

STUDENT CODE OF CONDUCT 2016/2017



Dickinson West Elementary
Bulldogs



Hamtramck High School
Horizon High School
Cosmos



Kosciuszko Middle School
Cougars



Dickinson East Elementary
Dolphins



Early Childhood Elementary
Cubs



Holbrook Elementary
Hawks

Be Respectful - Be Responsible - Be Safe - Be Scholarly

Dear Students, Parents, Students, Staff and Administrators:

Welcome back to another innovative, productive school year. The vision of the Hamtramck Public School District is to be the first choice for an exceptional education. One major pillar supporting the HPS vision is maintaining a positive culture and climate focused on learning. The responsibility of developing and maintaining a secure and productive teaching and learning environment is the obligation of each member of the school community, including the students, staff, parents, and community members.

The information in the following pages explains the Code of Conduct of acceptable student behaviors, and subsequent discipline policies and procedures of Hamtramck Public School District that will be used to ensure fair and equitable treatment for all members of our student population. Respect is the cornerstone of all our interactions and behaviors. We acknowledge the dignity and worth of one another and strive never to diminish another by our conduct or our attitudes. Parents and guardians can encourage their children by supporting the schools' Code of Conduct and by helping them to develop consistent character qualities like respect, courage, integrity and perseverance.

Hamtramck Public School District is committed to using a variety of pro-active and student-focused strategies to promote a positive school climate based on:

- Implementation of evidence-based strategies for social and emotional learning such as Positive Behavioral Interventions and Supports (PBIS) and Restorative Practices.
- Integration of social and emotional learning and other evidence-based pro-social development practices into the school culture, supporting and sustaining them as vital elements of the school operations.
- Collecting and effectively utilize data—including discipline and academic performance records, truancy data, student and stakeholder surveys, and other relevant measurements—for ongoing formative evaluation of disciplinary processes and their effectiveness.

Administrators and teachers are expected to ensure that each family receives a copy of the Code of Conduct. Parents are asked to review the Code of Conduct with their child, sign and return the receipt, and encourage their children to conduct themselves appropriately at all times. Students are also expected to sign the receipt and exhibit appropriate behavior by following all school rules and Hamtramck Board of Education Policies. Administrators will collect a signed acknowledgement of receipt of the Hamtramck Code of Conduct from each student.

I hope you find the Hamtramck Code of Conduct a useful guide. Everyone in the Hamtramck Public School District is looking forward to working collaboratively with our students and their families.

Sincerely,

Thomas Niczay

Thomas Niczay
Superintendent

Table of Contents

| <u>Title</u> | <u>Page(s)</u> |
|--|----------------|
| Hamtramck Public Schools Mission Statement | 4 |
| Positive Behavior Intervention System (PBIS) | 5 |
| Restorative Practices | 6-8 |
| Article I - Introduction | 9 |
| Article II - School Attendance | 9-14 |
| » Compulsory Attendance & Truancy | 9 |
| » Attendance Notification | 9 |
| » Excused & Unexcused Absences | 9-10 |
| » Necessary Absence | 10 |
| » Hamtramck High School Attendance Policy | 10-11 |
| » Tardy Procedures for Hamtramck High School | 11 |
| » Horizon High School Attendance Policy | 11-12 |
| » Middle School Attendance Policy | 12 |
| » Tardy Procedures for Middle School | 12 |
| » Elementary School Attendance Policy | 13 |
| » Tardy Procedures for Elementary Schools | 13 |
| » Early Release Procedures for Elementary Schools | 13 |
| » Extended Absences | 13 |
| » Emergency Release | 13 |
| » Student Detention | 14 |
| Article III - Student Health | 14 |
| Article IV - Student Rights, Responsibilities & Limitations | 14-18 |
| » Student Expression | 14 |
| » Learning Materials | 14 |
| » Student-School Board Relationships | 14 |
| » Student Records | 14 |
| » Search and Seizure | 15 |
| » Dress for Success | 15 |
| » 2016/2017 HPS Dress Code | 15-16 |
| » Police Investigations and Arrests | 16 |
| » Transportation | 16 |
| » Interscholastic Athletics | 16 |
| » Student Identification | 16-18 |
| » Acceptable Use of Technology and Network Policy | 17-18 |
| Article V - Freedom from Discrimination | 18 |
| Article VI - Student Discipline | 19-31 |
| » Preamble | 19-21 |
| » Definitions of Discipline | 20 |
| » Components of Discipline | 20 |
| » Progression of Disciplinary Action | 20-21 |
| Article VII - Prohibited Acts | 21-31 |
| » Alcohol/Chemical Substance | 21 |
| » Arson | 21-22 |
| » Bullying | 22 |
| » Copyrighted Material | 23 |
| » Coercion, Extortion or Blackmail | 23 |
| » Criminal Sexual Conduct | 23 |
| » Dangerous Weapons | 23 |
| » Drugs, Narcotic Drugs & Counterfeit Substances | 24 |
| » Damage of Property or Theft/Possession | 24 |
| » Dress | 24 |

| | |
|--|-------|
| » Discriminatory Harassment | 24 |
| » Disruption of School | 25 |
| » Electronic Communication Devices & Laser Pointers | 25 |
| » Disobedient to Faculty/Adults | 26 |
| » Failure to Cooperate | 26 |
| » False Allegations | 26 |
| » Falsification of Records | 26 |
| » False Alarms | 26 |
| » Fighting | 26 |
| » Fireworks, Explosives, Chemical Substances | 27 |
| » Gangs and Gang Related Activity | 27 |
| » Improper Communication | 27-28 |
| » Inappropriate Physical Contact/Excessive Horseplay | 28 |
| » Indecency | 28 |
| » Misuse of Technology | 28 |
| » Look-A-Like-Weapons | 28 |
| » Off-School Misconduct & Misconduct Prior to Enrollment | 28-29 |
| » Persistent Violation of School Rules | 29 |
| » Personal Protection Devices | 29 |
| » Physical Assault | 29 |
| » Scholastic Dishonesty | 29 |
| » Smoking/Tobacco | 30 |
| » Suspended or Expelled Student on HPS Property | 30 |
| » Trespassing/Loitering | 30 |
| » Weapons and Dangerous Instruments | 30 |
| Article VIII - Due Process Rights | 30-31 |
| » Students subject to short-term suspension | 31 |
| » Students subject to long-term suspension/expulsion | 31 |
| Article IX - Suspension and Expulsion | 31-43 |
| » Emergency Removal | 31-32 |
| » Teacher-Initiated Suspension | 32 |
| » Short-Term Suspension | 32 |
| » Preliminary Hearing | 32 |
| » Sending a Student Home | 32 |
| » Responsibility for School Work | 33 |
| » Appeal | 33 |
| » Suspension/Expulsion of a Student with Disabilities (504) | 33-34 |
| » Long-Term Suspension and Expulsion | 34-35 |
| » Students with an IEP | 35 |
| » Student's Record | 35 |
| » Waiver | 35 |
| » Notice of Hearing | 36-36 |
| » Emergency Removal, Suspension and Expulsion of non-disabled students | 36-37 |
| » Parental Responsibility Ordinance | 37-38 |
| » Anti-Harassment | 38-42 |
| » Sexual Harassment | 39-41 |
| » Race/Color Harassment | 41 |
| » Religious (Creed) Harassment | 41 |
| » National Origin Harassment | 41 |
| » Disability Harassment | 41-42 |
| » Student Code of Conduct Form | 43 |

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Hamtramck Public Schools Mission Statement

The mission of the Hamtramck Public School District, in partnership with families and the community, is to be a model center of life-long learning and recreation, while serving its multicultural population by achieving excellence in education, maximizing each individual's potential in a safe, nurturing environment.

Positive Behavior Intervention Support (PBIS)

Positive Behavior Intervention Supports (PBIS) is rooted in the behavioral or behavior analytical perspective in which it is assumed that behavior is learned, is related to immediate and social environmental factors, and can be changed. PBIS is based on the idea that students learn appropriate behavior in the same way they learn to read—through instruction, practice, feedback, and encouragement. Key features of PBIS include: (1) administrative leadership, (2) team-based implementation, (3) a clear set of defined positive expectations and behaviors, (4) teaching of expected behaviors, (5) recognition of meeting expected behaviors, (6) monitoring and correcting errors in behaviors, and (7) using data-based information for decision-making, monitoring, and evaluating building results.

Why PBIS?

Previously, school-wide discipline has focused mainly on reacting to specific student misbehavior by implementing punishment-based strategies including reprimands, loss of privileges, office referrals, suspensions, and expulsions. Research has shown that the implementation of punishment, especially when it is used inconsistently and in the absence of other positive strategies, is ineffective. Introducing, modeling, and reinforcing positive social behavior is an important aspect of a student's educational experience. Teaching behavioral expectations and recognizing students for following them is a much more positive approach than waiting for a misbehavior to occur before responding. The purpose of school-wide PBIS is to establish a climate in which appropriate behavior is the norm. We aim to make the school climate a more positive environment through the use of recognition of student who are meeting exceptions.

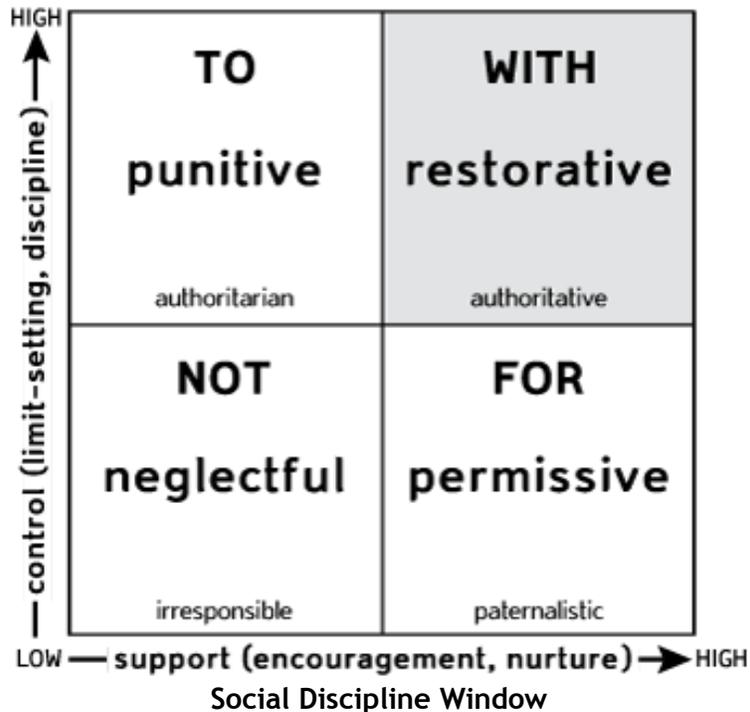
Building-Wide Expectations

In accordance with PBIS universal guidelines, the PBIS expectations in Hamtramck Public Schools are designed to (1) provide a clear understanding of expected student behavior, (2) be few in number, (3) be positively stated and structured, (4) use familiar language, and (5) include example behaviors defined for purposes of instruction.

**Respectful
Responsible
Safe
Scholarly**

Restorative Practices

Restorative Practices (RP) is an important part of PBIS. RP involves changing relationships by engaging people: doing things with them, rather than to them or for them -- providing both high control and high support at the same time.



What is Restorative Practices?

Hamtramck Public Schools are committed to Restorative Practices as a key component of our school discipline process. Restorative Practices is a systemic response to wrongdoing that emphasizes healing the wounds of victims, offenders, and communities. Parties with a stake in a specific offense collectively resolve how to deal with the after-math of the offense and its implications for the future. Under this concept, persons affected by an incident of misbehavior sit in a circle, where they have a chance to speak and to be an active listener.

The use of Restorative Practices helps to:

- Reduce crime, violence and bullying
- Improve human behavior
- Strengthen civil society
- Provide effective leadership
- Restore relationships
- Repair harm

Restorative Practices is founded on the following restorative questions:

Offenders are asked...

“What happened?”

“What were you thinking of at the time?”

“What have you thought about since?”

“Who has been affected by what you have done? In what way?”

“What do you think you need to do to make things right?”

Victims are asked...

“What was your reaction at the time of the incident?”

“How do you feel about what happened?”

“What has been the hardest thing for you?”

“How did your family and friends react when they heard about the incident?”

Whenever possible, we provide those who have been affected with an opportunity to express their feelings to the offenders. Restorative Practices in schools can include peer mediation, classroom circles to resolve problems, or family group conferencing. All of these practices involve face-to-face resolution to address the multiple impacts of a student’s offending behavior. Those people most affected by the behavior play an important role in resolving the incident.

Holding Students Accountable

Our society’s fundamental assumption is that punishment holds offenders accountable. However, for an offending student, traditional punishment (detentions, suspensions, etc.) is often a passive experience, demanding little or no participation. When an adult scolds, lectures and imposes the punishment, the student frequently remains silent, resents the authority figure, feels angry and perceives himself/herself as the victim. The student does not think about the real victims of his/her offense or the other individuals who have been adversely affected by his/her actions. So, are we holding the student accountable?

Doing things to an offending student merely alienates him/her. We must do things with him/her. We must engage him/her in an active way to truly hold him/her accountable. Simultaneously, we want to build positive relationships between the student and those affected by his/her behavior. It is with this philosophy that we have adopted Restorative Practices.

Effective Restorative Practices

To be effective in challenging and changing inappropriate behavior, we will focus on several fundamental elements of good Restorative Practices.

1. Foster awareness. In the most basic intervention, we may simply ask the offender a few questions to foster awareness of how others have been affected by the wrongdoing. Or we may express our own feelings to the offender. In more elaborate interventions, we provide an opportunity for others to express their feelings to the offender.

2. Avoid scolding or lecturing. When offenders are exposed to other people’s feelings and discover how victims and others have been affected by their behavior, they feel empathy for others. When scolded or lectured, they react defensively. They see themselves as victims and are distracted from noticing other people’s feelings.

3. *Involve students actively.* All too often we try to hold offenders accountable by simply doling out punishment; but in a punitive intervention, offenders are completely passive. They just sit quietly and act like victims. In a restorative intervention, offenders are usually asked to speak. They face and listen to victims and others they have affected. They help decide how to repair the harm and must then keep their commitments. Students have an active role in a restorative process and are truly held accountable.

4. *Accept ambiguity.* Sometimes, as in a fight between two people, fault is unclear. In those cases we may have to accept ambiguity. Privately, before the conference, we encourage individuals to take as much responsibility as possible for their part in the conflict. Even when offenders do not fully accept responsibility, victims or others who have been affected often want to proceed. As long as everyone is fully informed of the ambiguous situation in advance, the decision to proceed with a restorative intervention belongs to the participants.

5. *Separate the deed from the doer.* In an informal intervention, either privately or publicly, we may express that we assume that the offenders did not mean to harm anyone or that we are surprised that they would do something like that. When appropriate, we may want to cite some of their virtues or accomplishments. We want to signal that we recognize the offenders' worth and disapprove only of their wrongdoing.

6. *See every instance of wrongdoing and conflict as an opportunity for learning.* Turn negative incidents into constructive events—building empathy and a sense of community that reduce the likelihood of negative incidents in the future.

Some of the above information regarding Restorative Practices was retrieved from the International Institute for Restorative Practices, A Graduate School. What Is Restorative Practices? Website: <http://www.iirp.edu/what-is-restorative-practices.php>

Hamtramck Public Schools Student Code of Conduct

Article I - Introduction

The primary objective of the Hamtramck Public Schools is to assist each student to develop into a responsible, self-controlled individual, willing to assume his/her role as a productive member of society. An important aspect of this learning process is learning to respect the rules and regulations that are established for the protection of the rights of all members of the school community.

Article II - School Attendance

A. Compulsory Attendance & Truancy

1. Compulsory school attendance in the State of Michigan includes all students from ages 6-18, unless the student was born before 12/01/98 and enrolled in 6th grade before 2009. **Truancy** is defined as excessive absenteeism or missing school without permission. Michigan law places the responsibility on each student to attend school on a daily basis, and on each parent or guardian to send his/her child to school on a daily basis. **Students who are absent more than 10% of the possible school days throughout the school year will be identified as truant.**
2. The School District will work cooperatively with parents and students to assure positive student attendance. In cases where poor attendance persists, however, the District may take disciplinary action or seek court action against the student and/or his/her parent(s)/guardian(s) to assure compliance with state law. Legal penalties include fines of up to \$500 and jail time of up to 90 days.

B. Attendance Notification

Hamtramck Public Schools utilize an automated attendance notification system. Parents will receive a recorded message any time their child misses one or more classes in a day.

C. Excused & Unexcused Absences

1. Students are expected to be in school and on time every day except when seriously ill or in court; most students should miss less than 5% of the school days in a year, which equates to no more than one day per month on average.
2. Student absences will not be excused at the school level, except for verified hospital stays and court dates. If a student's attendance falls below 90%, they will be identified as truant and contacted by the Director of Pupil Services. Parents and students do have the right to request that the Director of Pupil Services excuse absences for doctor visits, funerals, family emergencies and illness with written documentation if they are identified as truant.

3. Except in the cases described above, all absences are considered unexcused. The following reasons, as examples, **DO NOT** justify an excused absence:
 - i. Missing the bus
 - ii. Oversleeping
 - iii. Babysitting
 - iv. Car trouble/No transportation
 - v. Missing school to interpret for family members
 - vi. Vacations
 - vii. Bad weather

D. Necessary Absences

Whenever possible, doctor appointments should be scheduled outside of the school day. When this is not feasible, the student should attend as much of the school day as possible. After a morning doctor appointment, for example, students should report to school for the remainder of the day.

E. Hamtramck High School Attendance Policy

Students are expected to arrive on time and attend every class every day. Acknowledging that students may need to miss school on rare occasions for such things as illness, college visits, and emergencies, the following policy has been instituted:

1. Parents should notify the school on or before the day of any absence.
2. Students who miss nine (9) periods of any class will lose credit for that class in that semester. **Both excused and unexcused absences will be counted toward this total.**
3. Students who arrive more than five (5) minutes late to class will be marked absent.
4. Students who arrive late, but within five (5) minutes of the start of class will be marked tardy. There may be disciplinary consequences for excessive tardiness.
5. It is the student's responsibility to keep track of their absences and make sure they do not miss any class nine (9) or more times.
6. If a student is absent nine (9) times in a class, they will be notified in writing that they have lost credit in that class.
7. Even after losing credit, students are required to attend class, behave appropriately and complete all assignments.
8. Students will have an opportunity to appeal their loss of credit at the end of the affected semester. An Appeals Committee comprised of administrators and faculty will review written appeals, and consider restoring credit to students based on the following criteria:
 - a. attendance after reaching 9 absences
 - b. effort in class
 - c. performance on final exams
 - d. academic performance in class
 - e. citizenship and behavior

9. Appeals will be accepted from the first day of semester exams through the fifth business day after the last final semester exam. No appeals will be accepted after this time.
10. If credit is restored for a class by the Appeals Committee, the student will receive the grade earned by their academic performance in class.
11. Students over the age of compulsory attendance who are absent more than 15% of scheduled school days in a semester may be dropped from HHS. Once dropped, students will need to re-apply in order to return.
12. **Extended absences** at the end of the school year will not be excused. Students will receive zero credit for any missed assignments or exams.
13. **Leave and Return Policy** - Students that leave school before the end of the day may not return to school on the same day without documentation of a doctor's visit (unexcused), hospital visit (excused) or court date (excused).
14. **Religious Observance** - Students will be permitted to leave school for specific religious observances with advanced, written notification and written verification of participation.

F. Tardy Procedures for Hamtramck High School

Students are required to report to class before the tardy bell rings.

1. The teacher will mark the student tardy provided he/she is in the classroom within the first 5 minutes of class.
2. Any student arriving more than 5 minutes late will be marked absent.
3. Students that are frequently tardy may be subject to disciplinary consequences and/or truancy charges.

G. Horizon High School Attendance Policy

Students are expected to arrive on time and attend every class every day. Acknowledging that students may need to miss school on rare occasions for such things as illness, college visits, and emergencies, the following policy has been instituted:

1. Parents should notify the school on or before the day of any absence.
2. Students who miss five (5) periods of any class in one quarter will lose credit for that class in that quarter. **Both excused and unexcused absences will be counted toward this total.**
3. It is the student's responsibility to keep track of their absences and make sure they do not miss any class five (5) or more times.
4. Even after losing credit, students are required to attend class, behave appropriately and complete all assignments.
5. Students will have an opportunity to appeal their loss of credit at the end of the affected semester. An Appeals Committee comprised of administrators and faculty will review written appeals, and consider restoring credit to students based on the following criteria:
 - a. attendance after reaching 5 absences
 - b. effort in class
 - c. performance on final exams

- d. academic performance in class
 - e. citizenship and behavior
6. Appeals will be accepted until one week after the end of each quarter. No appeals will be accepted after this time. If credit is restored for a class by the Appeals Committee, the student will receive the grade earned by their academic performance in class.
 7. Students over the age of compulsory attendance who are absent more than 15% of scheduled school days in a semester may be dropped from Horizon High School. Once dropped, students will need to re-apply in order to return.
 8. **Extended absences** at the end of the school year will not be excused. Students will receive zero credit for any missed assignments or exams.
 9. **Leave and Return Policy** - Students that leave school before the end of the day may not return to school on the same day without documentation of a doctor's visit (unexcused), hospital visit (excused) or court date (excused).
 10. **Religious Observance** - Students will be permitted to leave school for specific religious observances with advanced, written notification and written verification of participation.

H. Middle School Attendance Policy

1. Parents should notify the school on or before the day of any absence.
2. Only hospital stays and court dates will be excused by the school office, and official documentation is required to do so.
3. All other absences are considered unexcused, and include: out of school suspensions, skipping, leave school without permission, over sleeping, missing school to interpret for family members, vacations, bad weather, and car trouble/no transportation.
4. Excessive absences from school or failure to regularly attend all scheduled classes may result in the parent and/or student being prosecuted for truancy, with resulting fines and or jail sentences.
5. Students over the age of compulsory attendance with excessive absences (more than 15% of school days missed) may be dropped from school enrollment.

I. Tardy Procedures for Middle School

Students must be in the classroom before the bell rings. Students are to be admitted to class tardy. Students without a valid reason for being late to class will be marked tardy. Methods for establishing valid reasons include:

1. A pass from a staff member.
2. A written statement from a doctor.
3. A copy of documents for court or other mandatory appearances.
4. Any student arriving more than 10 minutes late will be marked absent.
5. Students that are frequently tardy may be subject to disciplinary consequences and/or truancy charges.

E. Elementary School Attendance Policy

Good school attendance is a habit every student should develop while attending elementary school. Regular attendance is essential for each student to take advantage of his/her educational opportunities. If it is necessary for a child to be absent from school, the following is required of parent/guardian:

1. Parents should call the school on or before the day of the absence to explain why the student is absent and when the student will return. It is the responsibility of the parent/guardian to contact the school in the event of any absence from any portion of the day.
2. Only hospital stays and court dates will be excused by the school office, and parents must provide written documentation to request that an absence be excused.
3. The student is responsible for making up any schoolwork missed due to his/her absence.

F. Tardy Procedures for Elementary Schools

It is critical that students arrive at school on time and ready to learn. Students will be marked "tardy" in the attendance record when they arrive in class after the scheduled start time. If a student arrives more than one hour late to school, he/she will be marked absent for half a day. Parents of students who are frequently tardy may be charged with violation of Hamtramck's Parental Responsibility Ordinance for truancy.

G. Early Release Procedures for Elementary Schools

Students are expected to attend school for the entire day, and should not be removed from school before the end of the school day except for doctor's appointments or emergencies. Parents of students who are frequently removed early may be charged with violation of Hamtramck's Parental Responsibility Ordinance for truancy.

H. Extended Absences

If a parent plans to take his/her child out of school for an extended period of time, his/her child may be released from his/her school and he/she will be asked to sign an Extended Absence Release Form. Upon return to the Hamtramck Public School District, he/she will need to go to the Office of Pupil Services to re-verify his/her Hamtramck residency.

If a vacation is taken while school is in session, those absences will be marked unexcused, and the child may be released from the school's active rolls. Upon return to Hamtramck Public School District, he/she will need to go to the Office of Pupil Services to re-verify his/her residency.

I. Emergency Release

An individual student may be released from school in an emergency situation to a custodial parent, guardian, legal authorities, or other person properly authorized by a parent/guardian to accept custody. This information must be on the emergency card filed in the office. These cards must be updated when phone numbers change.

J. Student Detention

Generally, students are not required to stay beyond regular school hours for disciplinary reasons unless a parent has received prior notification of such action by the elementary schools for detention. For middle school and high school parent, written notification will be sent home with the student informing the parent/guardian of the date and time of the detention.

Article III - Student Health

All medication should be given to students at home. If that is not possible, school personnel can assist a student during the school day. Only those medications necessary to maintain the student in school, and which must be given during school hours, will be administered. In order for school personnel to administer medication (even aspirin) to a student, the School District's "Medication Authorization Form" must be completed and on file in the school office. The "Medication Authorization Form" must be completed annually for students receiving ongoing medications.

Article IV - Student Rights, Responsibilities & Limitations

A. Student Expression

School District administrators and teachers may exercise control over or otherwise limit student expression that may be reasonably attributed to the School District by the general public, parents or students for any legitimate educational reason. Additionally, student expression that occurs on school premises, or has a nexus with the School District or District-related activities, may be controlled or otherwise limited in order to avoid material and substantial interference with school work, student discipline, the rights of others, or the proper functioning of the educational process.

B. Learning Materials

The Board of Education shall encourage the development of programs and the selection of materials that will foster academic accomplishment and socially responsible citizenship. The content of all such materials shall be such as to constitute fair treatment for all racial, religious, and multi-ethnic groups.

C. Student-School Board Relationships

Your Board of Education solicits your views and encourages your attendance at the public Board meetings. Accordingly, the Board will invite student representatives from each school to attend its meetings to recognize student accomplishments.

D. Student Records

Teachers, guidance counselors, office personnel and school administrators who maintain student records, or who have them in their custody, may not disclose them, or any information contained in them, unless permitted by law, without a written release from the parent or legal guardian. Records will be kept secure at all times and will be available to parents/guardians within legal guidelines and with prior notice. Non-custodial parents are entitled to receive educational related information, unless otherwise restricted by the courts.

E. Search and Seizure

From time to time, school property is assigned to a student. Students do not, however, acquire a reasonable expectation of privacy in such property. The District reserves the unrestricted right to search and seize property assigned to a student at any time, for any reason, with or without notice to the student. The privacy rights of students shall be respected regarding any items that are not illegal or against school policy.

F. Dress for Success

Hamtramck Public Schools are requiring that students in grades K-12 wear uniforms. The reason for this is to improve “school culture.” School culture being defined as the actual beliefs and attitudes that people place on the value of education. Cultural is also about how people get along with each other. School culture can also be defined by the quality of the learning climate. Uniforms will help the culture and climate by moving the focus away from fashion to learning. Schools are places to learn and uniforms set the tone for learning.

2016/2017 HAMTRAMCK PUBLIC SCHOOLS DRESS CODE

Students in Grades K-12 will be required to adhere to the following HPS dress code: School Administrators will make the final determination of dress code compliance in case of disagreement or for items not mentioned below.

Grades K-8

Shirts - White, light blue or navy poplin/polo style shirts (short/long sleeve)
Pants - Blue (navy), Black, tan/khaki dress pants. **NO JEANS.**

Grades 9-12

Shirts - White, light blue, navy, burgundy/maroon, gray or hunter green poplin/polo style shirts (short/long sleeve)

Pants - Blue, black, tan/khaki dress pants. **NO JEANS.**

NO SHORTS /CAPRIS / MINI SKIRTS - Skirts must end no more than 3” above the knee and may not be excessively tight.

- » Girls in Grades K-12 also have the option to wear blue, black or tan/khaki skirts/skorts or jumpers. **NO SHORTS/MINI SKIRTS.**
- » **Belts are required** and pants must sit on waistline. **NO ‘SAGGING’ PANTS.**
- » **The HPS logo is preferred on shirts.**

Shoes

- Solid dress or casual shoes are recommended. Students may also wear athletic shoes.
- No house slippers/shoes, open-toed shoes, or flip flops are permitted.

Jewelry and other items

- Hats, bandanas, head wraps, and sunglasses are not permitted.
- Writing on one’s own skin or allowing others to write on you is not permitted.
- Combs, picks, etc., are not allowed to be kept in student’s hair.
- Large chains with or without medallions/large charms are not to be worn in school. This includes wallets with chains.

| Uniform shirts, pants and skirts may be purchased from the following retailers: | |
|---|--|
| Miller's Children's Apparel www.millersschooluniforms.com 19449 Livernois Detroit, MI (313) 862-0003 | Mr. Alan's Shoes & Sportswear www.mralans.com 9638 Joseph Campau Hamtramck, MI 48212 (313) 873-0183 |
| The Treehouse 9532 Joseph Campau Hamtramck, MI 48212 (313) 871-2515 | Schoolbelles www.schoolbelles.com 27619 John R Madison Heights, MI (248) 544-2463 |
| The Children's Wear Outlet www.thechildrenswearoutlet.com | These are only suggestions. Uniforms may be purchased from any retailer of your choice, but you must follow the HPS color scheme outlined for your child's grade level. |

G. Police Investigations and Arrests

The District's practice is to cooperate with local police authorities in the interest of the welfare of all citizens and the school community. Parents will be notified if police arrest or wish to question students in school. The timing of parental notification will depend on the circumstances taken as a whole.

H. Transportation

1. Licensed student drivers must have permission from the school to use their automobiles during the school day. Such drivers must register with the school and park only in designated areas.
2. A student who rides the school bus must abide by the driver's direction and the Student Code of Conduct, and/or elementary handbook. **Examples of misconduct that may lead to temporary or permanent suspension of the bus privileges include, but are not limited to:**
 - Insubordination
 - Smoking
 - Fighting
 - Profane or Foul Language
 - Destruction of Property
 - Repeated Offenses
 - Bullying/teasing other students
 - Eating or drinking
 - Throwing objects out of bus window

I. Interscholastic Athletics

Student participation in interscholastic athletics is a privilege, not a right. Student athletes are subject to the discipline policies of the Board of Education By-Laws, and the student code of conduct.

J. Student Identification

Every grade K-12 student will be issued a student identification card, which must be on the student's person at all times, while the student is on school

premises or school-related activities. The student I.D. card must be produced upon request by any school official. The student may also be required to show his/her I.D. card in order to be admitted to certain after-school functions. Failure to produce the I.D. card upon request may result in disciplinary action.

K. Acceptable Use of Technology and Network Policy

The School District encourages and promotes the educational use of technology. To ensure students, staff and parents take full advantage of the technology available; all uses of technology in the School District must have proper authorization, adhere to district policies and administrative guidelines, and required to sign acceptable use and safety agreements. All use of technology is a privilege, not a right, and must be in support of and consistent with the purposes and stated goals of the School District. The School District does not provide explicit, implicit or inherent warranties for technological resources. Furthermore, the School District reserves the right to monitor any and all network activity.

General Guidelines:

- Students will use technology as authorized by appropriate school personnel.
- Students will sign a Network and Internet Acceptable Use and Safety Agreement for authorized use of district technology and network.
- Students in grades 5-8 will sign a Laptop Acceptable Use and Safety Agreement for authorized use assigned laptop.
- Only software legally owned and/or authorized by the district may be put on district computers.
- All network activities will be legal and of appropriate use.
- Prior approval of the building principal and district web manager is needed to place anything on the building or district web pages.

Technology users will:

- Comply with district policies, rules and regulations.
- Use networks and technology in support of the School District's educational goals.
- Obey all district, state and national copyright laws.
- Report to the building administrator or teacher any misuse of networks or technology.
- Use district equipment responsibly; respect individual work, files, programs and security.
- Hold harmless the School District from any and all claims or damages of any nature arising from access, use or inability to access or use the technology or network system.

Technology users will not:

- Intentionally tamper with computer or network components in a way that makes them temporarily or permanently inoperable.
- Access, vandalize, or modify anyone else's account, data, files and/or password without authorization of the network administrator or building principal.
- Use district technology for commercial or "for profit" purposes.

- Use district technology to impersonate another, obtain illegal copies of software or audio, text and video materials for which the School District does not have ownership.
- Use district technology to send or intentionally receive messages that are inflammatory, harassing in nature, sexist, racist or otherwise inappropriate.
- Disclose confidential information, passwords, or access codes.
- Post personal information such as address or phone number, credit card number, bank account numbers, or any other financial information.
- Login under any name or ID; other than their own.

Use district technology to distribute materials that:

- violate the Family Education Rights and Privacy Act, which affords students certain rights with respect to the educational records;
- jeopardize the health and safety of students.
- are obscene, pornographic or libelous;
- cause disruption of school activities;
- plagiarize the work of others;
- are a commercial advertisement; or,
- have not been approved by the building administrator, network administrator or web manager.

Article V - Freedom from Discrimination

It is the policy of the Board of Education and the School District not to unlawfully discriminate on the basis of sex, race, color, national origin, religion, height, weight, marital status, handicap or disability. The School District reaffirms its long-standing policy of compliance with all applicable federal and state laws and regulations prohibiting discrimination, including, but not limited to, Title VI and Title VII of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973; Americans with Disabilities Act of 1990; Michigan Handicappers' Civil Rights Act; and the Elliott-Larsen Civil Rights Act. The Board of Education will not tolerate harassment of students by fellow students or by any of its employees, Board members, vendors, contractors or others doing business with the School District, parents, visitors, invitees, guests, etc. Unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct relating to a student's sex, race, color, national origin, religion, height, weight, marital status, handicap or disability is strictly prohibited and disciplinary action will be taken against the offender, regardless of the offender's position with the School District.

Any student who believes that he/she has suffered harassment or discrimination shall report the incident to his/her appropriate school personnel and the student is guaranteed that he/she will not suffer any form of reprisal by school officials for reporting the incident. The School District has the responsibility of investigating and resolving all complaints of harassment and discrimination.

Article VI - Student Discipline

A. Preamble

Student Code of Conduct establishes the rules governing the most serious and obvious types of student misconduct. The prohibited acts listed in this Student Code of Conduct are not to be construed as an all-inclusive list or as a limitation upon the authority of school officials to deal appropriately with violations of a school building's individual rules and regulations, or other types of conduct which interfere with the good order of the school system, the proper functioning of the educational process, or the health and safety of students.

The Student Code of Conduct does not cover the School District's requirements for credit and graduation, or the School District's authority to regulate the participation of student in extracurricular and athletic activities.

Each prohibited act listed in the Student Code of Conduct sets forth the discipline which may be imposed for a violation. The discipline for violating some prohibited acts ranges from administrative intervention to expulsion. For other prohibited acts, the penalty ranges from suspension to expulsion and, for violation of the most serious prohibited acts, the penalty is expulsion. In cases where the stated penalty is not expulsion but is set forth in terms of a range, then the actual penalty imposed will depend upon the nature and severity of the offense, the particular facts involved, the age of the student, the student's prior behavioral record, the persistent and/or chronic nature of the misconduct, the recommendation of school personnel, and all other circumstances deemed relevant.

A student violation of any of the prohibited acts listed in this Student Code of Conduct shall be deemed to be guilty of a gross misdemeanor and will be disciplined. Additionally, a student who engages in a prohibited act that violates the law may be referred to the appropriate police authority.

The prohibited acts and penalties listed below are applicable when a student:

1. Engages in a prohibited act on school property.
2. **Bus Riders** - a student who rides the school bus must abide by the directions of the driver, bus aids and the Student Code of Conduct / School Handbook.
3. Engages in a prohibited act at a school-related activity, function or event.
4. Engages in a prohibited act enroute to or from school.
5. Engages in a prohibited act involving another student who is enroute to or from school.
6. Engages in a prohibited act **off school premises**, which in the judgment of the building administrator, is of such seriousness that the student's continued attendance in school would present a danger to the health and safety of

students or employees or would endanger the proper functioning of the educational process.

7. Engages in a prohibited act **when the student was not enrolled** in the School District or was enrolled in another school district, if the act of misconduct would constitute a sufficient basis for suspension or expulsion had it occurred while the student was attending the School District.

B. Definitions of Discipline

1. Teacher Intervention - A disciplinary action that will not remove the student from the classroom. Teacher Intervention may include (but is not limited to) use of Restorative Practices, affective questions, resets, teacher-student conferences and parental contact.
2. Administrative Intervention - Is disciplinary action that does not result in a student being suspended from school. Administrative intervention may include the removal of a student from a class period, in-school suspension, a reprimand, detention and/or work assignment before or after school, additional classroom assignments, and revocation of the privilege of attending school functions, activities, events, etc.
3. Suspension - Exclusion of a student from school for a specific period of time or exclusion of a student from all school sponsored events and school, which exclusion terminates upon the fulfillment of a specific set of conditions.
4. Expulsion - The permanent exclusion of the student from the School District and all District related functions, activities, events, etc.

C. Components of Discipline

1. Teaching - Any consequences will always be planned, thoughtful and fair while being aimed at educating, therefore being preventative and restorative, rather than merely punishing. There is a responsibility to actively teach expectations as a regular, cultural part of our community.
2. Logical - All members of the community must understand that when they behave in unacceptable ways, there will be a logical and fair response.
3. Individual - The response will depend on the frequency, severity, and special circumstances of the incidence, and the age and maturity of the individuals involved.
4. Advocacy - Whenever possible or appropriate, an advocate or mentor will be present with the youth during the discipline process.

D. Progression of Disciplinary Action

Use of disciplinary action will progress in relation to the seriousness and frequency of behavior. Where behavior escalates over a period of time, reasonable attempts to involve parent discussion and notice will precede any formal suspension.

IN SCHOOL -

- ◆ Restorative Practices
- ◆ Warnings
- ◆ Parent phone calls or meetings
- ◆ Classroom interventions
- ◆ School-Based Team interventions
- ◆ Letters to communicate concerns and strategies

- ◆ Counselor interview or assessments
- ◆ Confiscation of items
- ◆ Strategic Detention (focused opportunities to work on offending behavior)
- ◆ School or Community Service
- ◆ Reimbursement/Replacement (resolution gesture related to Restorative Practice concepts)
- ◆ Removal/Modification of School Activities/Programming

OUT OF SCHOOL (In District) -

- ◆ Specialist Referrals
- ◆ Intervention Programs
- ◆ School Specialists
- ◆ Outside Community Agencies
- ◆ Restorative Action
- ◆ Suspension from the educational environment for a reasonable amount of time to ensure appropriate safety and planning of a future intervention.

OUT OF SCHOOL (Out of District) -

- ◆ Criminal Code Charges
- ◆ City of Hamtramck Parent Responsibility Ordinance

Article VII - Prohibited Acts

*** These acts require mandatory notification to the Hamtramck Police Department**

1. Alcohol/Chemical Substance *

A student shall not manufacture, sell, handle, possess, use, deliver, transmit or be under any degree of influence (legal intoxication not required) of any alcoholic beverage or intoxicant of any kind. A student shall not inhale glue, aerosol paint, lighter fluid, reproduction fluid or other chemical substances for the purpose of becoming intoxicated or under the influence (legal intoxication not required).

Penalty - Suspension to expulsion.

School Safety Information Policy - minor in possession of alcohol. Hamtramck Public Schools will send to the police a report notifying them as per the agreement between the school district, the police department, the county prosecutor, and the third circuit court-family division, that this code of conduct violation has occurred.

2. Arson *

A student shall not burn, or attempt to burn, any tangible property or intentionally set a fire on school property or cause or attempt to cause and explosion on school property. A student shall not commit an act of arson as prohibited by MCL 750.71 through MCL 750.80.

Penalty - Suspension to expulsion.

School Safety Information Policy - arson. Hamtramck Public Schools will send to the police a report notifying them as per the agreement between the school district, the police department, the county prosecutor, and the third circuit court-family division, that this code of conduct violation has occurred.

3. Bullying

Bullying is defined as any gesture or written, verbal, graphic, or physical act (including electronically transmitted acts - i.e. internet, telephone or cell phone, personal digital assistant (PDA), or wireless hand held device) that, without regard to its subject matter or motivating animus, is intended or that a reasonable person would know is likely to harm one (1) or more students either directly or indirectly by doing any of the following:

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

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

- A. Physical - hitting, kicking, spitting, pushing, pulling; taking and/or damaging personal belongings or extorting money, blocking or impeding student movement, unwelcome physical contact.
- B. Verbal - taunting, malicious teasing, insulting, name calling, making threats, racial slurs.
- C. Psychological - spreading rumors, manipulating social relationships, coercion, or engaging in social exclusion/shunning, extortion, or intimidation. This may occur in a number of different ways, including but not limited to notes, emails, social media postings, and graffiti.

Penalty - Administrative intervention to expulsion.

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

The complete policy of the Hamtramck Public Schools regarding bullying may be found at <http://neola.com/Hamtramck-mi/>, Policy 5517.01, or obtained upon request from the Director of Pupil Services.

4. Copyrighted Material

A student shall not unlawfully duplicate, reproduce, retain or use copyrighted material.

Penalty - Administrative intervention to expulsion.

5. Coercion, Extortion or Blackmail

A student shall not commit or attempt to commit extortion, coercion or blackmail. A student shall not engage in the act of securing nor attempting to secure money or other items of value by the use of threats and/or violence, nor shall a student, by threats and/or violence, force another person to perform an unwilling act.

Penalty - Administrative intervention to expulsion.

6. Criminal Sexual Conduct *

A student shall not commit criminal sexual conduct, as defined by MCL 750.520 b-e and g.

School Safety Information Policy - criminal sexual conduct. Hamtramck Public Schools will send to the police a report notifying them as per the agreement between the school district, the police department, the county prosecutor, and the third circuit court-family division, that this code of conduct violation has occurred.

7. Dangerous Weapons *

A student shall not possess a dangerous weapon in a weapon free school zone.

A dangerous weapon, for purpose of this section only, means a firearm, dagger, dirk, stiletto, knife with a blade over three inches in length, razor blade, box cutter, pocketknife opened by a mechanical device, iron bar or brass knuckles. The word "firearm" for purposes of this section only, means any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by action of any explosive; or any destructive device which includes any explosive, incendiary or poison gas (i) bomb (ii) grenade (iii) rocket having a propellant charge of more than four (4) ounces (iv) missile having an explosive or incendiary charge of more than one-quarter (1/4) ounce or (v) mine. A weapon free school zone means school property which includes a building, playing field or property used for school purposes to impart instruction to children or used for functions and events sponsored by a school or vehicle used by a school to transport students to and from school property.

Penalty-Expulsion

School Safety Information Policy - minor in possession of tobacco products. Hamtramck Public Schools will send to the police a report notifying them as per the agreement between the school district, the police department, the county prosecutor, and the third circuit court-family division, that this code of conduct violation has occurred.

8. Drugs, Narcotic Drugs and Counterfeit Substances *

A student shall not manufacture, sell, possess, use, deliver, transfer or be under the influence (legal intoxication not required) of any drug, narcotic drug, marijuana, hallucinogen, stimulant, depressant, controlled substance, counterfeit substance or a controlled substance analogue intended for human consumption. A student shall not sell, deliver or transfer, or attempt to sell, deliver or transfer, any prescription or non-prescription drug, medicine, vitamin or chemical substance (e.g., pain relievers, stimulants, diet pills, pep pills, No-Doze pills, cough medicines, laxatives, stomach or digestive remedies), nor shall a student use or possess these substances for an improper purpose.

A student shall not sell or represent a legal substance as an illegal or controlled substance (e.g., selling No-Doze as “Speed” or “Crack”) or sell, manufacture, possess, use deliver or transfer “designer” drugs.

Penalty - Suspension to expulsion.

School Safety Information Policy - drug sale, possession, use, or overdose. Hamtramck Public Schools will send to the police a report notifying them as per the agreement between the school district, the police department, the county prosecutor, and the third circuit court-family division, that this code of conduct violation has occurred.

9. Damage of Property or Theft/Possession

A student shall not intentionally cause or attempt to cause damage to school property or the property of another person, or steal, attempt to steal, or knowingly be in the authorized possession of school property or the property of another person.

Restitution and temporary separation up through expulsion. If damage exceeds \$100, under MCL.380.1308, local police must be notified. If damage is under \$100, police may be notified as appropriate.

Penalty - Administrative intervention to expulsion.

10. Dress

A student shall not dress or groom in a manner, which in the judgment of a building administrator, is unsafe to the student or others or is disruptive to the educational process.

Penalty - Administrative intervention to expulsion.

11. Discriminatory Harassment

A student shall not engage in unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct relating to a person’s sex, race, color, national origin, religion, height, weight, marital status, or handicap or disability (sexual or racial comments, threats or insults, unwanted sexual touching, etc.)

Penalty - Administrative intervention to expulsion.

12. Disruption of School

A student shall not, by any type of conduct (violence, force, noise, coercion, threat, intimidation, fear, passive resistance, etc.), cause the disruption or obstruction of any function of the school, nor shall he or she engage in any such conduct if such disruption or obstruction is reasonably likely to result. Neither shall a student urge other students to engage in such conduct for the purpose of causing such disruption or obstruction.

While the following acts are not intended to be all inclusive, they illustrate the types of offenses encompassed within this rule. It must be remembered, however, that any conduct that causes disruption, is likely to result in disruption, or interferes with the educational process, is forbidden.

- ◆ Occupying any school building, school grounds, or a part thereof, without the permission of a school building staff member, which deprives others of its use;
- ◆ Blocking normal pedestrian or vehicle traffic, the entrances or exits of any school building, corridor or room, without the permission of a building principal;
- ◆ Preventing, attempting to prevent or interfering with the convening or continued functioning of any class, activity, meeting or assembly;
- ◆ Instigating or participating in a disturbance, or causing a disturbance, which interrupts the educational opportunities of others or threatens the general health, safety and welfare of others on school property or at a school sponsored activity.

Penalty - Administrative intervention to expulsion.

13. Electronic Communication Devices and Laser Pointers

A student may not use a cell phone, any electronic communication device, iPod, MP3 player or any similar electronic device while in school or on school property. Violations of this policy will result in corrective discipline. The first time offense the cell phone, iPod, or MP3 player is found it will be taken away returned to student and documented. The second time the cell phone, iPod, or MP3 player is found it will be returned at the end of the day and a one hour detention will be assigned. The third offense results in suspension and the cell phone, iPod, or MP3 player will only be returned to a parent.

Students are prohibited from possessing or using laser pointers on school premises and at school-related activities without the express permission of school administration.

Penalty - Administrative intervention to expulsion.

14. Disobedient to Faculty/Adults

A student shall not be insubordinate or fail to comply with instructions and directions of School District employees (including substitute and student teachers), volunteers or persons acting in a chaperone or supervisory capacity.

Penalty - Administrative intervention to expulsion.

15. Failure to Cooperate

A student shall not refuse to cooperate with School District administrators, teachers, or staff diffusing or investigating a possible violation of this Code of Conduct or building rules. No student shall make false statements or give false evidence to School District administrators or teaching staff. A student shall not refuse to testify or otherwise cooperate with School District personnel in any disciplinary proceeding.

Penalty - Administrative intervention to expulsion.

16. False Allegations

A student shall not libel, slander, or make false allegations against another student, School District employee (including substitute and student teachers), Board of Education members or volunteers.

Penalty - Administrative intervention to expulsion.

17. Falsification of Records

A student shall not use the name of another person or falsify times, dates, grades, addresses or other data on School District forms or records. A student shall not provide false, misleading or inaccurate statements or information on School District forms or records.

Penalty - Administrative intervention to expulsion.

18. False Alarms *

A student shall not knowingly cause a false fire alarm or make a false fire, bomb or catastrophe report.

Penalty - Suspension to expulsion.

19. Fighting

A student shall not engage in, cause, behave in such a way to cause, or threaten to cause a physical fight with a student, district employee (including substitute and student teachers), volunteer, chaperone or other person, or to incite or encourage other to do so.

School Safety Information Policy - Fighting; Hamtramck Public Schools will send to the police a report notifying them as per the agreement between the school district, the police department, the county prosecutor, and the third circuit court-family division, that this code of conduct violation has occurred.

Penalty - Suspension to expulsion.

20. Fireworks, Explosives, Chemical Substances

A student shall not possess, handle or transmit any substance or prepared chemical that can explode, is capable of inflicting bodily injury or is reasonably likely to cause physical discomfort to another person.

Penalty - Suspension to expulsion

21. Gangs and Gang Related Activity

Gangs and gang-related activities materially interfere with good order in the School District, diminish and degrade the educational environment and interfere with the District's efforts to meet the challenging academic achievement standards established by the District and the State.

Accordingly, gangs and gang-related activities are prohibited on, and to and from, any premises owned or used by the School District. Gangs and gang-related activities are also prohibited to the extent they are related to or interfere, or threaten to interfere, with school or other District-related functions, even when they occur off school premises (for example, on the internet).

The term gang, as used above, means a group of two or more persons whose purposes or activities include the commission of an illegal act(s) or a violation(s) of District Policy. District students are prohibited from engaging in gang or gang-related activities, which include: (a) dressing or grooming in a manner which, in the reasonable judgment of a District administrator, teacher or student, communicates membership in or affiliation with a gang; (b) communicating, verbally or non-verbally (e.g., gestures, handshakes, tagging, etc.), in a manner which, in the reasonable judgment of a District administrator, teacher or student, conveys membership or affiliation with a gang; or (c) committing an act(s) in furtherance of the interests of a gang or gang-related activity including, but not limited to: soliciting other for participation, membership or affiliation in any gang or gang-related activity; intimidating or threatening any person; or, inciting any other person to use force, intimidation or threats.

Penalty - Administrative intervention to expulsion.

School Safety Information Policy -gang related activity. Hamtramck Public Schools will send to the police a report notifying them as per the agreement between the school district, the police department, the county prosecutor, and the third circuit court-family division, that this code of conduct violation has occurred.

22. Improper Communication

A student shall not make threatening, annoying, nuisance, vulgar and/or obscene communications, verbally, electronically, in writing, or by gestures, to other students and School District employees (including substitute and student teachers), Board of Education members, chaperones, volunteers or visitors to the school building. The prohibition against such communications shall apply whether the communications are made in a

school building or on school premises or outside of a school building or off school premises, and regardless of whether such communication are made during, before, or after school hours or during times when school is not in session.

Penalty - Administrative intervention to expulsion.

23. Inappropriate Physical Contact and Excessive Horseplay

A student may not make physical contact that is unsafe or inappropriate for the school environment, and may not engage in excessive horseplay with or without physical contact.

Penalty - Administrative intervention to expulsion.

24. Indecency

A student shall not engage in conduct that is contrary to commonly recognized standards of decency and behavior, which includes obscenity, indecent exposure, or the use of language in verbal or written form, in pictures, in caricatures or in gestures, which are offensive to the general standards or propriety.

Penalty - Administrative intervention to expulsion.

25. Misuse of Technology

A student shall not violate or attempt to violate the Acceptable Use of Technology Policy. Violation of the Policy may result in a loss of access privileges, technology privileges or computer usage and may result in other disciplinary or legal actions, including restitution.

Penalty - Administrative intervention to expulsion.

26. Look-A-Like Weapons

A student shall not possess, handle, or transmit any object or instrument that is a “look-a-like” weapon or instrument (e.g., starter pistol, rubber knife, toy gun, etc.)

Penalty - Administrative intervention to expulsion.

27. Off-School Misconduct & Misconduct Prior to Enrollment

An otherwise eligible resident may be suspended or expelled for an act of misconduct committed while the student was (a) a resident of another district, (b) enrolled in another school, (c) outside of school hours or (d) off school premises if the misconduct would have constituted a sufficient basis for suspension or expulsion had it occurred while the student was enrolled in the District or on school grounds.

The Superintendent and principal of each school are each authorized to take appropriate action, including the imposition of discipline, in the case of other student conduct that endangers, or has the potential to endanger, the student’s self, other students, staff members, other persons, or property, or that otherwise disrupts, or has the potential to disrupt, the

educational environment on school premises, in a school-related vehicle, or at a school-sponsored activity or trip.

The Superintendent and the principal of each school are authorized to develop such other school rules and regulations as may be necessary or appropriate to govern the conduct of students of The Hamtramck Public School System. Included in this authority is the imposition of discipline for violations of such rules and regulations.

Penalty - Suspension to expulsion.

28. Persistent Violation of School Rules

A student shall not be involved in repeated violations of school rules and other misconduct listed in the District Code of Conduct and/or Student Handbook requiring frequent administrative interventions resulting in numerous short-term suspensions.

Penalty - Suspension to expulsion.

29. Personal Protection Devices

A student shall not possess, handle, or transmit a personal protection device (e.g. pepper gas, mace, stun gun, electric shock device, etc.) capable of inflicting bodily injury or causing physical discomfort to another person.

Penalty - Suspension to expulsion.

30. Physical Assault

A student shall not physically assault, cause, behave in such a way to cause, or threaten to cause physical injury to a school employee, (including substitute and student teachers), student, volunteer, chaperone or other person, or to incite or encourage others to do so.

School Safety Information Policy - Physical assault; Hamtramck Public Schools will send to the police a report notifying them as per the agreement between the school district, the police department, the county prosecutor, and the third circuit court-family division, that this code of conduct violation has occurred.

Penalty - Suspension to expulsion.

31. Scholastic Dishonesty

A student shall not engage in academic cheating. Cheating includes, but is not limited to, the actual giving or receiving of any unauthorized aid or assistance or the actual giving or receiving of unfair advantage on any form of academic work. A student shall not engage in plagiarism, which includes the copying of language, structure, idea and/or thought of another and representing it as one's own original work.

Penalty - Administrative intervention to expulsion.

32. Smoking/Tobacco

A student shall not smoke, chew or otherwise use tobacco. A student shall not, while on school property, have in his/her possession or under his/her control, tobacco in any form.

Penalty - Administrative intervention to expulsion.

School Safety Information Policy - minor in possession of tobacco products. Hamtramck Public Schools will send to the police a report notifying them as per the agreement between the school district, the police department, the county prosecutor, and the third circuit court-family division, that this code of conduct violation has occurred.

33. Suspended or Expelled Student On School Property Or Attending School Activities

A student, while on suspension, or after expulsion, shall not enter onto School District property without permission of a building administrator.

A student, while on suspension, shall not participate in or attend any school related activity, function or event, held on or off school property, without permission of a building administrator.

Penalty - Administrative intervention to expulsion.

34. Trespassing, Loitering

A student shall not be on school property or in a school building except to participate in the educational process of the School District. Nor shall a student loiter in building hallways, classrooms, bathrooms, etc.

Penalty - Administrative intervention to expulsion.

35. Weapons and Dangerous Instruments *

A student shall not possess, handle or transmit a knife, blackjack, baton, martial arts device, paint ball, or splat gun, or other object or instrument that can be considered a weapon or is capable of inflicting bodily injury.

Penalty - Administrative intervention to expulsion.

This section is supplemental to, and does not supersede, Section 8.

Article VIII - Due Process Rights

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

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

A. Students subject to short-term suspension:

A student must be given both written notice of his/her short-term suspension and the reasons therefore, and the opportunity to respond to the charges against him/her prior to the suspension. An appeal may be filed. See *Appeal Process*, page 33.

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

A student and his/her parent or guardian must be given written notice of the intention to suspend long-term or expel and the reasons therefore, and an opportunity to appear with a representative before the Superintendent (Long-Term Suspension) or the Board (Expulsion) to answer the charges. The student and/or his/her guardian must also be provided a brief description of the student's rights and of the hearing procedure, a list of the witnesses will testify. At the student's request, the hearing may be private, but the Board must act publicly. The Board shall act on any appeal, to an expulsion (Policy 5610 and/or Policy 5610.01), to a request for reinstatement (Policy 5610.01), or to a request for admission after being permanently expelled from another district (Policy 5610.01).

Article IX - Suspension and Expulsion

The following administrative guidelines should be followed to provide a fair meeting for each student charged with an offense leading to suspension or expulsion.

A. Emergency Removal

A student may be removed or excluded from a classroom or a school when he/she poses a continuing danger to persons or property or represents an on-going threat of disrupting the educational process taking place in the classroom or the school premises. Such removal must be for a period of less than twenty-four (24) hours without being subject to suspension and expulsion procedures.

If a member of the school faculty removes a student, under his/her supervision, from a classroom or activity, s/he must submit to the principal written reasons for the removal the day the removal occurs.

A hearing must be held by the principal in accordance with the suspension or expulsion requirements depending on the probable outcome of the hearing. The person who caused, ordered, or requested the removal should be present.

Written notice must be provided to the student and the parent as soon as practicable prior to the hearing. If the probable outcome of the hearing is suspension, the hearing procedures applicable to a suspension must be applied. If the probable outcome is expulsion of the student, the hearing procedures applicable to an expulsion must be followed.

B. Teacher Initiated Suspension

A teacher may suspend a student from class, subject, or activity for up to one (1) full school day for certain conduct as specified in the Code of Conduct. The teacher shall immediately send the student to the principal and specify the reason for the suspension as specified in the Student Code of Conduct. As soon as possible after the suspension, the teacher shall schedule a parent-teacher conference regarding the suspension. If feasible, the counselor and/or social worker shall attend the conference. The principal may attend upon request of the teacher or parent. The student shall not be returned to the class, subject, or activity that school day without the consent of both the teacher and the principal.

C. Short - Term Suspension

The principal or designee may impose a suspension of up to ten (10) days duration, but shall attempt to notify the student's parents or guardians of the suspension by telephone, as well as send a written notification by e-mail or by regular mail. A copy of the notification shall also be sent home with the student, if practical. The written notice shall include the reasons for the suspension, the date(s) of the suspension and the rights to appeal, enclosing this policy with the suspension notice.

D. Preliminary Hearing

No student may be suspended without a hearing unless a clear and present danger exists, or it is otherwise impossible or unreasonably difficult to hold such hearing. In such instances, the necessary notice and hearing shall follow as soon as practicable.

The principal or designee shall provide the student with an oral or written notice of the charge(s) against him/her and shall provide a hearing for the student before a suspension is ordered so that the student has a full opportunity to state why he/she should not be suspended. This preliminary hearing shall be an informal one in which the student is given a chance to respond to the charges and present any witnesses if deemed appropriate. The student's parents may be informed of the charges and the preliminary hearing if the principal so chooses. The hearing shall be held on the day of the alleged infraction or as soon thereafter as possible if an emergency prohibits an immediate hearing.

E. Sending a Student Home

Unless the student is an immediate threat to safety of the school or learning environment, he/she should remain in school until class is dismissed for the day. If the situation indicates that the student should be removed from the premises, the principal shall attempt to reach the student's parents to request they pick up their child. If they are unable to do so, the student shall remain in the office until school is dismissed.

The principal may forego the previous provision in the event of mass violations of school rules or where it is not possible to keep the student(s) on school grounds and restore order or protect people on school property. In such an emergency situation, the principal shall contact the Superintendent.

F. Responsibility for School Work

Credit will be given for work missed due to out-of-school suspension provided the student completes and submits all required assignments upon return to school.

Failure shall be given for any classroom work that cannot be attended such as laboratories or skill sessions.

G. Appeal

Suspension of more than one (1) school day but not more than ten (10) school days may be appealed in writing to the principal within two (2) school days of the parents' receipt of the written suspension notice. The written appeal must contain the reason(s) that the suspension is being appealed.

1. The student shall be reinstated during the appeal process unless it is determined that the student's attendance would jeopardize the safety of the student or of others.
2. Upon review, the principal may uphold the suspension, establish an alternative suspension of lesser severity, or reverse the suspension in its entirety. The review may include, but not be limited to, a meeting with the parents if, in the principal's opinion, this is appropriate.
3. The principal will reach the decision and inform the parents in writing within ten (10) school days after the receipt of the written request.
4. The decision of the principal may be appealed in writing to the Superintendent within two (2) school days of the parents' receipt of the decision. The Superintendent will reach a decision and inform the parents in writing within ten (10) school days after the receipt of the written request.
5. The Superintendent's decision shall be considered final.

A. Suspension/Expulsion of a Student With Disabilities (IEP/504)

1. If a student with an IEP or 504 accumulates ten (10) days of suspension during a school year, a manifestation determination must be held by the Special Education Team. The Manifestation Determination Review (MDR) is a process used to determine if a student's behavior is related to their disability.
2. The educational program of a student can not cease due to a suspension or expulsion. A free and appropriate public education (FAPE) must be provided beginning on the 11th day of suspension.
3. If a student with an IEP possesses a dangerous weapon in a school building or on school grounds, delivers or receives a controlled or alleged controlled substance (the act of delivering, receiving, purchasing, selling, supplying, or arranging for the delivery, receipt, purchase, sale or supply of controlled substances or alleged controlled substance on school property, in school owned vehicles, or at school events) school personnel will:

- a. Suspend student for maximum of ten (10) school days.
- b. Send notification to parents regarding Procedural Safeguards.
- c. Within the ten (10) school days, an Individualized Education Program Team (IEPT) meeting must be held to place student in an interim alternative placement not to exceed forty-five (45) calendar days:
 - Enable student to continue to participate in the general curriculum.
 - Enable student to continue to receive special education services as defined by the individualized educational program (IEP).
 - Include a plan designed to prevent the behavior reoccurring.
- d. During the forty-five (45) day interim alternative placement:
 - Review the behavior plan, modify if necessary.
 - If there is not a behavior plan in place, conduct a functional behavior assessment and develop a behavior plan.
 - Convene a Manifestation Determination Review/I.E.P.T. to determine whether in relationship to the behavior was or was not a manifestation of student's handicapping condition:
 - » If behavior was a manifestation, no discipline may be imposed. Modify program or placement, as necessary.
 - » If behavior was not a manifestation, relevant disciplinary procedures may be applied, except:
 - ◆ No cessation of services.
 - ◆ Continue to provide Free Appropriate Public Education (F.A.P.E.) as determined of the Director of Special Education.

H. Long - Term Suspension and Expulsion

If, in the principal's opinion or as required by statute, the alleged infraction warrants a long-term suspension or expulsion, he/she shall refer the case to the Superintendent and submit the following documentation.

1. The rule(s) alleged to have been violated
2. The charges against the student
3. Approximate date of the violation
4. Recommendation(s) for long-term suspension or expulsion
5. Copy of suspension
6. Chronology of disciplinary/corrective actions and witness statements

Upon request, the principal shall also submit:

1. Transcript of grades
2. Attendance records
3. Letter to parents

4. Statements from professional staff regarding student's efforts, attitudes, or particular problems
5. Statement from counselor regarding help to student, attempts at remediation or correction, etc.
6. Memo requesting a Board hearing

The Superintendent shall review the documents for accuracy and completeness and schedule a hearing with the Board and/or assign a suspension of up to 30 school days in length.

Notice of expulsion will be sent to the Juvenile Division of the Probate Court for Students at age's six (6) through fifteen (15). The court should be informed that the Board has expelled the student and provided the reason for expulsion.

Notice may be sent to the Juvenile Division of the Probate Court for students, ages sixteen (16) and seventeen (17), where the District believes that the court should review the circumstances surrounding the expulsion. The District may provide a copy of the public record to the court.

I. Students with an IEP

In accordance with Board Policy 2461, a student with an IEP must be referred to the I.E.P.T. and those disabled under section 504 must be referred to the Special Services Office to determine if the behavior is related to the disability. Its decision will determine the appropriate next steps.

J. Student's Record

A record of a student's suspension or expulsion is to be made a part of his/her permanent record until he/she leaves the school and released in accordance with AG 8330 - Student Records. Days of absence shall be noted in the student's permanent attendance record as an unexcused absence because of suspension or expulsion.

K. Waiver

It is the student's prerogative to waive his/her right to a formal hearing. This waiver is to be in writing and signed by both student and parents or guardian. The signatures should be witnessed. Additionally, the student can constructively waive the hearing by simply not availing himself/herself of the opportunity for it, but such waiver cannot be construed before the passage of a considerable period of time, since it operates to close off the student's rights.

L. Notice of Hearing

The notice must be provided to the student and the student's parent and shall contain:

1. the rule(s) alleged to have been violated;
2. the charges against the student;
3. approximate date of the violation;

4. the time and place for the hearing;
5. a statement of the student's and parents' prehearing rights;
 - a. to review written statements about the alleged misconduct,
 - b. to review the student's records, and
 - c. to request a delay in the hearing of up to ten (10) school days;
6. the length of time the administration is recommending the student be denied enrollment;
7. a statement of the student's hearing rights:
 - a. to counsel at their expense;
 - b. to a translator at their expense;
 - c. to appear in his/her own behalf and for parents or guardians to appear;
 - d. to produce witnesses and present evidence on his/her behalf;
 - e. to confront and to cross-examine anyone who may have evidence against him/her;
8. The Board of Education must conduct the hearing in compliance with the Open Meetings Act. The parents may appeal a long-term Superintendent suspension to the Board, in writing, within three (3) days after receipt of the notice. The parents shall state in the appeal the reasons they think the Superintendent's decision is not justified and provide any extenuating circumstances they wish the Board to consider. The Board may conduct a hearing or respond with its decision in writing within five (5) business days after it receives the appeal.

M. Emergency Removal, Long-Term Suspension (more than 10 days) and Expulsion of non-disabled students

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

For purposes of this policy, "suspension" shall be the short-term (not more than ten (10) days or long-term suspension (for more than ten (10) days but less than permanent expulsion) of a student from a regular District program.

For purposes of this policy, unless otherwise defined in Federal and/or State law and Policy 5610.01, "expulsion" shall be the permanent exclusion of a student from the schools of this District. Students who are expelled

permanently may petition for reinstatement under the provisions stipulated in Policy 5610.01.

No student, otherwise eligible for attendance, shall be excluded from a District program unless that student has substantially interfered with the maintenance of good order or unless it is necessary to protect that student's or other students' physical or emotional safety and well-being.

A student may be removed from a class, subject, or activity for one (1) day by his/her teacher for certain conduct as specified in the Code of Conduct, or he/she may be given a short-term suspension by the principal or the Superintendent. A student so removed may be allowed to attend other classes taught by other teachers during the term of the one (1) day removal. A student removed from the same class for ten (10) days will receive a due process hearing for each suspension beyond ten (10) days, consistent with required due process for long-term suspensions. The Board designates the building principal as its representative at any hearings regarding the appeal of a suspension.

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

In all cases resulting in short-term suspension, long-term suspension, or expulsion, appropriate due process rights described in Policy 5611 must be observed. The Superintendent shall check to make sure the student is not classified as disabled under Section 504.

The Superintendent shall develop administrative guidelines to implement this policy which shall include:

1. Strategies for providing special assistance to students who are in danger of being expelled and are not achieving the academic outcomes of the District's core curriculum;
2. Promulgation of standards of behavior to all students in accordance with board policy on student discipline;
3. Procedures that ensure due process;
4. Provision for make-up work at home, when appropriate.

N. Parental Responsibility Ordinance

The city of Hamtramck has adopted an ordinance which requires a parent of a minor child to exercise reasonable control over that child to prevent that child from committing any delinquent act. A delinquent act is defined as an act which violates the laws of the United States, the laws of the state of Michigan, or an ordinance of the city of Hamtramck, or which would cause a minor to come under the jurisdiction of the family division of the circuit court, as defined by MCL 712A.2 as amended a delinquent act does not include a traffic violation.

A minor is defined as any unemancipated person under the age of seventeen. A parent is defined as mother, father, legal guardian and any other person having care of custody of a minor, or any person 17 years of age or older with whom

the minor resides at the time the delinquent act is alleged to have been committed by the minor.

Parental duties are to exercise reasonable control to prevent a minor from committing any delinquent act. The exercise reasonable control shall include but is not limited to the following:

1. Taking reasonable steps to insure that minors for whom the parent has responsibility do not commit delinquent acts.
2. Keeping controlled substances out of the home and out of the possession of the Minor, except those drugs duly prescribed by a licensed physician or other authorized medical professional.
3. Keeping fire arms out of the possession of the minor, except those used for hunting in accordance with all applicable laws and regulations with the knowledge and supervision of a parent.
4. Requiring the minor to observe the curfew ordinance of the City of Hamtramck.
5. Requiring the minor to attend regular school sessions and forbidding the minor to be absent from class without parental or school permission.
6. Arranging proper supervision for the minor when the parent is absent.
7. Forbidding the minor from knowingly possessing stolen property.
8. Forbidding the minor from willfully or maliciously destroying property belonging to another person.
9. Forbidding the minor from possessing alcoholic beverages, and or tobacco products.
10. Seeking help from the appropriate governmental authorities or private agencies in handling or controlling the minor when necessary.
11. Assisting or cooperating with governmental authorities in their efforts to handle or control the minor, including the production of the minor for court appointments and hearings.

Whenever a minor is arrested or detained for the commission of any delinquent act within the City of Hamtramck, the Hamtramck Police Department shall immediately attempt to notify the parent of such arrest or detention, and the parent's responsibility under this section. A record of such notification efforts shall be kept by the Hamtramck Police Department.

Any person who shall be in violation of any of the provisions of section 135.004 shall be guilty of a misdemeanor and upon conviction thereof be subject to a fine not to exceed \$500 or imprisonment for a period not to exceed 90 days or both a fine and imprisonment, in the discretion of the court; the court may in its discretion, consider , as an alternative to the levy of the above fine and imprisonment, disregard sentencing which may include but not necessarily be limited to, community service, parenting classes and/or any combination of like penalties.

O. Anti-Harassment

General Policy Statement

It is in the policy of the Board of Education to maintain an education and work environment which is free from all forms of unlawful harassment, including

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

The Board will vigorously enforce its prohibition against harassment based on sex, race, color, national origin, religion, disability, genetic information, or any other unlawful basis, and encourages those within the School District 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.

For purposes of this policy, "School District community" means students, administrators, teachers, staff and all other school personnel, including Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

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

Other Violations of the Anti-Harassment Policy

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

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

Definitions:

Sexual Harassment

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

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

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

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

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

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

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects an individual's employment or education, or such that it creates a hostile or abusive employment or educational environment.

[NOTE: Sexual conduct/relationships with students by District employees or any other adult member of the School District community is prohibited, and any teacher, administrator, coach, or other school authority who engages in sexual conduct with a student may also be guilty of the criminal charge of “sexual battery”. The issue of consent is irrelevant in regard to such criminal charge and/or with respect to the application of this policy to District employees or other adult members of the School District community.]

Race/Color Harassment

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual’s race or color and when the conduct has the purpose or effect of interfering with the individual’s work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one’s ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person’s race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

Religious (Creed) Harassment

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual’s religion or creed and when the conduct has the purpose or effect of interfering with the individual’s work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one’s ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person’s religious tradition, clothing, or surnames, and/or involves religious slurs.

National Origin Harassment

Prohibited national origin harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual’s national origin and when the conduct has the purpose or effect of interfering with the individual’s work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one’s ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person’s national origin, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

Disability Harassment

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual’s disability and when the conduct has the purpose or effect of interfering with the individual’s work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one’s ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person’s disabling condition, such as negative comments about speech

patterns, movement, physical impairments or defects/appearances, or the like. Such harassment may further occur where conduct is directed at or pertains to a person's genetic information.

**Complaints of harassment are to be directed to the Director of Pupil
Services:
(313) 872-9270, ext. 2035**

HAMTRAMCK PUBLIC SCHOOLS

Student Code of Conduct

2016/2017

I have read and received the H.P.S. Code of Conduct

Print Student Name

Student Signature

Print Parent/Guardian Name

Parent/Guardian Signature

School Name

Date

I HAVE A READ THE BULLYING POLICY & PROCEDURES, on page 22

Student Signature

Parent/Guardian Signature

PLEASE RETURN THIS FORM TO YOUR SCHOOL PRINCIPAL'S OFFICE