

# Greater Heights Academy



## Parent -Guardian / Scholar Handbook

**August 2022**

*This booklet is prepared as a service to Scholars (Kindergarten through 6<sup>th</sup> grade), parents, and faculty of Greater Heights Academy. The Board has authorized the policies and procedures listed in it to provide for the welfare of all Scholars of Greater Heights Academy. All policies, regulations, definitions, and procedures have been prepared to comply with the laws of the State of Michigan and of the United States. All parents, Scholars and faculty are expected to become familiar with the contents of this booklet.*

**If there are questions or comments, please direct them to the school's administrative team.**

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## Welcome

### Hello and Welcome to Greater Heights Academy!

Our mission statement is *“To achieve individual academic success for all scholars through a positive family/school/community partnership.”* We are very excited that you have decided to join our family. Here at GHA we pride ourselves on professionalism, class and family. What we have created here is something that we believe is truly special for our Families and Staff that call GHA their home. Being a part of Greater Heights is an extremely rewarding experience. We have partnered with over 30 local businesses and organizations to create an atmosphere of family and community which is something that we hold in high regard.

We have gained the support and trust of our families, community and corporate administration throughout the year with our celebration events and resource giveaways and the transformations of our building with our new theater/library space, our sixth grade campus, and many others with many more to come!

We are under the corporate administrative guidance of **Phalen Leadership Academies** whose top Core Values are:

**Children First:** Work to ensure that all interactions & decisions put our scholars first

**Respect:** Treat others as you would like to be treated

**Determination:** With hard work and superior effort, we can achieve all things.

**Continuous Improvement:** Try to get better & better every day.

**Gratitude:** Demonstrate gratefulness for all that we have done & the opportunity to serve our scholars and communities.

We hold these core values in very high regard and as it is our very mission here. Phalen Leadership Academies has over 28 schools that are all over the nation and we all operate with the same list of core values.

As always it is an honor to partner with you in the trajectory of our scholar's formation and education. (**Virtus et Scientia - Character and Knowledge**)

“The function of education is to teach one to think intensively and to think critically. Intelligence plus character – that is the goal of true education.” -Martin Luther King, Jr.

In service to you,

Richard Thompson [Mr. T] Principal



# Core Values

Our drive to improve the lives of children is grounded in our core values:

**Children First:**  
Work to ensure that all interactions & decisions put our scholars first

**Respect:**  
Treat others as you would like to be treated

**Determination:**  
With hard work and superior effort, we can achieve all things

**Continuous Improvement:**  
Try to get better & better every day

**Gratitude:**  
Demonstrate gratefulness for all that we have done & the opportunity to serve our scholars and communities

### **Scholar Rights and Responsibilities**

Every Scholar is entitled to those rights of citizenship granted by the Constitution of the United States and the State of Michigan. Specifically pertinent to the school setting are those rights contained in the First and Fourteenth Amendments that relate to freedom of speech, press, assembly, petition and with due process and equal protection.

It is recognized that the school is an academic community composed of all Scholars, parents, teachers, support staff, administrators, and the community-at-large. The rules and regulations of the school are the laws of that community. All those who enjoy the right of citizenship in the school community must accept the corresponding responsibilities. This entails respect for the laws of the community and for the rights of the other members of that community.

#### **It is the Scholar's Right to:**

1. Form and hold his/her own ideas and beliefs.
2. Express his/her opinions verbally or in writing
3. Dress within the Greater Heights Academy dress code.
4. Associate and assemble peacefully.
5. Petition school officials for corrections of complaints.
6. Expect that the school shall be a safe place for all Scholar to gain an education.
7. Privacy of his/her own records.
8. Have a Scholar government with representatives selected through free school elections.
9. Be afforded a fair hearing in the event of disciplinary action with all of the safeguards of procedural due process.
10. Expect that the school shall make every effort to safeguard individual rights.

#### **It is the Scholar's Responsibility to:**

1. Respect the inherent human dignity, worth and rights of every other individual.
2. Attend school daily and be on time to all classes.
3. Express his/her opinions and ideas in a respectful manner so as not to offend or slander others.
4. Dress according to the adopted dress code of Greater Heights Academy.
5. Be aware of all rules and regulations regarding Scholar behavior and conduct him/herself in accordance with them.
6. Study diligently and strive for the best possible level of academic achievement.
7. Assist in the maintenance and improvement of the school environment by preserving school property and exercising the utmost care while using school facilities.
8. Take an active part in the improvement of the school by becoming involved in or

supporting Scholar government.

9. Become actively involved in one's education, understanding for others and preparation for adult life.
10. Report knowledge of violation of school policy (i.e., weapons, drugs, alcohol, etc.) on school property.
11. Remain on school property during school hours and school functions.

## **Administrative Policies And Procedures**

### **Authority Of The School Board**

In accordance with the laws of the State of Michigan MCL 380.11a; MSA 15.401a, the Board of Directors has the right to make reasonable rules and regulations in the interests of public elementary and secondary education in the school district. This includes regulations relative to Scholar conduct in order to provide for their safety and welfare at school or while en route to and from school or while attending school-sponsored activities, or while not at school-sponsored or regular instruction programs.

The Board of Directors has approved the policies, rules and regulations contained in this publication. The Board may adopt others.

### **General Limitations On Freedom**

Because education institutions must be orderly institutions, the freedom in each school may be reasonably restricted to protect the rights of all.

1. No idea or belief may be communicated in such a way as to cause a disruption of normal school activities.
2. The advocacy of immediate action, as opposed to the advocacy of ideas or beliefs, is not permitted when such action would disrupt normal school activities, violate any laws, or interfere with the rights of others.
3. No communication of a commercial, obscene, or defamatory nature, nor any communication advocating racial or religious intolerance, is permitted.

### **Freedom Of Speech**

Scholars are entitled to verbally express their personal opinions. Such expression shall not interfere with the freedom of others to express themselves or with the educational process. The use of obscenities or personal attacks is prohibited.

### **Freedom Of Assembly**

Scholars have the freedom to assemble peacefully. All Scholar meetings or gatherings in school



buildings or on school grounds may function only as part of the educational process as defined by the building Administrator. Building administrators must be informed in advance and may impose reasonable restrictions on the time and place of Scholar gatherings or assemblies. Attendance at such meetings and assemblies is limited to Scholars regularly enrolled in that building unless a building administrator gives prior approval. Gatherings or assemblies that interfere with or disrupt the operation of the school or classroom are prohibited.

### **Freedom Of Petition**

Any Scholar has the right to petition. Individual Scholars have the right to ask their teacher or an administrator for reconsideration of actions they believe to be unfair. The collecting of signatures shall not disrupt classroom procedures or interfere with the educational process.

Scholars shall not be subject to disciplinary measures for initiating or signing a petition providing that the petition is free from vulgarities, obscenities, libelous statements and personal attack.

### **School Records**

Access to Scholar records is governed by Michigan's Freedom of Information Act and Board of Education policy as contained in "Guidelines for Collection, Maintenance and Dissemination of Scholar Records," a copy of which is available in the Administrator's office.

Access to Scholar records is available, in consultation with school officials, to authorized school personnel, to the Scholar's parent(s) or legal guardian and to the Scholar. Arrangements for review may be made through the Administrator.

Under the provisions of the Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232 g ("FERPA") and the regulations adopted pursuant thereto, all parents and guardians of Scholars under (18) years of age and all Scholars eighteen (18) years of age or older have the right to examine "educational records" directly related to those Scholars, which are maintained by the school district in accordance with the terms of the law and regulations. The Board of Directors policy and procedures for inspection, review and copying of "education records" with a description of the types of records maintained by the school district and the procedures seeking correction of "education records" is available from the office of the Administrator of the school.

Complaints with regard to violations of rights can be submitted in writing to the Family Educational Rights and Privacy Act Office, Department of Health, Education and Welfare, 330 Independence Avenue, SW., Washington, D.C. 20201.

Other than in certain exceptional circumstances described in the Board of Directors policy and procedures concerning "education records," no personally identifiable information from the education records of a Scholar shall be released to third parties without the prior written consent of the parents, legal guardian or Scholar more than eighteen (18) years of age. Because it is unrealistic to require a release for routine information that may be used for such purposes as press articles or athletic- rosters, FERPA allows the release of certain Scholar information without prior consent. "Directory information," such as a Scholar's name, address, telephone number, date and place of birth, participation in officially recognized activities and sports, height and weight of members of athletic teams, dates of attendance, awards achieved, the most recent

previous educational agency or institution attended by the Scholar, date of graduation and last grade completed shall be disclosed without the prior written consent of the parent, legal guardian or Scholar more than eighteen (18) years of age unless and until written objection to the designation of any or all of this information as directory information is received by the Administrator of the school that the Scholar attends or last attended.

### **Admission & Enrollment**

Michigan Scholar residents can enroll at Greater Heights Academy. New Scholars should apply for enrollment at the Academy. When the maximum enrollment for a grade has been reached, applicants will be placed on a waiting list and admitted on the basis of a lottery system. Preferences will be given to currently-enrolled Scholars and siblings of enrolled Scholars.

Entrance age, as required by the State of Michigan, is five (5) years old on or before September 1 of the school year.

The Board authorizes the principal to deny admission to any Scholar who, as a record of behavior, is thought to constitute a threat to the safety and well-being of Scholars and staff.

Since space is limited, and in accordance with Board Policy 5111, all Scholars must re-enroll each year. The re-enrollment form is sent home with Scholars in March.

### **Attendance**

The Greater Heights Academy Board of Directors believes regular school attendance is essential to quality education. 180 school days are scheduled and Scholars are expected to attend all 180 school days of the academic school year.

### **School Day 9:00 am -4:30 pm**

#### **Attendance**

Regular attendance is necessary if Scholars are to reach their full academic and social potential. Under Michigan Law, attendance for school-aged children is compulsory. (MCL 380.1571-380.1599). PLA/MECC requires Scholars to be present each day school is in session. The administration of PLA/MECC will comply with Michigan Law in regards to Scholar attendance.

Cases of nonattendance will be pursued, and unless the child is not required to attend a public school (MCL 380.1561), parents/guardians will be notified by registered mail requiring the child to appear on the next school day following receipt of notice and to continue in regular and consecutive attendance in school. If the parent/guardian fails to comply with the notice, a complaint will be filed in the proper court for refusal or neglect to send the child to school. (MCL 380.1571-380.1599)

Frequent absences or tardiness, excused or unexcused in nature, seriously affect the Scholar's progress in that classroom. Attendance patterns of a Scholar are the responsibility of both parent(s) and Scholar.

Please follow the following guideline when your Scholar is absent:

- Call the office with your Scholar's name, the date, and reason for absence
- Absence calls/emails will be accepted for the current day only.
- No previous absences may be excused by phone.
- All paperwork for excused absences/tardies must be turned into the office/teacher the next day.

Because regular attendance at school is critically important to learning, Scholars who accumulate a total of 30 absences in a school year (excused or unexcused) may be retained. Retention in the current grade level will be determined by the Principal. Parents will be notified when a Scholar reaches 4, 7, 10 (Conference required with administrator), 13 (Conference required with Genesee County Attendance Liaison), and 15 (educational neglect petition required to be filed with Genesee County Family Court), and 30 unexcused absences.

### **5 Day Absent**

Scholars absent for five (5) consecutive days without parent notification or contact with the school will be notified by the GHA Administration for a conference.

### **10 Day Absent**

Scholars absent for ten (10) consecutive days without parent notification or contact with the school will be dropped from the school enrollment roster and the parent will be notified immediately.

### **Excused Absences**

Parents who wish to have their child excused from school must call into the office before 10:00 a.m. the day the Scholar is absent. Attendance cannot be changed after 10 days from said absence. Excused absences and/or tardiness shall be granted for the following reasons:

- 1) Personal illness. (Illnesses extending beyond two consecutive (2) days must be accompanied by a doctor's note).
- 2) Death in the family.
- 3) Doctor/dental appointments that cannot be scheduled outside school hours. Doctor's note to be turned in to the office/teacher the next day.
- 4) Required court appearances.
- 5) Religious holidays with parent notification.
- 6) Other circumstances at the administrator's discretion.

### **Scholar Food Policy - Healthy Kids**

Families and educators play a key role in teaching and empowering scholars to make healthy choices for themselves by providing quality food while teaching about the importance of nutrition and embracing a healthy active lifestyle.

Please partner with us by not bringing outside food to school unless it is a pre-approved classroom party. If your scholar is opting to not eat the school provided lunch, please pack them a lunch from home to be left in their backpack until lunchtime.

If you would like to have your scholar enjoy outside food (restaurant food, take-out, fast food, etc.) please do so off campus by signing them out for a 30 minute lunch period.

### **Early Pickup**

In order to ensure that Greater Heights Academy Scholars receive all protected instructional time, early pickup is not allowed. Early pickup is only allowed if a scholar has a medical professional appointment.

### **Vacations**

- 1) Family vacations of up to two (2) days may be called into the school office by parents prior to the vacation.
- 2) Family vacations consisting of three or more days must be arranged by prior contact between the parent(s) and the school administrator using a GHA Vacation Request Form (Appendix A).
- 3) Vacations will be considered excused absences when the GHA Vacation Request Form is completed and turned in before the vacation.

If parents want Scholars to be assigned work during a requested vacation period, they must make this request of the teacher five (5) school days (or earlier) before the date of absence stated on the vacation request form. The teacher cannot be expected to provide work beyond the fifth day of absence. If such work is requested, a maximum of five (5) days will be permitted for make-up.

### **Tardies**

A Scholar shall be considered tardy when he/she arrives after 9:15 am or leaves before 3:30 pm.

**Tardy=Arrives after 9:15 am OR Leaves before 4:30 pm.**

A Scholar who arrives more than one hour late to school will be marked for a ½ day absence in the morning. A Scholar who leaves school more than one hour early will be marked for a ½ day absence in the afternoon.

### **Absence Appeals**

A Scholar/parent who believes her/his accumulated absences (exceeding thirty [30]) are subject to extenuating circumstances (i.e. a medically documented illness) may appeal her/his retention after June 1, to the Administrator. The Administrator's decision will be final.

## **Virtual Learning Attendance Policy**

**In the event that Greater Heights Academy has to go to a Virtual Platform for Scholar Instruction, the following Policy will be in effect.**

### **Virtual Learning Scholar Engagement**

To ensure that scholars of Greater Heights Academy receive a meaningful learning experience, we use a scholar-centered approach to instruction. This approach increases scholar engagement through active learning, which is measured by scholar attendance and participation in instructional activities.

### **Virtual Learning Attendance**

Michigan compulsory attendance law requires the parent/guardian of a child aged six to eighteen to send the child to school during the entire school year, except under the limited circumstances specified in subsection (3) of MCL 380.1561. Scholars are required to follow the school calendar. Instructional time can be entered on any day (e.g., weekends, holidays, etc.), but school make-up time on weekends and holidays will not be counted toward school-day attendance.

### **Virtual Learning Definition of Attendance**

Attendance is defined as time during which scholars are engaged in regularly scheduled instruction, learning activities, or learning assessments within the curriculum for study of the core and elective subjects. Attendance also includes directed study, independent study, technology-assisted learning, presentations by persons other than teachers, school-to-work programs, and statewide performance assessments.

Scholars are expected to log into and participate in the online platform each scheduled school day. The system will measure live virtual class (whole group, small group, or one-on-one) logins, lesson activity, documentation of activity, and assigned offline work.

### **Virtual Learning Instructional Time**

Scholars must attend all required virtual class sessions for instruction as directed and/or scheduled by their teachers. Michigan currently requires all public schools to offer a minimum of 180 days and 1,098 hours of scholar instruction, which can occur at any time during the day and on any day of the school week, for first through twelfth grades (including alternative education), as specified in Section 101 of the State School Aid Act.

### **Virtual Learning Absences**

Greater Heights Academy understands there may be circumstances which warrant a scholar's absence from school. Absences must be reported by the parent/guardian. The parent/guardian will be expected to submit an excuse via email to the scholar's homeroom teacher and the Office Secretary, Chris Bilkos, explaining the absence. If email is inaccessible, the parent/guardian must call the school office at (810) 768-3860.

### **Virtual Learning Excused Absences**

Excused absences are defined as absences that Greater Heights Academy regards as a legitimate reason for being out of school. These include:

- Scholar illness or injury (If an absence due to illness or injury extends past three days, a doctor's note is required in order for the absence to be excused)
- Medical appointments are excused with confirmation of the appointment date and time from the provider; when possible, medical appointments should be scheduled before or after school hours
- Pre-approved college visitations
- Pre-approved counseling sessions or administrative appointments
- Death in the immediate family – up to three (3) days may be excused (obituary may be required)
- Court appearances required by legal authorities, unless absence is exempt as specified below (verification may be required)
- Maternity – Childbirth (amount of time dictated by a doctor's note)
- Military Connected Families (e.g. absences related to deployment and return, which should be arranged in advance with the School Leader)
- Absences not to exceed two (2) consecutive days for religious observances (including, but not limited to, Ash Wednesday, All Soul's Day, Good Friday, Hanukkah) may be excused with appropriate documentation
- Reported and unresolved technical difficulties with on-line platform
- No internet access or power outage (It is an expectation for attendance that all scholars must have reliable internet access in the home. Scholars who are unable to log into the on-line platform or have a power outage must have an alternative plan to go to a public library/public location with internet access to access the on-line platform and complete their school work. If the scholar does not have a back-up plan and cannot go to the library/public location, the parent/guardian must notify the scholar's teacher to validate the reason for the absence. Extended periods without internet access will count as unexcused absences.)
- Pre-approved Educational Leave (Scholars may be excused for educational trips not sponsored by the school. It is the parent/guardian's responsibility to obtain approval for the leave and to contact the teacher(s) to determine what lessons or academic obligations must be met as a result of this proposed absence.)

### **Virtual Learning Unexcused Absences**

When scholars are absent for reasons other than those stated above, absences are recorded as unexcused absences. For an unexpected absence to be registered as excused, a legal guardian must provide, within three (3) days of the scholar's return to school, an email explaining the absence. The email must include the scholar's name, the date of the absence, the reason for the absence, and any necessary documentation, as requested by the school. If an email is not received within three (3) days of the absence, such absence remains unexcused. Unexcused

absences may result in loss of credit.

### **Virtual Learning Excused Absence Approval Process**

In order for an absence to be excused, a parent/guardian must submit a written explanation to the teacher and Office Secretary, Chris Bilkos. It should include the scholar's name, the date of the absence, and the reason for the absence. The parent/guardian has three (3) calendar days from the date of the absence to submit the explanation for the absence through email to the homeroom teacher and secretary. Regardless of the absence reason, scholars are expected to make up work due to an absence.

### **Virtual Learning Testing Attendance Policy**

As a Michigan public school, Greater Heights Academy must follow MI laws and the rules and regulations established by the Michigan Department of Education (MDE). According to MDE, all public-school scholars are required to participate in state testing. Scholars may be required to travel to Greater Heights Academy on predetermined dates as required for testing. These tests may be given over a multi-day period depending on a scholar's grade level. If assistance is needed with transportation for testing, please contact your child's teacher or administration prior to the testing window. Specific testing dates will be sent via email prior to the testing window. The school cannot guarantee that the scholar's assigned teacher will be the test proctor.

### **Virtual Learning Tracking of Scholar Attendance**

Verification of scholar attendance for virtual learning will not only be tracked by scholars logging into the online system with their UIC # and password, but also by completion of assignments and regular communication with teachers. Scholars are expected to be present and actively engaged in all virtual lessons presented each day at the time of initial presentation, including small group sessions. Missing virtual lessons, failing to submit assignments or participate in live lessons, or lack of participation in assigned group sessions may result in unexcused absences. Scholars are expected to participate in their learning program between the hours of 8:00 am and 3:30 pm on school days, regardless of whether they are learning in-person or virtually.

## **Personal Appearance**

Every Scholar shall maintain and follow the Greater Heights Academy dress code. Dress and grooming habits at Greater Heights Academy are based on Board of Directors approved dress code policy.

### **Scholar Dress Code Policy 2022-2023**

Studies have shown that schools that implement a strict dress code policy produce scholars who focus better on important tasks and goals of learning and less on visual appearance.

We believe that this results in fewer distractions and a higher caliber of scholars.

Scholars who dress according to the policy also conduct themselves in a more dignified manner, which serves to facilitate our lessons and develop etiquette skills.

#### **Bottoms/Dresses/Jumpers**

- Must be at least fingertip in length
- Colors: Blue, Khaki
- Styles: Pants, Shorts, skirt/skort, dress, jumper
- Not permitted: Jeans or denim material, leggings/jeggings, sweatpants/joggers

#### **Shirts - Must have a collar or be a GHA t-shirt**

- Colors: Navy & light blue, yellow, white
- Styles: Blouse, button down, polo, turtleneck with sweater
- No logos/emblems other than PLA or GHA logo

#### **Dress Down Day**

Families will receive notification for dress down days in writing from GHA. During this time scholars and staff may wear their clothing of choice except all non-permitted items such as:

- Ripped jeans or clothing
- Short shorts
- Spaghetti straps, halter tops, crop tops without a shirt underneath
- Inappropriate sayings or logos
- Flip flops/slides

#### **Sweater/Jackets - Solid Color**

- No logos/emblems other than GHA or PLA logo
- Must not have a hood (hood must be tucked in)
- Solid colors only
- Uniform shirt must be showing under sweater/jacket

#### **Compliance Policy**

- **First violation:** A note is sent home to family
- **Second Violation:** A note is sent home to family and a phone conference between



- family and admin.
- **Third Violation:** A note is sent home to family and a phone conference between family and admin to determine next course of action
- **Fourth Violation:** A note is sent home to family and scholar will receive an all day in school suspension

### **Hair/Nails/Body & Accessories**

- No hats are to be worn inside school
- Purses and handbags are to remain in backpacks/lockers
- No bandanas
- Makeup is not permitted in grades K-3
- Jewelry is to be professional and appropriate

### **Instructional Materials**

The school district shall provide Scholars with the use of individual textbooks, supplemental textbooks, library books, and other instructional aids and materials free of charge to better assure the success of a Scholar taking course work.

It is the Scholar's responsibility to maintain these items in the best possible condition.

Fines may be assessed against Scholars for material that shows excessive wear, damage, defacing, and for lost items. Legal action may be taken to collect unpaid fines and /or fees.

### **Distribution And Sale Of Unauthorized Materials**

Sale of any goods is not permitted in school or on school property unless it is for a District-approved fund-raising project. In addition, all writings, insignia, or pictures on fundraising products are subject to the approval of the School District.

### **Grading**

The grading policy for Greater Heights Academy is designed to provide constructive feedback concerning Scholar progress and to motivate Scholars to strive for academic excellence. Greater Heights Academy reports grades according to the Michigan benchmarks and National Standards. Academic grades will consist of assessments and possibly projects graded as assessments.

Life Skills grades will include homework, other practice work, and citizenship.

#### **Grades K-6:**

- 4- High Achievement In Meeting Grade Level Expectations -The Scholar independently applies & extends key concepts, processes & skills
- 3 -successful In Meeting Grade Level Expectations - The Scholar applies key concepts, processes & skills
- 2- Progressing Toward Grade Level Expectations - The Scholar requires support/assistance to develop & apply key concepts, processes & skills

**1- Not Demonstrating Expected Progress** - The Scholar is demonstrating some progress, but not sufficient enough progress as expected. The Scholar requires significant support/assistance to develop & apply key concepts, processes, & skills.

**NP - No Progress** – The Scholar has not made progress in this academic area.

### **Progress Reports**

- Scholars receiving a 2 or below at the midway point of the marking period will receive a progress report to be taken home, signed by parents, and returned by the Scholar.
- Parents may request progress reports more often.

### **Make-up Work and Missing Assignments**

- Missing assignments will be communicated to parents.
- Notes home from parents regarding a Scholar's inability to complete homework will be accepted as long as this privilege is not abused.
- For absences, Scholars will receive the same amount of time they were absent to complete homework. For example, 2 days absent = 2 days to turn in work.
- Zeros will count in the Life Skills portion of the report card for non-completion of assigned work. However, homework is extremely important to the learning of the content. Missing assignments affect content learning and will likely impact final grades.
- If requested by a parent, counselor or the Scholar, teachers shall provide Scholars with assignments missed for disciplinary reasons, including out-of-school suspensions.

### **Homework**

#### ***Philosophy***

Greater Heights Academy staff believe that homework can be an important component of the educational process.

- Scholars will develop independent study skills.
- Scholars will become better organized.
- Scholars will learn to budget their time.
- The learning process will expand through extensions not accomplished in the school setting.
- Clear directions will be provided.
- For long-range projects, a time sequence will be established.
- The quantity of homework will be within reason. As the school year progresses the amount of time and number of days homework is assigned may increase depending on the maturity and ability of the Scholars.
- Parents may be asked to initial the Scholar planner each evening to signify that the child has completed the assignment.
- Only essential, meaningful homework will be assigned.

### Promotion and Retention

In general, a Scholar who has mastered the curriculum is promoted to the next grade level each spring. The decision to retain a Scholar is a joint decision among the teacher, parent, administration, and the Child Study team. The following factors are considered when making a decision for retention:

- Scholar performance based on report cards, portfolio, and anecdotal reports
- Attendance record
- Maturity level
- Age of child
- Academic Performance level

Scholars not reading at grade level by the end of the second grade will be highly considered for retention. The school Administrator, however, reserves the right to retain a Scholar in the same grade when in his/her judgment – despite the objection of a parent a combination of the above-listed factors strongly suggests that a Scholar needs to have another year of growth in order to be successful at the next grade level. Such a decision is never made frivolously and is preceded by numerous communications between the teacher and the parents throughout the school year. **The Administration has the final responsibility to promote or retain the Scholar.**

### Parent Participation

Parent/legal guardians have the *expressed right* to participate in all meetings dealing with the evaluation, identification, and educational placement of their child. Information concerning a child will be requested of his/her parents/guardians during the child study process and the parent's/guardian's presence will be requested for all subsequent meetings.

### Medication

Michigan School Code and Board of Education Regulation (AR 5145), the following policies and/or procedures for medication will be followed:

- Definition: Medication includes both prescription and non-prescription medications and includes those taken by mouth, taken by inhaler, those which are injectable (epi-pen), applied as drops to the eye or nose, or applied to the skin.
- ☐ Prescription Medication - If it is necessary for a Scholar to take prescription medication during school hours, the law requires that the school receive written authorization from both the parent and the doctor, as well as the doctor's instructions for administering the medication **and the dosage**. The school office will provide a form for this purpose. Upon entering the school, the parent or the Scholar must report to the office with the medication. The school office will keep up to a one-month supply in the office in the original prescription bottle. The medication must be taken in the presence of designated school personnel.
- ☐ **Any and all medications (prescription or non-prescription) must be kept and distributed through the office.** A physician must fill out a medication form in order for a Scholar to receive medicine while at school . If a child arrives at school with

medication, it should be sent directly to the office. Scholars are **NOT** permitted to self-medicate. The only exception is asthma inhalers, which a Scholar may keep with them in the class. A medication form is still required for the use and possession of inhalers. The school office can keep up to a one-month supply in the office in the original prescription bottle.

- ❑ **Remember that cough drops, Tums, throat lozenges, Tylenol, etc. are considered medication**

### **Good Order Policy**

It is important to maintain good order at Greater Heights Academy. Board Policy 9150 states, “the Administrator has the authority to prohibit the entry of any person to this Academy or to expel any person when there is reason to believe the presence of such person would be detrimental to the good order of the Academy. If such an individual refuses to leave the Academy grounds or creates a disturbance, the Administrator is authorized to request from the local law enforcement agency whatever assistance is required to remove the individual.” Notification will be sent to said person, should an incident occur.

### **Positive Behavior Support and Discipline**

Greater Heights Academy practices Positive Behavior Support and will continue to implement positive practices in all areas. SOAR is the acronym staff will introduce, teach, and apply to all school situations. Scholars will be acknowledged for following the SOAR expectations:

### **Safe, On Task, Act Responsibly, Respect**

#### Teaching Process

- At the beginning of each school year, monthly, and then as needed staff will directly and intentionally teach Scholars the S.O.A.R. expectations in each area of the school
- As needed Scholars may be required to participate in “extra” practices to ensure understanding of the expectations

#### Rewards/Incentives Process

- All staff may provide Kickboard Dollars to Scholars when seeing someone demonstrating SOAR behavior
- Kickboard Dollars may be redeemed for rewards offered on a regular basis
- Classroom teachers may offer individual, group, and whole-class rewards within their classroom
- Each classroom will nominate a “S.O.A.R. Scholar of the Month” to be recognized on a monthly basis

### **Classroom Management and School Consequences**

Teachers are responsible for maintaining a positive culture and managing the classroom environment. Each teacher will teach classroom procedures, rules and consequences at the beginning of the year, and Scholars are expected to learn and follow these rules and procedures. In each classroom, teachers will consistently use the behavior charts (K-5), document

interventions, and contact parents.

### **School Discipline**

**Note: We also follow the Michigan Department of Education**

**MDE Recommendations on Discipline Suspensions and Expulsions found on Appendix F  
Page 45**

School discipline and behavioral policies apply to all Academy activities, including activities on school property, in a school vehicle, and those occurring off school property if the Scholar or employee is at any school-sponsored, school-approved, or school-related activity or function such as field trips or athletic events where Scholars are under the school's control, or where an employee is engaged in school business. Misconduct occurring outside of school may also be disciplined if it interferes with the school environment.

### **Role Responsibilities In Discipline**

The Board believes that all concerned with the educational system must be aware of and accept their role responsibility if a discipline policy is to be successful.

### **Responsibilities of the Scholar**

The Scholar is expected to respect constituted authority that includes not only obedience to school rules and regulations but also conformance to the laws of the community, state and nation.

Scholars should respect personal and property rights of fellow Scholars, teachers, administrators and other school personnel. The Golden Rule of "Do unto others as you would have others do unto you," is a good rule to apply.

### **Responsibilities of the Parent**

Under Section 10 of the Revised School Code, parents and legal guardians have the right to determine and direct the care, teaching, and education of their children. Thus, parents are expected and should be willing to cooperate with school authorities and to participate in conferences regarding the behavior, health, attendance and/or academic progress of their children. Parents are subject to the provisions of statutes of the State of Michigan.

### **Responsibilities of the Teacher**

Teachers are responsible for creating an atmosphere conducive to learning. Thus, they are directly responsible for maintaining discipline in their classroom and assisting in the maintenance of discipline throughout the building. Such responsibility and authority of any teacher extends to all pupils at Greater Heights Academy under the assigned supervision of such teachers, and to other pupils so situated as to be subject to the teacher's control.

Teachers will provide the opportunity for Scholars to learn and understand acceptable behavioral standards within their classrooms. The Scholar Rights and Responsibilities Handbook, with its rationale and implications, will be discussed with the Scholars at the beginning of each school year and after that as necessary.

According to the Elliott-Larsen Civil Rights Act of 1976, teachers shall educate Scholars without regard to religion, race, creed, national origin, age, sex, height, weight, familial status, or marital status.

#### **Responsibilities of the Resource Officer (officer or deputy)**

The Resource Officer is to assist the Scholars, staff and administration in the effective operation of the school. He/she is to serve as a liaison between the school and law enforcement agencies and to provide the following services to the district: classroom presentations, building security, referral agency information, juvenile and adult court referrals, facilitating problem solving, juvenile diversion referrals, investigating criminal activity and school rule violations, verifying residency of district Scholars, and assisting in truancy matters.

The Resource Officer and the school will coordinate information obtained by either the district or law enforcement agencies to better assess and meet the needs of Scholars. Scholars and parents understand that this information will be exchanged between the school district and the law enforcement agency. Such information could include records of arrest, detention, or investigation of a Scholar, as well as his/her behavioral and academic records.

#### **Responsibilities of the School Administrator & Assistants**

The school Administrator is responsible to the Board of Directors for the effective operation of the school within the guidelines of established Board Policies and School Law. Moreover, he/she is responsible for establishing the climate for discipline within the school, which permits good teaching/learning situations to exist, and which evokes the efforts of Scholars and staff to achieve self-discipline.

The Administrator is expected to exercise leadership in implementing all necessary procedures, rules and regulations to make effective the Scholar Rights and Responsibilities Handbook of the Board of Directors. Whenever appropriate in implementing such procedures, rules and regulations, he/she will enlist the cooperation of the community agencies actively engaged in working with community youth.

#### **Responsibilities of the Board of Directors**

The Board of Directors, acting through the Administrator, holds all school employees responsible for the control of pupils while they are legally under the supervision of the schools. The Board of Directors will support all personnel acting within the framework of the Scholar Rights and Responsibilities Handbook.

Behavioral probation will be initiated through the use of Behavioral Probation Status Form (Appendix B). There will be an agreement between the Scholar and the administrator concerning the specific changes expected, the terms of the probation and the length of the probation period. Failure to fulfill the agreement, or a further infraction of school rules during the period of

probation, will result in the imposing of further disciplinary action as set forth in the terms of the agreement.

The administrator will notify the parent whenever a Scholar is placed on behavioral probation. Parents will be encouraged to discuss and assist in assuring that the intent and terms of the probation are fulfilled.

The Scholar may be placed on probation to an administrator with the selection being by mutual consent of the Scholar and administrator. If a consensus cannot be reached, the administrator will assign a probation supervisor.

**A class or classes may be closed pending a parent conference.** The conference, with the parent, Scholar, teacher and an administrator present, may be held in lieu of a suspension. The administrator or his/her duly authorized agent must ascertain that the misbehavior can best be dealt with through a conference including the Scholar, his/her parent or legal guardian, or other adult designated with authority over the Scholar, and whatever staff would seem appropriate.

The conference should be as soon as can be mutually arranged with the parent or legal guardian or other adult designated with authority over the Scholar. Upon completion of that conference, the Scholar will be reinstated to the class or classes, which have been closed unless otherwise mutually agreed. In no instance shall a Scholar's class or classes be closed for more than three days.

Should the parent, legal guardian, or other adult designated with authority over the Scholar fail to appear for a conference within three school days of the closing of the Scholar's class or classes, the Scholar shall be returned to class and the school shall officially classify the action as a three-day suspension with appropriate notification sent to all persons concerned.

**The authority of the Board of Directors to authorize suspension or expulsion and to make reasonable rules and regulations regarding discipline is granted in Section MCL 380.1 la; MSA 15.401 la of the Revised School Code.**

### **Weapon Free Schools Policy**

Under Michigan Law, any Scholar who is found to possess a dangerous weapon in a Weapon-Free School Zone, or who commits arson in a school building or on school grounds, or who commits criminal sexual conduct in a school building or on school grounds shall be expelled from the academy permanently, subject to possible reinstatement.

By way of example, but not by way of limitation, a dangerous weapon is a: firearm (i.e., a weapon such as a handgun, rifle, pellet gun, or starter pistol), dagger, dirk, stiletto, or knife with a blade over 3 inches in length, pocket knife opened by mechanical device, iron bar, or brass knuckles.

A Scholar who is found possessing a dangerous weapon or who commits arson or criminal

sexual conduct in a school building or on school grounds shall be expelled permanently, subject to possible reinstatement. A Scholar thus expelled will be referred to the criminal justice system and the appropriate County Department of Social Services or community mental health agency. Notification of the referral will be provided to the parent, legal guardian, and/or Scholar.

### **Assault on Another with a Dangerous Weapon in a Weapon-Free School Zone**

Public Act 158 of 1994, provides that persons who assault others on school property or in school vehicles with a firearm or weapon are guilty of a felony punishable by one or more of the following: imprisonment for not more than four (4) years, community service for not more than 150 hours, and a fine of not more than \$6,000.

### **Drug Free Environment (Board Policy 5530)**

The Board of Directors recognizes that the misuse of drugs is a serious problem with legal, physical, and social implications for the entire Academy community. In accordance with Federal and State law, the Board hereby establishes a “Drug-free School Zone” that extends 1000 feet from the boundary of any school property. The Board prohibits the use, possession, concealment, delivery, or distribution of any drug or any drug-related paraphernalia at any time on Academy property, within the Drug-Free School Zone, or at any Academy-related event.

Disciplinary sanctions up to and including expulsion and referral for prosecution will be imposed on Scholars who violate the Academy standards of conduct specific to maintaining a drug free environment.

### **Anti-bullying Policy**

**(Board Policy 5517.01)** Greater Heights Academy Board of Directors believes that a safe and civil environment in school is necessary for Scholars to learn and achieve high academic standards. It is the policy of the Academy to provide a safe and nurturing educational environment for all of its Scholars.

Bullying or other aggressive behavior toward a Scholar, whether by other Scholars, staff, or third parties, including Board members, parents, guests, contractors, vendors, and volunteers is strictly prohibited. This prohibition includes physical, verbal, and psychological abuse, including hazing, gestures, comments, threats, or actions to a Scholar, which cause or threaten to cause bodily harm, reasonable fear for personal safety, or personal degradation. Demonstration of appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment or bullying is expected of administrators, faculty, staff, and volunteers to provide positive examples for Scholar behavior.

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



interferes with the school environment.

### **I. Definitions**

“Bullying” is defined as a person willfully and repeatedly exercising power or control over another with hostile or malicious intent. “Bullying” is any written, verbal, graphic, or physical act, or any electronic communication, that is reasonably perceived as being motivated either by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression or a mental, physical, or sensory disability or impairment, or by any other distinguishing character.

“Bullying” is conduct that meets all of the following criteria:

1. Is directed at one (1) or more Scholars;
2. Substantially interferes with educational opportunities, benefits, or programs of one (1) or more Scholars
3. Adversely affects the ability of a Scholar to participate in or benefit from the Academy’s educational programs or activities by placing the Scholar in reasonable fear of physical harm or by causing emotional distress; and
4. Is based on a Scholar’s actual or perceived distinguishing characteristic (see above), or is based on an association with another person who has or is perceived to have any of these characteristics

### **II. Reporting**

Any Scholar who believes he or she has been or is currently the victim of bullying should immediately report the situation to any school personnel. That school personnel will be responsible for notifying the appropriate school administrator. Retaliation against any person who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry concerning allegations of bullying is prohibited and will not be tolerated. Such retaliation shall be considered a serious violation of Board policy and independent of whether a complaint is substantiated. Suspected retaliation should be reported in the same manner as bullying. Making intentionally false reports about bullying for the purpose of getting someone in trouble is similarly prohibited and will not be tolerated. Retaliation and intentionally false reports will result in disciplinary action as indicated above.

### **III. Investigation**

All complaints about bullying behavior that violate this policy shall be promptly investigated. If the investigation finds an instance of bullying behavior has occurred, it will result in prompt and appropriate action. This will include discipline up to expulsion. Individuals may also be referred to law enforcement officials. The complainant shall be notified of the findings of the investigation, and as appropriate, that remedial action has been taken.

## **Intimidation & Harassment**

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

The Board will vigorously enforce its prohibition against harassment based on sex, race, color, national origin, religion, disability, genetic information, or any other unlawful basis, and encourages those within the Academy community as well as third parties, who feel aggrieved to seek assistance to rectify the problems. The Board will investigate all allegations of harassment and in those cases where unlawful harassment is substantiated, the Board will take immediate steps to end the harassment. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

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

Examples of sexual harassment include touching, crude jokes or pictures, discussions of sexual experiences, teasing related to sexual characteristics, and spreading rumors related to a person's alleged sexual activities.

Any Scholar making a knowingly false accusation regarding harassment may also be subject to disciplinary consequences.

### **Search And Seizure (School Code Section 1306)**

To maintain order and discipline in the schools and to protect the safety and welfare of Scholars and staff, school officials have the right to conduct reasonable searches of Scholars and school property.

#### **School Property**

Scholar desks, and other such property are owned by the school district, which exercises exclusive control over them. Scholars should not expect privacy regarding items placed in school property because school property is subject to search at any time by school officials.

#### **Personal Property**

Scholars and their personal property (backpacks, purses, etc.) are subject to search if a school official has reasonable cause to believe that a Scholar is in possession of illegal, unauthorized (stolen), hazardous, or contraband materials.

#### **Reasonable Cause**

A belief based on specific reasonable inferences, which an administrator is entitled to draw from

the facts in light of his experience. Specific reasonable inferences may be drawn from instances including but not limited to, a tip from a reliable Scholar, suspicious behavior, smells, or bulges in a pocket, and the like.

### **Contraband**

All substances or materials, the presence of which is prohibited by school policy or state law, including but not limited to controlled substances, drugs, alcohol or alcoholic beverages, abusable glue or aerosol paint, guns, knives, weapons, incendiary and explosive devices.

### **Canine/Metal Detectors**

The school administration may use canine and metal detectors to search for illegal, unauthorized, hazardous, or contraband materials.

## **TEACHER IMPOSED SUSPENSIONS**

Public Act 103 of 1999 adds Section 1309 to the Revised School Code permitting teachers to suspend a Scholar from any class or activity for up to one day. *The teacher will notify the Administration of the suspension before sending the Scholar to the office.* The Scholar shall not be returned to the teacher's classroom until the passage of one full school day from the time of the Scholar's infraction without mutual agreement of the teacher and building administrator. The administrator will determine if additional disciplinary action should be taken beyond keeping the Scholar in the office for the remainder of the class period. The teacher shall contact the Scholar's parents/guardian on the day of the suspension to schedule a follow-up conference. A building administrator shall be present at the conference if requested by the teacher or parents/guardian.

Suspended Scholars under this Public Act shall not be permitted, during the term of the suspension, to attend other classes in the school building or extracurricular activities, unless the Administrator or designee permits the Scholar to continue the school day under appropriate supervision.

### **A Scholar may receive a teacher-imposed suspension for the following:**

- A. Is guilty of conduct that interferes with the maintenance of classroom discipline and operations.
- B. Is guilty of incorrigible conduct, including insubordination, disorderliness, viciousness, immorality, or persistent violation of classroom rules.
- C. Is guilty of conduct that jeopardizes the safety or welfare of Scholars or teacher.

### **Examples include, but are not limited to, the following conduct:**

1. Abusive Language
2. Bullying or Harassment
3. Defiance, Disrespect, Disruption
4. Fighting or Physical Aggression
5. Theft

6. Engaging in any misbehavior that gives the teacher a reasonable belief that such conduct will incite violence
7. Vandalism
8. Violating computer or wireless use policies, rules, or agreements.

This Public Act shall be applied in a manner consistent with the rights secured under federal and state law to Scholars who are determined to be eligible for special education programs and services.

### **Suspension Pending Further Investigation**

If an offense is committed involving extraordinary circumstances and requires investigation prior to final determination of the appropriate penalty, a suspension may be imposed during the investigation.

### **In-School Suspension**

At the option of the building Administrator or his/her designee, a Scholar may be directed to serve an in-school suspension for disciplinary reasons. The Scholar would spend the period of this suspension in an alternative classroom where he/she will be allowed to continue his/her studies for credit but may not participate in any athletic or extracurricular activities for the duration of the suspension.

1. The option of the in-school suspension will be administered where it is deemed in the best interest of the Scholar and the school only.
2. All Scholars who are given the opportunity to attend in-school suspension are expected to complete all assigned work given by teachers. If a Scholar does not complete the work assigned to them, they may lose the privilege of in-school suspension.

### **Suspension Pending an Expulsion Hearing**

In the event an offense has been committed which, following investigation, results in an administrative recommendation for expulsion, the Administrator may impose a suspension pending the expulsion hearing before the Board of Education.

### **Suspension**

In cases of suspension of five (5) days or less the suspending administrator's decision will be final.

In cases of suspension out of school, of more than five (5) days, if the suspending official is the administrative designee, the appeal should be directed to the Administrator. If the Administrator has had such direct involvement in the case that the Administrator feels he/he cannot be fair and impartial, the Administrator shall ask the Board of Directors to appoint a third impartial party to conduct the hearing.

### **Expulsion From School**

Expulsion of a Scholar by the Board of Directors shall require removal of the Scholar from school attendance in the district.

The school administration shall recommend the expulsion of a Scholar, or Scholars, to the Board of Directors. Such recommendation(s) shall be appropriately documented citing the disciplinary infraction(s) considered "gross misdemeanors or persistent disobedience."

Parents shall be informed in writing by the Administrator or his/her representative of the recommendation to the Board for expulsion, and shall be invited to appear before the Board, with legal counsel, if desired, at the time expulsion is considered.

Authority to expel belongs solely to the Board of Directors, which is vested with final authority in all cases of expulsion.

The Secretary of the Board of Directors shall notify the parent in writing of the decision of the Board to expel.

The Scholar shall be afforded all the rights of due process. The Scholar shall be given all rights and protections afforded under Federal Law, Section 504 of the Rehabilitation Act of 1973.

### **Exclusion or Expulsion for Prior Misconduct in another School District**

In order to protect the health and safety of Scholars and employees and to prevent threatened disruption to the educational process, an otherwise eligible Scholar who seeks to enroll in Greater Heights Academy and who has previously been found to have engaged in misconduct in another school district which resulted in a long-term suspension or expulsion, or who is alleged by school authorities to have engaged in such misconduct in another school district but withdrew from such school district prior to the misconduct being established, may be subject to suspension or expulsion from Greater Heights Academy. Such Scholars shall be permitted to enroll but shall be held on suspension pending a hearing before the Administrator or his/her designee. A Scholar who has been expelled from another school district for criminal sexual conduct, arson, or possession of a dangerous weapon in a weapon-free school zone, as those terms are defined in section 1311 and 1313 of the School Code of 1976, as amended (MCL 380.1311, 1313; MSA 15.41311, 41313) or who is found by the Greater Heights Board of Directors to have committed such offense prior to enrollment in Greater Heights Academy shall not be admitted to the school except in accordance with Section 1311(5) of the School Code of 1976, as amended (MCL 380.1311(5); MSA 15.41311(5)).

The building Administrator shall determine whether the Scholar's prior misconduct is of sufficient gravity that the Scholar's presence in the school represents a threat to the health and safety of Scholars and school personnel, or threatens the educational process in the school.

If the Scholar's presence is deemed a threat, the Scholar is temporarily suspended from school and the Scholar's parent(s) or guardian is notified of:

- A. The prior act of misconduct that is the basis of the building Administrator's decision.
- B. The Administrator's recommendation regarding the suspension or expulsion of the Scholar.
- C. The fact that a hearing will be held before the Administrator.
- D. Time, place, and location and procedures followed at the hearing.
- E. The right to appeal an adverse decision of the Administrator if the Administrator recommends expulsion under the Appeals Procedure described in this Handbook.

The Scholar and/or his or her parent(s)/guardian may waive their right to a hearing before the hearing officer. In such cases, the Administrator's recommended disciplinary penalty of suspension or expulsion shall be imposed.

### **Appeals Procedure**

Only out-of-school suspensions of more than five (5) days or recommendation for expulsion may be appealed. Appeals are for the purpose of refuting the charges or penalty based on documentary evidence.

### **Fair Treatment Procedures**

The Greater Heights Academy Board of Directors is committed to treating all Scholars, staff, and parents of Greater Heights Academy fairly and impartially. The Board is committed to ensuring a school and working environment which is appropriate for institutions of learning and which assures the safety and welfare of all.

### **Steps to Address Unfair Treatment**

This section describes informal ways that incidents of perceived unfair treatment or harassment might be handled. These are not intended to be all-inclusive nor are any specifically recommended. It is desirable that Scholars, staff, and parents have a chance to make concerns known to the district and to afford the district an opportunity to review these concerns and respond to them.

### **Informal Complaint Options**

1. Speak directly to the person with whom there is a problem. Include information about what the person is doing, how you feel about the behavior, and how you would like the behavior to change.
2. Write a letter to the person with whom there is a problem. Include information about what the person is doing, how you feel about the behavior, and how you would like the behavior to change. Make a copy of the letter for yourself and deliver it in person, preferably accompanied by someone else as a witness to the delivery of the letter.
3. Meet with a neutral third party to discuss the situation. A discussion of the situation with a third party can help examine other options for addressing the complaint. Following the discussion, a decision as to whether or how to pursue the matter can be made. In choosing a third party with whom to talk, consider whether that person can be trusted to listen

sensitively, maintain confidentiality to the greatest extent possible, and have information about the options available for resolving such problems.

4. Request a third party to discuss the problem with the person with whom there is a problem.

**Step One** - If the problem is not resolved in the informational meetings, the \*Parent Grievance Form (available in the school office) may be completed by the parent and forwarded to the Administrator.

The Administrator or designee will respond in writing to the parent within five (5) school days of receipt of the written grievance.

**Step Two** - If the parent is not satisfied with the disposition of the matter by the Administrator, an appeal may be submitted to the Board of Directors. Depending on the nature of the grievance, the Board will review the matter in either closed or open session, may hear testimony, and will act on the matter. The Administrator and parents shall be advised in writing of the decision of the Board.

\* See Appendix E, E.2 and E.3 for Fair Treatment Procedure Forms.

### **Expulsion Appeals**

The Administrator shall hear an appeal for an expulsion recommendation, prior to the Board of Education hearing. The Administrator, after hearing all appeals, may decide to support and convey a recommendation for expulsion to the Board of Directors.

An expulsion hearing before the Board of Directors is the Scholar and parent's opportunity to appeal the administrator's recommendation for expulsion. The Scholar or parent may be represented by an attorney or another advisor at all hearings. Both parties have the right to call witnesses to the hearing and to cross-examine those witnesses.

The hearing is not a court proceeding and court rules other than those stated in this code shall not be enforced at such hearings.

There may be present at a hearing: The Administrator, the Board of Director's attorney and such resource persons as the President of the Board of Directors deems essential to the proper adjudication of the case. Hearings before the Board of Directors may be open or closed to the public based on the desires of the Scholar(s) and/or his/her parents.

At a hearing as described in this subsection, evidence in support of the charges shall be presented by an administrator or the administrator's designee. The hearing is not bound by formal rules of evidence. Disclosure of the identity of Scholars providing information relative to the charges may be limited in accordance with statutes and case law concerning Scholar discipline proceedings.

Only through official action by the Board of Directors, may a Scholar be expelled from school.

Within five (5) days of the conclusion of the hearing the decision of the appeal body shall be forwarded in writing to the person or persons initiating the appeal.

### Returning Guidelines

A Scholar's return to Greater Heights Academy will not be considered until twenty (20) school weeks (summer school not included) has passed. Parents may contact the Administrator's Office to apply for readmission. This process may include (but is not necessarily limited to) a meeting with the Administrator and other administrator(s) or designee and may also involve certain conditions such as a behavior contract/plan, communication with outside therapists, court caseworkers, etc. The exception is for Scholars expelled for truancy. These Scholars will be permitted to re-enroll for the semester following his/her expulsion pending a parent, pupil, school personnel conference discussing strategies to assist the pupil with improving his/her daily attendance. Scholars expelled two successive semesters for truancy will not be considered for re-admittance until twenty (20) school weeks (summer school not included) has passed. Scholars who have been expelled for possession of a dangerous weapon, arson, or criminal sexual conduct may be reinstated according to the provisions of Section 1311 of the Revised School Code, MCL 380.1311(5); MSA 15.41311(5).

### Off Campus Activities

Scholars are subject to the rules and regulations of this handbook when on any school district property. Likewise, Scholars at school-sponsored, off-campus events shall be governed by all school district rules and regulations as set forth in this Handbook and are subject to the authority of school district personnel. Scholars failing to obey rules and regulations and/or failing to obey the lawful instructions of school district personnel shall be subject to the provisions of this handbook.

### Wireless Communication Devices (Phone Policy)

(Board Policy 5136) – “Scholars may possess wireless communication devices (WCDs) in school, on school property, during after school activities (e.g. extra-curricular activities) and at school-related functions, provided that during school hours the WCDs are powered completely off (i.e., not just placed into vibrate or silent mode) and concealed and secured in lockers, or stored out of sight.”

***All phones Wireless Communication Devices will be turned in to school authorities in the morning and the device will be returned at the end of the school day.***

“A “wireless communication device” is a device that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers communication to the possessor. The follow are examples of WCDs: cellular and wireless telephones, pages/beepers, personal digital assistant (PDAs), Blackberry/Smartphones/IPhones, Wi-Fi enables or broadband access devices, two-way radios or video broadcasting devices, laptops, and other devices that allow a person to record and/or transmit, on either real time or delayed basis, sound, video, still images, text, or other information. Scholars may not use WCDs on school property or at a school-sponsored activity to access and/or view internet websites that are otherwise blocked to Scholars at school.”

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



“Scholars are prohibited from using WCDs to capture, record, or transmit the words (i.e. audio) and or images (i.e., pictures/video) of any Scholar, staff member, or other person in the school or while attending a school-related activity, without express prior notice and explicit consent for the capture, recording, transmission of such words or images. Using a WCD to take or transmit audio and/or pictures/video of an individual without his/her consent is considered an invasion of privacy and is not permitted, unless authorized by the Director. Scholars who violate this provision and/or use a WCD to violate privacy rights of another person may have their WCD confiscated.”

“School hours” will be enforced daily beginning at 7:45 a.m. and concluding at 3:30 p.m.

Scholars are personally and solely responsible for the care and security of their WCDs. The school assumes no responsibility for the theft, loss, damage, or vandalism to WCDs brought onto its property, or the unauthorized use of such devices.

Possession of a WCD by a Scholar is a privilege that may be forfeited by any Scholar who fails to abide by the terms of this policy, or otherwise engages in misuse of this privilege.

Violations of this policy will result in disciplinary action and/or confiscation of the WCD. The principal may also refer the matter to law enforcement if the violation involves an illegal activity.

### **Compliance Policy:**

Any occurrences will result in parent contact, phone confiscated, and Out of School Suspension.

If the WCD is confiscated, it will be released/returned to the Scholar’s parent/guardian after the Scholar complies with any disciplinary consequences that are composed.

Parents/Guardians are advised that the best way to get in touch with their child during the school day is by calling the Academy Office. Scholars may use Academy phones to contact parents/guardians during the school day.

## **Distribution Of School-sponsored & Non-school Sponsored Scholar Publications On School Property**

### **I. School-Sponsored Publications**

The School will exercise editorial control over the content and style of school-sponsored or classroom produced publications, theatrical productions and other expressive activities reasonably related to legitimate educational concerns.

School-sponsored publications include those publications and newspapers created and developed as part of the educational curriculum or classroom activity. All publications produced as part of an academic class must have approval of the classroom teacher or sponsor prior to publication and distribution. Additionally, the Administrator and/or her/his designee prior to publication must review each issue.

School sponsored publications will not restrict free expression or diverse viewpoints within the rules of responsible journalism.

### **II. Non-School Sponsored Scholar Publications**

Scholars at Greater Heights Academy may distribute non-school sponsored Scholar publications or unofficial publications on school property during school hours in areas designated by the building principal unless the publications contain expression which:

1. Is libelous;
2. Is obscene for minors'
3. Constitutes fighting words, the very expression of which injures or harasses other people or tends to incite immediate breach of the peace (i.e., threats of violence, defamation of character of a person's race, religion or ethnic origin);
4. Advertises drug paraphernalia, controlled substances, or any product or service not permitted to minors by law; Is pervasively indecent or vulgar (for secondary schools); or contains any indecent or vulgar language (for elementary schools);
5. Is pervasively indecent or vulgar (for secondary schools; or contains any indecent or vulgar language (for elementary schools);
6. Presents a clear and present likelihood that, either because of the content or manner of distribution, the publications will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities, or will cause the commission of unlawful acts or the violation of lawful school regulations.

### **III. Time, place and manner of distribution**

The distribution of written material shall be limited to a reasonable, time, place and manner as follows: Distribution which substantially interferes with the normal flow of traffic within the school corridors and entrance ways; which prevents or prohibits a Scholar from arriving at class at the scheduled time; which is coercive of any other person's right to accept or reject any publication; or which causes substantial and material interference with "normal school activities" shall not be permitted.

### **IV. Procedures**

A Scholar wishing to distribute or display non-school sponsored written materials must first present for approval a copy of the materials to one of the following'. Administrator or designee or the School secretary. These materials must be submitted directly to one of the above persons; leaving a copy of the materials on an administrator's desk does not constitute submission for approval.

In addition, the Scholar making the request will complete and sign a request providing the following information:

1. Name, Scholar number, and telephone number of the person submitting the request;
2. Date(s) and time(s) of day of intended display or distribution;
3. Location where material will be displayed or distributed; and
4. The grade(s) of Scholars to whom the display or distribution is intended.

A copy of the materials to be distributed or displayed, together with the completed request form, must be provided to one of the persons listed above one school day (24 hours) in advance of the desired distribution time. At the time of submission, the Scholar has the right, and is encouraged to, meet personally with the Administrator so that the Scholar and Administrator may freely

exchange views on why the distribution of the Scholar publication may or may not be appropriate. The Scholar or his representative may support his case for distribution with relevant witnesses and/or materials.

In determining whether a Scholar publication is disruptive, the following factors will be considered by school personnel; past experience with similar material; past experience in dealing with and supervising Scholars; current events influencing Scholar attitudes and behavior; any instances of actual or threatened physical disruption prior to or contemporaneously with the submission of the publication in question.

The Administrator or his representative shall render his decision to approve or disapprove the distribution of the publication in question and notify the Scholar of the decision within one school day of submission. If approval to distribute is not granted, the Administrator or his representative shall state his reason to the Scholar in writing.

If the person submitting the request does not receive a response within twenty-four (24) hours of submission, the person shall contact the office to which he/she submitted the materials to verify that the lack of response was not due to an inability to locate the Scholar. If the Scholar has made this verification and there is no response to the request, the material may be distributed in accordance with time, place and manner provision in Section II of this policy. The decision of the Administrator is final in these matters.

If the Scholar is dissatisfied with the decision of the Administrator, the Scholar may appeal this decision to the Board of Directors. The appeal from the Administrator's decision may be taken by notifying the secretary of the Board, either orally or in writing, within two (2) school days of the Administrator's decision of the Scholar's desire to appeal and the desire for a hearing before the Board of Directors.

A hearing date must be established within ten (10) days after receipt of the notice of appeal has been filed with the Secretary of the Board, and the Board shall render its decision in writing within three (3) school days of the hearing.

At every level of the above process, the person submitting the request shall have the right to present the reasons supported by relevant witnesses and evidence as to why distribution of the written material is appropriate. Moreover, while Greater Heights Academy anticipates that all issues can be resolved satisfactorily for both Scholars and the School, all Scholars are advised that they have the right to pursue any and all matters through the legal system.

Permission to distribute materials does not imply approval of its contents by either the School, the Administration of the School, the School Board, or the individual reviewing the material submitted.

## **V. Definitions of Terms**

- A. "School day" means any day during the regular school year or summer session on which regularly scheduled classroom instruction takes place and excludes Saturdays, Sundays and

official school holidays.

- B. "Publication" means any book, magazine, pamphlet, newspaper, yearbook, flier, petition, picture, photograph, drawing, button, badge, insignia or any other written or printed matter. Publication also includes any visual representation of a faculty sponsor.
- C. "Distribution" means circulation or dissemination of the Scholar publication to Scholars at the time and place of normal school activity, or immediately prior to or subsequent to normal school activity, by means of handing out free copies, selling or offering copies for sale, accepting donations for copies of the publication or displaying the material in areas of the school building or property which are generally frequented by Scholars. In dealing with material which is "obscene" or "libelous," the term "distribution" refers to dissemination of one or more copies; in dealing with all other types of material, the term "distribution" refers to a substantial circulation or dissemination of the Scholar publication so as to make the Scholar publication generally available to the Scholars of the school.
- D. "Normal school activity" means organized educational activity of Scholars sponsored by the school and under the direct supervision of a member of the school staff. Normal school activities include by way of example and not by way of limitation the following: classroom work; library activities; physical education classes; official assemblies and other similar gatherings; school athletic contests; band concerts; school plays; scheduled-in-school lunch periods.
- E. "Minor" means any person under the age of 18 years.
- F. "Obscene to minor" means that an average person, applying contemporary community standards would find that the publication, taken as a whole, appeals to the prurient interest of minors of the age to whom distribution is requested; that the publication depicts or describes, in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom such distribution is requested, such as conduct describing intimate sexual acts; and that the work taken as a whole lacks serious literary, artistic, educational, political or scientific value for minors.
- G. "Libel" is the false and unprivileged (unprotected by immunity) statement, publication in writing, or printing of pictures, effigies or other Fixed representations to the eye which exposes a person to public hatred, contempt, or ridicule which causes him to be shunned or avoided, has a tendency to injure him in his occupation, harm the individual's reputation or lower him in the esteem of the community.  
When the publication concerns "public officials," (i.e., those who hold government office) or "public figures," (i.e., those who by reason of the notoriety of their achievements, employment, or by reason of the vigor and success with which they seek the public's attention) the defamatory falsehood must be made with "actual malice" (i.e., with knowledge that it was false or with reckless disregard of whether or not it was false) in order to be libelous.
- H. "Material and substantial disruption" of a normal school activity means:
1. Where the normal school activity is an educational program of the

- School for which Scholar attendance is compulsory, any disruption which interferes with or impedes the implementation of that program.
2. Where the normal school activity is voluntary in nature (including for example and not for limitation, school athletic events, plays, concerts, lunch periods), "substantial disruption" means Scholar rioting, unlawful seizures of property, widespread shouting or boisterous conduct inappropriate to the event, participation in a school boycott, demonstration, sit-in, stand-in, walk-out, or other related forms of activity. Material that simulates heated discussion or debate does not constitute the type of disruption prohibited herein.
  3. In order for a Scholar publication to be considered disruptive, there must exist specific facts upon which it would be reasonable to forecast that a clear and present likelihood of an immediate, substantial and material disruption to normal school activity or school discipline would occur if the material were distributed- Mere undifferentiated fear or apprehension of disturbance is not enough; school personnel must be able to affirmatively show substantial facts which reasonably support a forecast of likely disruption.

#### **VI. Disciplinary Action**

Distribution of the Scholar publication during the period of initial review by the Administrator or his representative; after a negative decision by the Administrator or his representative; or during the period of appeal, shall be sufficient grounds for disciplinary action of the Scholar by the Administrator in accordance with the procedures set forth in this Scholar Rights & Responsibilities Handbook.

#### **VII. Notice of Policy to Scholars**

A copy of this Policy will be published in Scholar handbooks and posted conspicuously in school buildings.

#### **VIII. Constitutional Guarantees**

In exercising the right of prior review, school personnel shall be guided by the following guarantees and definitions. The First Amendment to the Constitution of the United States protects Scholars in their exercise of freedom of expression. It is the responsibility of the school and its staff, while establishing the kind of environment which is necessary for an orderly program of classroom learning; to ensure Scholars the right to express themselves freely shall not be infringed upon at the same time. Distribution of Scholar publications shall not be prohibited because they contain the expression of unpopular, critical, controversial, tasteless or offensive ideas.

#### **IX. Reviewing of Scholar Rights and Responsibility Handbook**

It is recommended this handbook be reviewed by a committee consisting of parents, teachers, and board members and chaired by the administrator by June 1<sup>st</sup> of each year. The board reserves the right to revise the policy as necessary.

**Appendix A: Family Vacation Request Form**  
**Greater Heights Academy**  
**FAMILY VACATION REQUEST FORM**

Dear Parent:

You have requested an excused family vacation absence for \_\_\_\_\_

Beginning \_\_\_\_\_ and ending \_\_\_\_\_. This is a total of \_\_\_\_\_ school days.

It is acknowledged that absences beyond five (5) school days may be difficult to make up and can compromise a Scholar's academic progress. It should be understood that assigning work is not always appropriate prior to instruction. However, if work is assigned for a vacation, it is due back the first full day of school. If work was not assigned before the vacation, upon return to school, it is the Scholar's responsibility to make arrangements with the teacher(s) for obtaining and submitting make-up work.

Total absences to date: \_\_\_\_\_

1. Subject: \_\_\_\_\_ Teacher: \_\_\_\_\_  
 Grade to Date: \_\_\_\_\_ Absences to Date: \_\_\_\_\_  
 Comments: \_\_\_\_\_

2. Subject: \_\_\_\_\_ Teacher: \_\_\_\_\_  
 Grade to Date: \_\_\_\_\_ Absences to Date: \_\_\_\_\_  
 Comments: \_\_\_\_\_

3. Subject: \_\_\_\_\_ Teacher: \_\_\_\_\_  
 Grade to Date: \_\_\_\_\_ Absences to Date: \_\_\_\_\_  
 Comments: \_\_\_\_\_

4. Subject: \_\_\_\_\_ Teacher: \_\_\_\_\_  
 Grade to Date: \_\_\_\_\_ Absences to Date: \_\_\_\_\_  
 Comments: \_\_\_\_\_

5. Subject: \_\_\_\_\_ Teacher: \_\_\_\_\_  
 Grade to Date: \_\_\_\_\_ Absences to Date: \_\_\_\_\_  
 Comments: \_\_\_\_\_

6. Subject: \_\_\_\_\_ Teacher: \_\_\_\_\_  
 Grade to Date: \_\_\_\_\_ Absences to Date: \_\_\_\_\_  
 Comments: \_\_\_\_\_

**Appendix A.2: Family Vacation Acceptance Form****Greater Heights Academy  
FAMILY VACATION REQUEST FORM****Statement of Acceptance**

I understand the conditions listed on the Family Vacation Request Form. I agree to take full responsibility for the work missed with the understanding that grades will be affected if work is not made up in a reasonable time. I further agree that my child will be expected to assume responsibility for requesting any work.

---

Parent (or Guardian) Signature

---

Date

---

Teacher's Signature

---

Date

---

Administrator's Signature

---

Date

**APPENDIX C.2: Fair Treatment Concern Acknowledgment Form**

**Greater Heights Academy  
Fair Treatment Concern Form**

To: \_\_\_\_\_

Your concern filed on \_\_\_\_\_ has been reviewed by  
(date)

\_\_\_\_\_ and a determination has been made as follows:

Person Reviewing Concern

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Per the Scholars Rights and Responsibility Handbook, this response is  
(please place an (x) in the appropriate area):

- \_\_\_\_\_ Step One
- \_\_\_\_\_ Step Two
- \_\_\_\_\_ Step Three
- \_\_\_\_\_ Step Four

Signature Indicating Receipt of Concern Form:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



**Appendix B.3 FAIR TREATMENT CONCERN FORM 2nd Appeal**

**Greater Heights Academy**

**Fair Treatment Concern Form**

To: \_\_\_\_\_

I have reviewed the disposition of my concern filed on \_\_\_\_\_ and  
 your response on \_\_\_\_\_. I would like to appeal your disposition  
 to the next level as noted in the Scholar Rights and Responsibilities Handbook.

Reason for Appeal:

\_\_\_\_\_  
 Signature of Person Filing Concern/Appeal

\_\_\_\_\_  
 Date

Appeal Form Received By:

\_\_\_\_\_  
 Signature – Title/Position

\_\_\_\_\_  
 Date

**Appendix C: Safe School Incident Report**  
**Greater Heights Academy**  
**Safe Schools Incident Report Form 5610.01F2**

Scholar's Name \_\_\_\_\_ Grade \_\_\_\_ Date \_\_\_\_\_

School \_\_\_\_\_ Referring Person \_\_\_\_\_

Reportable Incidents

Armed Scholar or hostage  
 Suspected armed Scholar  
 Weapons on school property  
 Death or homicide  
 Drive-by shooting  
 Physical/verbal assault (fights)  
 Bomb threat  
 Bomb threat call checklist  
 Explosion  
 Arson  
 Sexual assault (criminal sexual conduct)  
 Robbery or extortion  
 Unauthorized removal of Scholar  
 Vandalism or destruction of property  
 Illegal drug use or overdose  
 Minor in possession of alcohol or tobacco products  
 Intruders  
 Drug possession or drug sale  
 Larceny (theft)  
 Threat of suicide attempt

Nature of Incident (include site of incident): \_\_\_\_\_

Results (corrective action taken): \_\_\_\_\_

Reported to Police This form completed by: \_\_\_\_\_

\_\_\_\_\_  
 Received by Police/Title/Date

\_\_\_\_\_  
 Administrator's Signature/Date

**(This form is available in the school office)**

**Appendix D: Probation Status Form**

PROBATION STATUS FORM

In accordance with the Greater Heights Academy's Scholars Rights and Responsibilities Handbook, which states that any Scholar who has been involved in an infraction of school rules may be placed on behavioral probation by the school administrator or his duly authorized agent, the following Scholar is hereby declared to be on probation. \_\_\_\_\_(date)

I. Name: \_\_\_\_\_

II. Description of behavior causing probation:

III. Behavior change necessary for release from probation:

\_\_\_\_\_

IV. Terms of probation (extracurricular activities, conferences, reports, etc.)

\_\_\_\_\_

V. Length of probation: \_\_\_\_\_

VI. Person to oversee probationary progress:

Scholar: \_\_\_\_\_

Parent or Guardian: \_\_\_\_\_

**Appendix E: Fair Treatment Concern Form**  
**Greater Heights Academy**  
**Fair Treatment Concern Form**

Name of Person Submitting Concern: \_\_\_\_\_

Date Filed: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone (day) \_\_\_\_\_

Phone (evening) \_\_\_\_\_

STATEMENT OF CONCERN (please provide documentation supporting your concern):

RELIEF SOUGHT:

\_\_\_\_\_  
Signature of Person Filing Concern

Signature Indicating Receipt of Concern Form:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## **AppendixF:**

### **MDE Recommendations on Discipline Suspensions and Expulsions**

The following document is from the Michigan Department of Education. Greater Heights Academy follows the State Recommendations.

#### **SUSPENSIONS AND EXPULSIONS**

The sections of the Revised School Code that address this issue are contained in the Michigan Compiled Laws under MCL 380.11a, 380.1309, 380.1310, 380.1311, 380.1311a and 380.1312.

#### **SUSPENSIONS AND EXPULSIONS IN GENERAL**

The Revised School Code provides each school board with the authority to establish a local discipline policy. Each local school board has the authority to make reasonable regulations relative to anything necessary for the proper establishment, maintenance and management of the schools in the district. Districts shall develop and implement a code of student conduct and enforce its provisions with regard to a pupil's misconduct 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. Students guilty of gross misdemeanor or persistent disobedience may be suspended or expelled. A local or intermediate school district or a public school academy must develop and implement a code of student conduct and enforce the provisions of that code regarding misconduct [MCL 380.11a, 380.1311, 380.1312].

#### **DUE PROCESS**

Fairness dictates that students be given notice of the types of conduct which are prohibited and the potential consequences of the misconduct. A school's rules and procedures for suspending or expelling a student should be outlined in the handbook adopted by the local board of education.

#### **Suspension—10 Days or Less For a suspension of 10 days or less,**

A student is entitled to minimal due process protections, including oral or written notice of the accusation(s), 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.

#### **Suspension – More Than 10 Days and Expulsions**

A more formal due process procedure is required when serious disciplinary measures are alleged against a student. The student shall be given reasonable time to prepare for the hearing. The person conducting the disciplinary hearing must be impartial. The board of education, a school administrator or disciplinary panel may conduct the hearing as long as they are truly impartial.

Students with Disabilities Students with disabilities are afforded specific due process protection

in cases of suspension or expulsion under state and federal law. For further information, contact your local or intermediate special education director or the Office of Special Education and Early

## **TYPES OF SUSPENSIONS AND EXPULSIONS**

Michigan Law requires a school district to permanently expel a student who possesses a dangerous weapon, commits arson or criminal sexual conduct. Subsequent laws were enacted that allow a one-day snap suspension by a teacher for a student who creates a safety threat; requires school districts to suspend or expel a student for up to 180 school days who commits a physical assault against another student; requires that a student be suspended or expelled for a verbal assault or a bomb threat; and requires a student who commits a physical assault against a school employee or volunteer to be permanently expelled. The following information describes the law.

### **Weapons, Arson or Criminal Sexual Conduct Expulsion**

School districts are required to permanently expel a student who possesses a dangerous weapon, commits arson, or criminal sexual conduct [MCL 380.1311]. Information on Expulsions Due to Weapons, Arson, and Criminal Sexual Conduct is available either by contacting the Customer Satisfaction Unit at (517) 373-6534 or toll-free at (888) 323-4231, or accessing through the World Wide Web at: <http://www.michigan.gov/mde>.

### **Teacher “Snap” Suspension**

A teacher may suspend a student from the classroom for up to one day if the student creates a safety threat as defined by local policy. The policy shall be adopted as part of the school district’s code of student conduct and specify the types of behavior for which a student may be suspended. If a student is retained in the school he or she must be under appropriate supervision. A parent-teacher conference shall follow the suspension as soon as possible and may include a school counselor, school psychologist, or school social worker. A student may return that school day to the classroom, subject or activity for which he or she was suspended, with the concurrence of the teacher and the school principal [MCL 380.1309].

### **Verbal Assault and Bomb Threats**

A student in grade 6 or above who commits verbal assault, as defined by school board policy, against an employee or volunteer of a school district or makes a bomb threat or similar threat at a school building, other school property, or a school-related event, shall be suspended or expelled for a period of time as determined by the school board or its designee. The school board policy should include the types of behavior for which a student who commits verbal assault, or makes a bomb threat or similar threat, would be suspended or expelled. The term “verbal assault” would need to be defined by the school district’s local policy [MCL 380.1311a].

**Physical Assault - Student to Student** A student in grade 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].

### **Physical Assault - Student to Employee or Volunteer**

A student in grade 6 or above who commits a physical assault against an employee or a volunteer of a district, at school or on school grounds, shall be expelled permanently, subject to possible reinstatement provided for in the law. The term “physical assault” means “intentionally causing or attempting to cause physical harm to another through force or violence” [MCL 380.1311a]. If a student is permanently expelled pursuant to section 380.1311a, the expelling school district must enter that fact on the student’s permanent record. Within 3 days of permanently expelling a student an official of the school district must refer the student to the appropriate county department of social services or county community mental health agency. Notification of this referral must be given by the school district official to the expelled student if he or she is at least 18 years of age or is an emancipated minor, or to the student’s parent or legal guardian.

### **Petitioning for Reinstatement**

Although the law calls for the “permanent” expulsion of a student who commits a physical assault against an employee or a volunteer of a district, at school or on school grounds, subsection (5) provides a process for petitioning for reinstatement to school. 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. The school board is not required to assist in the preparation of the petition. If a petition form is requested by a person wishing to be reinstated, the school board must make the petition form available. A parent, legal 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. The local school board may include conditions in a petition for reinstatement. 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.

### **Committee Review and Recommendation**

Within 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 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. The committee’s recommendation must be based on all of the following factors: (1) The extent to which reinstatement of the student would create a risk of harm to pupils or school personnel. (2) The extent to which reinstatement would create a risk of school district or individual liability for the school board or school district personnel. (3) The age and maturity of the individual. (4) The student’s school record before the incident that caused the expulsion. (5) The student’s attitude concerning the incident that caused the expulsion. (6) The

student's behavior since the expulsion and the prospects for remediation. (7) 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.

### **School Board Decision**

After receiving the committee's recommendation, the school board must make a decision no later than the next regularly-scheduled board meeting. The school board must decide either to reinstate the student, conditionally reinstate the student, or deny reinstatement. Before conditionally reinstating the student, a school board may require a student and the parent or legal guardian to agree in writing to specific conditions. The conditions may include, but are not limited to, the following: (1) Agreement to a behavior contract which may involve the student, parent or legal guardian, and an outside agency; (2) Participation in, or completion of, an anger management program or other appropriate counseling; (3) Periodic progress reviews; and (4) Specified immediate consequences for failure to abide by a condition. The law provides that the decision of the school board is final.

**ALTERNATIVE EDUCATION** A school district may provide an 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-handicapped student who is 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. For further information regarding alternative education programs available in your area, contact your local or intermediate school district or the Office of Safe Schools at (517) 241-0726 or accessing their web site at: <http://michigansafeschools.org>.

### **Alternative Placement - Student to Employee or Volunteer Physical Assault Expulsion**

Unless the school district operates or participates in an alternative education program appropriate for a student expelled pursuant to section 380.1311a(2) and at the school district's discretion admits the student to that program or a "strict discipline academy," the student is expelled from all Michigan public schools. A student cannot be enrolled unless a petition for reinstatement has been granted [MCL 380.1311a(2)]. A program operated for 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].

### **The Michigan Compiled Laws are accessible on the Internet at:**

<http://michiganlegislature.org>subject to the compulsory education requirements, is not mandated to provide an alternative education program for a student.

This information is provided as a service of the Michigan Department of Education and is



distributed with the understanding that the Department is not engaged in rendering legal advice. Those individuals desiring or requiring legal advice should seek the services of an attorney. Final August 2000