or Similar)**
A student will not convey any threat against a student, group of students or building or district. This includes verbal, written, electronically transmitted threats or posts.

    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. *Police will be contacted.*
    Level 3 – 5

48. **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. It also includes parts to weapons or tools that could be used to potentially harm. Police will be contacted.
    Level 3 – 5

49. **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.
    Level 3 - 5

    As explained elsewhere in this code of conduct, a student who is expelled for possessing a weapon in a weapon-free school zone or for arson or criminal sexual conduct at school or on school grounds, or (if in grade six (6) or above for physical assault of a school employee, contractor, or volunteer is expelled from all Michigan public schools unless the school district operates or participates in an alternative education program appropriate for expelled students. The Michigan State Board of Education encourages school districts to provide alternative education opportunities for excluded students. It encourages schools to explore the Michigan Department of Education’s list of alternative education providers at https://www.michigan.gov/documents/MDE/2018_Alternative_Education_Programs_661284_7.xlsx with the goal of keeping suspended and/or expelled students engaged in learning.

    If a student is expelled for possession of a dangerous weapon in a weapon-free school zone, arson in a school building or on school grounds, or criminal sexual conduct in a school building or on school grounds, or (for students in grades 6 and above) for physical assault of a school employee, contractor, or volunteer, the school board shall ensure that within three days after the expulsion an official of the school district refers the individual to the appropriate county Department of Human Services or county Department of Community Mental Health agency, and notifies the individual’s parent or legal guardian or, if the individual is at least age 18 or is an emancipated minor, notifies the individual of the referral [MCL 380.1311(4)].

    The school district may request an emotional, behavioral, and/or chemical dependency evaluation and treatment and/or counseling recommendation as a condition for reinstatement. The intervention strategy or discipline may require the student to follow any or all treatment recommendations of the evaluation. The evaluation must be a source approved by school district administration.

LEVEL 5

50. 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 Discipline Tribunal may be required to 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]. *Police will be contacted.*

Level 5

51. 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 Discipline Tribunal may be required to 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 Discipline Tribunal may be required to expel the student from the school district permanently, subject to possible reinstatement under MCL 380.1311a(5) [MCL 380.1311a(1)].

"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)]. *Police will be contacted.*

Level 5

52. Sexual Assault

A student will not sexually assault another person. If a student commits and is convicted of criminal sexual conduct the school board or its designee may be required to expel the student from the school district permanently, subject to possible reinstatement in a different school from the victim, 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]. *Police will be contacted*.

Level 5

53. 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, and knife with a blade over three inches in length, pocketknife opened by a mechanical device, iron bar, or brass knuckles [MCL 380.1313]. Except as noted below, the Discipline Tribunal may be required to expel permanently a student who possesses a dangerous weapon, subject to

possible reinstatement. *Police will be contacted.*

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.

Level 5

As explained elsewhere in this code of conduct, a student who is expelled for possessing a weapon in a weapon-free school zone or for arson or criminal sexual conduct at school or on school grounds, or (if in grade six (6) or above for physical assault of a school employee, contractor, or volunteer is expelled from all Michigan public schools unless the school district operates or participates in an alternative education program appropriate for expelled students. The Michigan State Board of Education encourages school districts to provide alternative education opportunities for excluded students. It encourages schools to explore the Michigan Department of Education's list of alternative education providers at https://www.michigan.gov/documents/MDE/2018_Alternative_Education_Programs_661284_7.xlsx with the goal of keeping suspended and/or expelled students engaged in learning.

If a student is expelled for possession of a dangerous weapon in a weapon-free school zone, arson in a school building or on school grounds, or criminal sexual conduct in a school building or on school grounds, or (for students in grades 6 and above) for physical assault of a school employee, contractor, or volunteer, the school board shall ensure that within three days after the expulsion an official of the school district refers the individual to the appropriate county Department of Human Services or county Department of Community Mental Health agency, and notifies the individual's parent or legal guardian or, if the individual is at least age 18 or is an emancipated minor, notifies the individual of the referral [MCL 380.1311(4)].

The school district may request an emotional, behavioral, and/or chemical dependency evaluation and treatment and/or counseling recommendation as a condition for reinstatement. The intervention strategy or discipline may require the student to follow any or all treatment recommendations of the evaluation. The evaluation must be a source approved by school district administration.

School Community Responses to Violations

The school community will maintain a safe and supportive environment and persistently 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 Student Code of 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 should use mutually respectful and accountable intervention strategies, as determined by local district policies including, but not limited to, restorative practices, staff and student/parent conferences, auxiliary staff intervention and counseling programs, student programs for conflict resolution and peer mediation, and programs for anger management and violence prevention. They may also refer students and/or their families to community-based services such as mental health care, substance abuse prevention and diversion, and others. Any of the following intervention strategies and disciplinary actions may be used alone or in combination:

- administrator/student conference or reprimand
- administrator and teacher-parent/guardian conferences
- before- and/or after-school detention
- before- and/or after-school detention
- behavioral contracts
- Behavior Intervention Plan (BIP)
- behavior intervention teacher training
- bus suspension
- change in student's class schedule
- confiscation of inappropriate item
- consultation with a behavioral specialist
- cooperate with the parent/guardian to ensure follow-through on intervention
- coordinate behavior intervention strategies with personnel
- counseling and psychological services
- daily/weekly progress reports
- denial of participation in class and/or school activities
- expulsion
- in-school suspension
- law enforcement agency notification
- other intervention strategies, as needed
- out-of-school suspension (short-term) from one (1) school day up to and including ten (10) school days
- referrals and conferences involving various support staff or agencies
- restoration for all affected parties
- school service assignment
- support restitution of offense
- weekend detention

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.

Guidelines for Appropriate Disciplinary Levels

The disciplinary steps listed below will be followed in the administration of all disciplinary action. Corrective measures may be altered per administrative discretion. In all situations where a suspension or expulsion is contemplated in response to a disciplinary incident, the teacher/administrator/discipline tribunal must first determine whether suspension/expulsion is warranted based on 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

Violations are categorized into consequence levels based on the following factors:

- severity of the infraction(s)
- impact on the educational environment
- impact on the operations of the school day/year
- safety of others
- ability of others to learn
- ability of others to feel socially, emotionally or physically safe
- ability of staff to perform their duties

Depending upon the student's age, severity, or repetition of the offense, a level violation may be reclassified at the discretion of the building administrator.

Level 1 – violation that may cause minor disruption to the student's learning.
Level 2 – violation(s) that typically is disruptive or interferes with the student's learning environment.
Level 3 – violation(s) that typically interferes with the educational process of learning to others.
Level 4 – violation(s) aggressive in nature may be considered unlawful, and interferes with the effective function of the school.
Level 5 – violation(s) consistent with Michigan Law, certain behavior and acts may result in expulsion.

<u>Level 1</u>
Step 1: Restorative Practice
To foster each student's academic success and pro-social development, the school will consider research-based social and emotional learning strategies and options designed to promote positive behavior and modify negative behavior while holding students accountable and minimizing exclusion time. (For this code, a program is considered research-based if some research demonstrates its effectiveness. The practice does not have to earn the rank of evidence-based—which means the practice has been proven effective in multiple-site random controlled trials across heterogeneous populations— though evidence-based is preferred.)

These may include research- or evidence-based preventative and discipline measures such as:

- Positive Behavioral Interventions and Supports (PBIS)
- Michigan Model for Health™
- Focused instruction to avert academic failureRestorative practices
- Early intervention/diversion programs for substance abuse and other appropriate violations
- Family supports and referrals to available community-based resources as appropriate
- Addressing school climate and culture

Step 2: Administrative Conference with Student and Parent
An administrative conference with student and parent will usually occur subsequent to the preliminary corrective measures described in Step 1, and may include a review of suspension/expulsion procedures.

Level 2
Step 3: Suspension for One School Day
The duration of this suspension is for one school calendar day. The student is suspended from all classes, school related activities and transportation for one school calendar day.

Step 4: Suspension for Three School Days
The duration of this suspension is for 3 school calendar days. The student is suspended from all classes, school related activities and transportation for 3 school calendar days.

Level 3
Step 5: Suspension for Five School Days
The duration of this suspension is for 5 school calendar days. The student is suspended from all classes, school related activities and transportation for 5 school calendar days.

Step 6: Suspension for 10 School Days
The duration of this suspension is for 10 school calendar days. The student is suspended from all classes, school related activities and transportation for 10 school calendar days.

Level 4
Step 7: Suspension for 11 of More Days
The duration of this suspension is for a definite number of days in excess of 10 school days and up to 59 school days.

Level 5
Step 8: Expulsion
Expulsion is the removal from school for 60 or more school days.

SECTION V: OTHER STUDENT RESPONSIBILITIES

The school community encourages student responsibility in terms of attendance, technology, and property. The expectations for these issues are defined below.

Attendance

The school district emphasizes the value of regular attendance in enabling students to benefit from the school's education programs. Michigan law places responsibility on each student to attend school on a daily basis, and on each parent or guardian to send their child to school on a daily basis. More important, however, is the effect of regular and punctual attendance on the student's scholastic achievement. Not only is each day's lesson important to the individual student, the student's participation in class contributes to the education of others. Frequent absences and tardiness, for any reason, are certain to adversely affect the student's schoolwork. Each student is expected to be in school every day except when illness, injury, or some providential condition beyond the student's control prevents attendance.

The complete Attendance Policy can be found in each school's student handbook.

Technology

The student will respect school district technology by adhering to the district's technology use policy. An Acceptable Use Policy (AUP) is a written agreement in the form of guidelines, terms and conditions of technology use, rules of online behavior, and access privileges.

Your acknowledgement and agreement to this policy is included during the annual student update process for student registration for the new school year.

Property

The student will respect the school-district-provided lockers by adhering to the district's policy. The Model Policy on Searches of Pupils' Lockers and Locker Contents is included.

Locker Searches

Lockers Are School Property

All lockers assigned to pupils are the property of the school district. At no time does the school relinquish its exclusive control of its lockers. The public school principal or his/her designee shall have custody of all combinations to all lockers or locks. Pupils are prohibited from placing locks on any locker without the advance approval of the public school principal or his/her designee.

Legitimate Use of School Lockers

The school assigns lockers to its pupils for the pupils' convenience and temporary use. Pupils are to use lockers exclusively to store school-related materials and authorized personal items such as outer garments, footwear, grooming aids, or lunch. Pupils shall not use the lockers for any other purpose, unless specifically authorized by school board policy or the public school principal or his/her designee, in advance of pupils bringing the items to school. Pupils are solely responsible for the contents of their lockers and should not share their lockers with other pupils, nor divulge locker combinations to other pupils, unless authorized by the public school principal or his/her designee.

Search of Locker Contents

Random searches of school lockers and their contents may have a positive impact on deterring violations of school rules and regulations, ensure proper maintenance of school property, and provide greater safety and security for pupils and personnel. Accordingly, the board authorizes the public school principal or his/her designee to search lockers and locker contents at any time, without notice, and without parent/guardian or pupil consent.

The public school principal or his/her designee shall not be obligated to but may request the assistance of a law enforcement officer in conducting a locker search. The public school principal or his/her designee shall supervise the search. In the course of a locker search, the public school principal or his/her designee shall respect the privacy rights of the pupil regarding any items discovered that are not illegal or against school policy and rules.

Seizure

When conducting locker searches, the public school principal or his/her designee may seize any illegal or unauthorized items, items in violation of board policy or rules, or any other items reasonably determined by the public school principal or his/her designee to be a potential threat to the safety or security of others. Such items include, but are not limited to, the following: firearms, explosives, dangerous weapons, flammable material, illegal controlled substances or controlled substance analogues or other intoxicants, contraband, poisons, and stolen property. Law enforcement officials shall be notified immediately upon seizure of such dangerous items or seizure of items that schools are required to report to law enforcement agencies under the Statewide School Safety Information Policy. Any items seized by the public school principal or his/her designee

shall be removed from the locker and held by school officials for evidence in disciplinary proceedings and/or turned over to law enforcement officials. The parent/guardian of a minor pupil, or a pupil eighteen (18) years of age or older, shall be notified by the public school principal or his/her designee of items removed from the locker.

Notice of Policy

A copy of policy 5102 *Lockers* regarding locker searches shall be provided annually to each pupil and parent/guardian of the pupil assigned a school locker.

The District may use detection dogs, without a warrant or consent, to sniff property in an effort to locate illegal drugs or contraband according to Board Policy 3107's protocol. Detection dogs will not be used to search a person unless the search is otherwise authorized by law or Policy.

A detection dog alerting on a person's property constitutes reasonable suspicion for a District administrator to search the property. Anything found during a search that violates Policy, school rules, school handbook, and other illegal items found during a search will be tagged and identified by a District administrator and turned over to law enforcement.

References

The Revised School Code, 380.1306, 2000 PA 87 (Locker Searches)
New Jersey v. T.L.O., 469 U.S. 325 (1985), U.S. Constitution, Amendment IV

*If the board of a school district, local public school district, or intermediate school district or board of directors of a public school academy operates a school that has pupil lockers, the board or board of directors shall adopt a policy on searches of pupils' lockers and locker contents. The board or board of directors shall provide a copy of this policy to each pupil at a school that has lockers and to the parent or legal guardian of each of those pupils. The board . . . shall also provide a copy of the policy to the department upon request by the department [380.1306(2)].

OCS STUDENT BEHAVIOR CONTRACT

NAME OF SCHOOL: _____

TO: Parent/Guardian and Student

Student Name:_____will begin this contract on this date_____to help in assuring his/her success. This contract will be used to assist in determining their future at _____ School.

GOALS FOR STUDENT:

I will follow all school rules and behavior expectation at_____School.

1.
2.
3.
4.

POSITIVE SUPPORTS:

1.
2.
3.
4.

CONSEQUENCES IF GOALS ARE NOT MET:

1.
2.
3.

Special Note: The rewards and consequences mentioned above are null and void if student commits an act that would require a suspension and/or expulsion. This will be determined by school policy and the school administration.

By signing this contract all parties agree to the stipulations in the document and will following accordingly.
The following contract will be reviewed by the student, parent/guardian, counselor and principal on the following date:

_____ _____

Signature of Student Date Signature of Principal Date

_____ _____

Signed Name of Parent/Guardian Date Signature of Teacher/Counselor Date

OCS PETITION FOR STUDENT TO RETURN TO SCHOOL
&
PETITION FOR REINSTATEMENT FOR A "PERMANENT EXPULSION"

DATE: _____

TO: Oxford Community Schools, 775 W. Drahner Road St., Oxford, MI 48371

FROM: _____, Petitioner

1.) Status of Petitioner:

- ☐ Parent(s) or Legal Guardian(s) of the Expelled Individual
- ☐ Expelled Individual (18 years of age or older)
- ☐ Expelled Individual (as an Emancipated Minor). *A copy of the court order of emancipation must be attached.*

2.) This Petition for Reinstatement is made on behalf of:

Name:_____Age:____Telephone #: _____

Address: _____

1. Parent(s) or Legal Guardian(s) of the Expelled Individual (include names, addresses, and telephone numbers of both parents/legal guardians, if appropriate):

Name(s):_____Telephone #:_____

Address:_____

Name(s):_____Telephone #: _____

Address: _____

2. Date of Expulsion: _____

3. Grade Level of Expelled Individual: _____

4. Expelling School District:_____
[Insert Name of Expelling School District]

5. Briefly describe the incident that caused the expulsion:

_____

_____

_____

6. Has the expelled individual received assistance from a state or county social services agency?
□ Yes ☒ No

If yes, attach all written documentation prepared by the agency regarding assistance the individual received from the date of expulsion to the date of this Petition.
□ *Failed to provide documentation.*

7. Has the expelled individual received assistance from a state or county community mental health agency?
□ Yes ☒ No

If yes, attach all written documentation prepared by the agency regarding assistance the individual received from the date of expulsion to the date of this Petition.
□ *Failed to provide documentation.*

8. Has the expelled individual received assistance from a private mental health professional from the date of expulsion to the date of this Petition? ☒ Yes ☒ No

If yes, attach a detailed report from the mental health professional setting forth any findings, including results of all tests and examinations performed, diagnosis, conclusions, and treatments provided from the date of expulsion to the date of this Petition.
□ *Failed to provide documentation.*

9. Has the individual received any academic education during expulsion?

□ Yes ☒ No

10. Was any criminal or juvenile court action initiated against the expelled individual as a result of the incident that caused the expulsion?

□ Yes ☒ No

11. Was the expelled individual convicted as:

□ An adult, or ☒ adjudicated as a juvenile offender as a result of the incident that caused the expulsion?

□ Yes ☒ No (If yes, attach a copy of the judgment of sentence or order of disposition, and information regarding their probation officer.)

Probation officer: Name and Title: _____

Address:_____Telephone #: _____

12. Other than the incident that caused the expulsion, was the expelled individual charged or convicted of any criminal offense in any court in the United States since the expulsion date?

□ Yes ☒ No

Explain:

_____

_____

_____

_____

13. Describe the expelled individual's attitude concerning the incident that caused the expulsion.

_____

_____

_____

14. a. Describe the expelled individual's behavior since the expulsion.

_____

_____

b. List aspects of the expelled individual's prior school record that the Board should take into consideration.

_____

_____

_____

15. What is the likelihood the expelled individual will be successful if reinstated to public education in the school district?

_____

_____

_____

16. Attach 1-2 letters of reference from persons who are not related to the expelled individual (encouraged but not required).

I understand that I am required to inform Oxford Community School District, in writing, of any change of circumstances from those recorded in this Petition or its attachments. I understand that if I fail to keep the Board of Education informed, that failure may be cause to revoke or deny reinstatement.

I understand that any false, incomplete or inaccurate information recorded in this Petition for Reinstatement or its attachments may result in the denial of this Petition, or revoke the individual's reinstatement to public school.

_____

Signed: _____ Date: _____