



# **Code of Student Conduct**

**Clio Area Schools**  
Clio, Michigan



# Clio Area Schools

## MISSION STATEMENT

The MISSION of Clio Area Schools is “Building a Solid Foundation for Success.”

We believe that all students can learn, that students want to succeed, and that their success is judged on the basis of outcome.

Our primary function is teaching and learning. Learning is a continuous process throughout life that requires the cooperative support of students, parents, school family and community. Learning results when people with expertise, empathy, mutual respect, and understanding work together toward common goals in an environment that is safe, supportive and trusting.

Dear Students, Parents and Staff:

The MISSION of Clio Area Schools is “Building a Solid Foundation for Success.” We believe that all students can learn, that students want to succeed and that their success is judged on the basis of Outcome. Our primary function is teaching and learning. Learning is a continuous process throughout life that requires the cooperative support of students, parents, school family and the community. Learning results when people with expertise, empathy, mutual respect and understanding work together toward common goals in an environment that is safe, supportive and trusting.

The purpose of the district Code of Conduct is to articulate our expectations for our students’ behavior and to explain their rights and responsibilities. The Code of Conduct is the outline of the possible actions and corrective discipline that will take place if students choose not to follow the rules. Individual rights of all students must be protected. Within the established guidelines, discipline must apply to each individual pupil according to his or her age, maturity, experience and abilities. It is our intention that no student’s actions will prevent another student from receiving the quality education they so justly deserve.

Parents have the primary responsibility for the discipline of their child. The expectations that are set for the child at home and the cooperation between the parent and school authorities will help solidify a successful future for all Clio children. Please read this booklet thoroughly paying particular attention to your child’s rights and responsibilities and the procedures for appealing decisions.

Helping our children become responsible adults takes all of us working together to help them develop disciplined minds and bodies. Please use this booklet as a guide knowing that you can and should always call a school employee whenever you have a question or concern about anything related to the achievement or behavior of our students.

Sincerely

Fletcher Spears III, Superintendent

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# CLIO AREA SCHOOLS DISCIPLINE POLICY & CODE OF CONDUCT

## I. STUDENT RIGHTS AND RESPONSIBILITIES

Every student has personal as well as legal rights and responsibilities on issues pertaining to school-related matters. It is the student's **RIGHT** to:

- Attend school in the district in which his/her parent or legal guardian resides.
- Express his/her opinions verbally or in writing.
- Dress in such a way as to express one's personality within the dress code.
- Expect that the school will be a safe place for all students to gain an education.
- Be afforded a fair hearing with the opportunity to call witnesses in their own behalf and to appeal their case in the event of disciplinary action brought against them. Further, to expect that should he/she bear witness, a request for anonymity will be honored by the school.
- Be represented by an active student government selected by free school elections.

Along with these rights come certain **RESPONSIBILITIES**. These include:

- Attend school daily, except when ill, and to be on time to all classes
- Refrain from libel, slanderous remarks and obscenity in verbal and written expression and observe fair rules in conversation and responsible journalism.
- Dress so as to meet recognized standards of health and safety and not so as to be a disturbing influence in the class.

- Be aware of all rules and expectations regulating student behavior and conduct oneself in accordance with those guidelines.
- Be willing to volunteer information in disciplinary case should he/she have knowledge of importance in such a case.
- Take an active part in student government by running for office, conscientiously voting for the best candidates and making his/her problems known to the administration through their representatives.
- Study diligently and maintain the best possible level of academic achievement.
- Help maintain and improve the school environment; preserve school property and exercise the utmost care while using school facilities.
- Deport oneself in an appropriate manner while in attendance at all school or school related functions held on or off school grounds.

## II. OFFENSES SUBJECT TO DISCIPLINARY ACTION

Conduct deliberately interfering with the educational process or which violates accepted and ordinary standards of conduct is prohibited. The severity of the misconduct will determine the extent of the discipline, including suspension or expulsion from school. Examples of misconduct include:

1. **Alcohol** - The possession, use or transfer of alcoholic beverages.
2. **Arson** - The willful and malicious burning of, or attempt to burn any building or any property of the Clio School District.
3. **Automobile/Parking Violation** - The act of unsafe operation of a motor vehicle, parking in an unauthorized area or parking an unregistered vehicle on school property.

4. **Closed Campus** - Leaving the school premises without authorization during the student's scheduled class hours and/or lunch hours.
5. **Continued Classroom Disruption** - To be repeatedly involved in behavior disrupting the educational process of other students.
6. **Disrespect** - To insult, call derogatory names, dishonor or in other manner abuse verbally any member of the school staff.
7. **Distribution of Unauthorized Printed Matter** - The act of distributing unauthorized materials on school property, including petitions.
8. **Dress Code** - The wearing of apparel that offends or disrupts the learning process.
9. **Drugs** - The possession, use or transfer of narcotic drugs, hallucinogens, marijuana or other similar substances which may be harmful or have not been approved by school officials. Also included are "look-alike" drugs.
10. **False Alarms** - The act of initiating a report warning of a fire, bomb or other catastrophe without just cause.
11. **False Reports/Forgery** - The act of falsely reporting incidents, making false accusations or giving false testimony to school personnel which would affect the welfare of others.
12. **Fighting** - Fighting is hostile bodily contact between two people. Fighting is prohibited on school property, on school buses, at bus stops, going to or from school or at school sponsored activities.
13. **Fireworks or Explosives** - The act of possessing, using or threatening to use any fireworks, explosives or other such instruments capable of inflicting bodily injury.
14. **Gambling** - The act of gambling for money or valuables.

15. **Habitual Offender** - The act of continually violating school rules and disrupting the educational process. These students may be considered for appearance before a Board of Education review committee.
16. **Harassment** - In addition to sexual harassment, which includes unwelcome sexual advances or any form of improper physical contact or sexual remark, harassment also includes any speech or action which creates a hostile, intimidating or offensive learning environment. This includes annoying someone continually, disturbing or tormenting them persistently.
17. **Inciting Violence or Disobedience** - The act of taking a leadership role or giving overt encouragement to demonstrations of protest that disrupt the normal educational process of the school.
18. **Indecency in Behavior** - The act of offending against commonly recognized standards of propriety, health or safety that is disruptive to the educational process.
19. **Insubordination** - The failure to respond or carry out a reasonable request by authorized school personnel.
20. **Littering** - The act of willfully littering on school property or on private property to and from school in an extreme or repetitious manner.
21. **Loitering** - The act of being in or about any school building or in specifically restricted areas of a school building at unauthorized times or without the specific authorization of the school's personnel following directives to leave the premises.
22. **Obscenity** - The act of using obscene or profane language in verbal or written form or in pictures, caricatures or obscene gestures on any school property.

23. **Shake Down and/or Strong Arm** - The act of extortion or borrowing or attempting to borrow any money or things of value from a person in the school unless both parties enter into the agreement freely and without the presence of either an implied or expressed threat.
24. **Stealing** - The act of taking or acquiring the property of others without their consent.
25. **Tardiness** - The act of unauthorized lateness to school or classes.
26. **Technology Misuse** - The act of misusing or abusing any technology hardware such as, but not limited to computers, networks, telephones, etc. Also, the act of misusing or abusing software such as, but not limited to, e-mail, Internet, network, productivity software, etc. Also, the act of attempting to gain unauthorized access to information resources such as, but not limited to e-mail, databases, data files and other digitized information.
27. **Tobacco** - The use and/or possession of tobacco products on school property.
28. **Tuancy** - The act of unauthorized absence to school or classes.
29. **Unauthorized Sale** - The act of selling or attempting to sell any object or substance that has not been authorized for sale by the building principal to any person on school property.
30. **Vandalism** - The act of willful destruction or conspiring to destruct school property or property belonging to others.
31. **Weapons** - The act of possessing, using or threatening to use any weapon or instrument capable of inflicting bodily injury.
32. **Failure to Properly Identify** - The failure to give proper identification to school personnel when requested.

33. **Threatening and/or Intimidating Acts** - The act of threatening violence toward school personnel or another student.
34. **Accomplice** - An accomplice to a violation of the School Code or law will be subject to the same punishment as the person(s) who are actively involved.
35. **Unlawful Acts on School Property** - The above examples are not the only acts or conditions for which punishment is warranted nor do they in any way limit this Code of Student Conduct. Any unlawful act not included in the above list will result in disciplinary action.
36. **Physical Assault** - Physical assault **means intentionally causing or attempting to cause physical harm to another through force or violence.** Physical assault is prohibited on school property, on school buses, at bus stops, going to or from school or at school-sponsored activities.
37. **Bus** - Abnormal noise level
38. **Bus** - Not remaining in seat
39. **Bus** - Vandalism
40. **Bus** - Smoking
41. **Bus** - Obscenity
42. **Bus** - Not following directions
43. **Bus** - Horseplay and/or physical contact, not fighting
44. **Bus** - Indecent behavior
45. Three or more violations

### III. CORRECTIVE DISCIPLINE

Students who violate the rules and regulations of Clio Area Schools will be subject to corrective discipline, including the following:

#### A. **Reprimand / Behavioral Probation**

A reprimand from a staff member can be written or verbal. It should serve as the first level of discipline, and hopefully will solve the problem and correct the behavior. It may include some behavioral probationary penalties such as a time-out room, a writing assignment, prohibition from extra curricular activities or other penalty deemed appropriate by the teacher or administrator.

Students may be removed or suspended from class(es) due to severe or persistent misbehaviors. Prior to removing a student from class, closing a student's class(es), or imposing a suspension, the principal, assistant principal or teacher must first determine whether the closure/suspension is warranted based upon the following seven (7) factors:

- The student's age;
- The student's disciplinary history;
- Whether the student has a disability;
- The seriousness of the behavior;
- Whether the behavior posed a safety risk;
- Whether restorative practices are a better option; and
- Whether lesser interventions would address the behavior.

**B. Removal from Class**

In order to maintain effective learning conditions, it may be necessary to deny a student educational participation. A teacher may remove a student from a class for the remainder of the class period when the seriousness of the offense, the persistence of the misbehavior or the disruptive conduct, in the opinion of the teacher, disrupts the educational process of other students in the classroom or if the student has been disrespectful and defiant to the teacher.

If the seriousness of the situation warrants, the teacher will request an administrator accompany the student to the office, or in less serious circumstances, the teacher will send the student(s) to the appropriate administrator.

The teacher, by the end of the school day, will report in writing to the principal the circumstances leading to the student's removal from class.

In cases when a student is sent to the principal from class for disrespect or defiance of teacher authority accompanied by a note stating such, the student may not be readmitted without consultation between the administrator and the teacher. Additional conferences may be scheduled by the administrator and may include the student, parent, assistant principal and the teacher. The conference will be scheduled by the appropriate administrator and held during the normal school day.

**C. Closing of Classes for Parent Conference**

A class or classes may be closed to a student by the principal or assistant principal pending a parent conference in lieu of suspension only if the following criteria are met:

- After investigation, the facts presented show the student to be involved in regular truancy and/or tardiness, persistent disobedience, gross misdemeanor or actions detrimental to the school.
- The principal or assistant principal must consider the seven factors listed on page 11 prior to closing a student's class(es).

- The student is confronted with the facts of the investigation and notified of the closing of classes.
- The principal must ascertain that the above misbehavior can best be dealt with through a conference including the student and his parent or legal guardian or other adult designated with authority over the student and whatever staff would seem appropriate.
- In such cases, the principal must be able to show the student to be in violation of the Code of Student Conduct. Further, he shall be obligated to hold such a conference as soon as can be mutually arranged with the parent or legal guardian or adult designated with authority over the student and upon completion of that conference shall be obligated to reinstate the student to the class or classes which have been closed, unless otherwise mutually agreed.
- Should the parent or legal guardian fail to appear for a conference within three (3) school days of the closing of the student's class or classes, the school shall officially classify the action as a suspension with the length of that suspension determined by the principal. In every instance, the three-day waiting period will be considered as part of the suspension.
- In every case, the parent shall be notified.
- In no instance shall a student's class or classes be closed for more than ten (10) days.

### **Board Case Review**

Persistent misconduct that has resulted in previous suspension(s) may warrant an administrative or Board of Education recommendation for case review and disciplinary action. A board case review will include the student, parents or guardian, administration, school staff as necessary and a committee of the Board of Education.

## E. Suspension

Suspensions may be short term or long term. Short-term suspensions can range from one class hour to ten (10) days. For suspensions longer than ten (10) days, action is required by the Board of Education or Superintendent. Students are expected to complete daily assignments during the period of suspension but no credit will be given for daily work. Suspended students will be allowed to take major tests and turn in projects if due during the time of suspension. Credit will be given for all work that covers material prior to the suspension. Prior to implementing a short term suspension, the principal or designee must consider the seven (7) factors outlined on page 11.

### 1. Short-Term Suspensions

A short-term suspension is a denial to a student of the right to attend school and to take part in any school function for any period of time up to and including ten (10) school days. The principal may invoke a short-term suspension only after investigating the misconduct following these procedures:

- Notify the student of the charges.
- Accept information from persons having knowledge of the incident. The student involved shall have the opportunity to express his/her side of the problem and to have persons give information on his/her behalf.
- Determine guilt or innocence based on this information and notify the student and the parent or legal guardian of the results of the hearing.

A short-term suspension shall be levied solely at the discretion of the building principal based on the findings of the investigation.

Once a principal has determined that a short-term suspension is in order, he shall follow the procedures for implementing a short-term suspension from school.

a. Implementing a Short-Term Suspension from School

When a student is suspended for ten (10) days or less, the principal:

- Will immediately notify the parents or legal guardian or other adult designated with authority over the student of the school's action and inform them that their child is receiving a short-term suspension. The student must remain on school property for the remainder of the school day unless the parent or legal guardian provides transportation from the school.
- May order a student to leave the premises immediately when the presence of that student on school property poses a threat to the safety of the staff or students or causes a disruption of the normal educational process.
- Will attempt to make personal contact with the family within twenty-four (24) hours. A letter will be sent to the student's parents or legal guardian or other adult designated with authority over the student and to the superintendent stating the following:
  - The student's misconduct
  - The rule violated
  - The length of suspension
  - The right to appeal, to whom the appeal should be directed and the fact that the appeal must be made within five (5) school days of the receipt of the letter.
- Every effort to hold a conference will be made with the parents or legal guardian before or at the time the student returns to school.

All documentation concerning the misconduct will be kept on file.

b. Procedure for Appeal of Short-Term Suspension

- If there is disagreement with the action of the assistant principal in cases of suspension, the student's parent or legal guardian may request a conference with the principal. Such requests shall be made within the period of suspension. The principal shall affirm or modify the terms of his action within two (2) school days from the date of the conference.
- Within five (5) school days from the principal's decision, the parent or guardian may appeal such decision to the superintendent who will be acting as a representative of the Board of Education.
- The superintendent shall schedule an appeal hearing as soon as possible and shall notify the parent or guardian in writing, not less than five (5) school days prior to the date set of the time, date, and place of the hearing and that said hearing shall be conducted under the following rules and procedures:

There may be present at the hearing: witnesses, the principal, the Board of Education's attorney and such persons as the superintendent deems essential to the proper adjudication of the case.

The student or parent may be represented by an attorney or other advisor of their choosing.

The superintendent shall render a decision of its determination within a reasonable time from the date of the hearing. Such a decision shall be forwarded to all parties concerned.

If it is determined that a student's action did not justify suspension, the suspension will be lifted immediately and any record of the proceedings will be removed from the student's school record. Credit will be given for all work completed and turned in to the teacher. Absences caused by this action will be removed from the student's record.

## 2. Long-Term Suspensions / Expulsions

Prior to implementing a long term suspension or expulsion, the superintendent or Board of Education must first determine whether the suspension or expulsion is warranted based upon the following seven (7) factors:

- The student's age;
- The student's disciplinary history;
- Whether the student has a disability;
- The seriousness of the behavior;
- Whether the behavior posed a safety risk;
- Whether restorative practices are a better option; and
- Whether lesser interventions would address the behavior.

A long-term suspension is a denial to a student of the right to attend school and to take part in any school function for a set period of time in excess of ten (10) school days but less than thirty (30) days. Expulsion is the permanent exclusion from school. The Board of Education or superintendent may invoke a long-term suspension/expulsion only after following these procedures:

- The student has been notified of the charges.
- The student involved has had the opportunity to express his/her side of the problem and to have persons give information on his/her behalf.
- Guilt or innocence is based on the principal's investigation and the student and the parent or legal guardian have been notified of the results of the investigation.

- The superintendent has reviewed the case and the documentation supporting the principal's recommendation for long-term suspension/expulsion. The superintendent may invoke an additional suspension of nineteen days (total not to exceed twenty-nine (29) days). Should the review by the superintendent take longer than twenty-nine (29) days, the student should be allowed to attend classes from the conclusion of the twenty-ninth (29) day until it is completed.

If the superintendent fails to concur with the recommendation of the principal for a long-term suspension/expulsion, the student shall be readmitted on or before the 29<sup>th</sup> day of suspension.

If after review, the superintendent concurs with the decision of the principal, the procedures for implementing a long-term suspension/expulsion from school shall be followed.

a. Implementing a Long-Term Suspension / Expulsion from School

- When a student is to be considered for a suspension of more than ten (10) days but less than thirty (30) days, the superintendent shall:

Notify the Board of Education.

Notify the parents or legal guardian or other adult with authority over the student of his/her action.

Consider the seven (7) factors on page 17 and explain his rationale for the decision in writing.

- When a student is to be considered for a suspension in excess of 29 days or an expulsion, the Board of Education shall follow the process outlined below:

The Board of Education shall schedule and conduct a hearing to review the charges and reasons for suspension. If parents do not wish a hearing with the Board of Education, they must sign a waiver to that effect.

There may be present at the hearing: the witnesses, the principal, the Board of Education's attorney and such persons as the president of the Board of Education deems essential to the proper adjudication of the case.

The Board shall consider the seven (7) factors on page 17 and explain the rationale for the decision in writing.

- Upon the conclusion of the hearing, the Board will act to sustain, overturn or modify the superintendent's recommendation. The secretary of the Board of Education will send a statement to the student's parents or legal guardian or other adult designated with authority over the student, the building principal and the superintendent stating the following:

The student's misconduct

The rule violated

The decision of the Board of Education

The length of the suspension

For the time period covered by the long-term suspension, the student will not be permitted to do make-up work for credit or take examinations.

During the time of suspension, the student will not participate in any extra-curricular activity or be present on school property unless with the parent for a pre-arranged conference with the administrator who suspended them.

In every case of long-term suspension, the administration will make alternative suggestions for the student's continued education during that period.

**F. 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. As soon as possible after the suspension, the teacher shall schedule a parent-teacher conference regarding the suspension. Prior to initiating the suspension, the teacher must consider the seven (7) factors outlined on page 17 and provide rationale for the decision in writing to the building principal.

**G. Possession of a Firearm**

If a student is found to have a firearm in his possession in a weapon free school zone, the school board shall expel the student from the school district permanently. There are extenuating circumstances that may mitigate the above if established in a clear and convincing manner during a due process hearing with the Board of Education. The expelling school district shall enter on the individual's permanent record that he or she has been expelled pursuant to the law (P.A. 328 of 1994) and Federal Gun-Free School Act of 1994.

**H. Possession of a Dangerous Weapon (Other than a firearm)**

If a student possesses a dangerous weapon in a weapon-free school zone, the Board will consider whether to permanently expel the student or to impose a less severe penalty after first considering the seven (7) factors outlined on page 17.

There are extenuating circumstances that may mitigate an expulsion if established in a clear and convincing manner during a due process hearing with the Board of Education. The expelling school district shall enter on the individual's permanent record that he or she has been expelled pursuant to the law (P.A. 328 of 1994) and Federal Gun-Free School Act of 1994.

For the purpose of this guideline, a dangerous weapon is defined as "a firearm, dagger, dirk, stiletto, a knife with a blade over three (3) inches in length, a pocket knife opened by a mechanical device, iron bar or brass knuckles" or other devices designed to or likely to inflict bodily harm, including but not limited to BB or other air guns and explosive devices.

I. **Arson**

If a student is convicted of, or pleads guilty or no contest to, committing arson, as defined in Section 1311 of the Revised School Code, in a school building or on school grounds, the Board will consider whether to permanently expel the student or to impose a less severe penalty after first considering the seven factors outlined on page 17.

Unless reinstated pursuant to section 131196) of the Revised School Code, a student expelled by another district for committing arson may not enroll in the District.

J. **Criminal Sexual Conduct**

If a student is convicted of, or pleads guilty or no contest to, committing criminal sexual conduct, as defined in Section 1311 of the Revised School Code, in a school building or on school grounds, the Board will consider whether to permanently expel the student or to impose a less severe penalty after first considering the seven factors outlined on page 17.

Unless reinstated pursuant to section 131196) of the Revised School Code, a student expelled by another district for committing criminal sexual conduct may not enroll in the District.

K. **Physical Assault Against a School Employee, Volunteer or Contractor**

If a student in grade six or above commits a physical assault at school against a district employee, volunteer or contractor and the victim reports the physical assault to the Board or to an administrator or, if the victim is unable to report the assault, another person makes the report on the victim's behalf, the Board will consider whether to permanently expel the student or to impose a less severe penalty after first considering the seven (7) factors listed on page 17. "Physical assault" means intentionally causing or attempting to cause physical harm to another through force or violence.

Unless reinstated pursuant to section 131196) of the Revised School Code, a student expelled by another district for physically assaulting an employee, volunteer or contractor may not enroll in the District.

**L. Physical Assault Against Another Student**

If a student in grade six or above commits a physical assault at school against another student and the victim reports the physical assault to the Board or to an administrator or, the Board or its designee will consider whether to suspend or expel the student or to impose a less severe penalty after first considering the seven (7) factors listed on page 17. "Physical assault" means intentionally causing or attempting to cause physical harm to another through force or violence.

**M. Bomb Threats or Similar Threats**

If a student in grade six or above makes a bomb threat or similar threat directed at a school building, or other school property, or a school-related event, the Board or its designee will consider whether to suspend or expel the student or to impose a less severe penalty after first considering the seven (7) factors listed on page 17.

It is the policy of the Board to consider a petition for reinstatement from an expelled student and the parent/guardian and to follow the requirements of sections 1311 and 1311a of the Revised School Code.

**IV. ALTERNATE EDUCATIONAL PROCESS**

Expulsion of students below sixteen (16) years of age may be referred by court petition to the Juvenile Division of Probate Court and efforts shall be made by the school, but not guaranteed, to obtain alternate means by which a student of any age under expulsion may continue his/her education.

## **SEARCH AND SEIZURE**

To maintain order and discipline in the schools and to protect the safety and welfare of students and school personnel, school authorities may search a student, student lockers or student automobiles under the circumstances outlined below and may seize any illegal, unauthorized or contraband materials discovered in the search. "Unauthorized" means any item dangerous to the health or safety of students or school personnel, disruptive of any lawful function, mission or process of the school, or any item described as unauthorized in school rules. A student's failure to permit searches and seizures as provided in this policy will be considered grounds for disciplinary action.

A student's Person and/or Personal Effects (i.e. purse, book bag, etc.) may be searched whenever a school authority has reasonable suspicion of illegal or unauthorized materials. Under no circumstances will a student be strip searched by school personnel.

Student Lockers are school property and remain at all times under the control of the school. However, students are expected to assume full responsibility for the security of their lockers. Periodic general inspections of lockers may be conducted by school authorities for any reason at any time without notice, without student consent and without a search warrant. This includes the use of dogs in locker searches.

Students are permitted to park their Automobiles on school premises as a matter of privilege, not of right. The school retains authority to conduct routine patrols of student parking lots and inspections of the exteriors of student automobiles on school property. The interiors of student vehicles may be inspected whenever a school authority has reasonable suspicion to believe that illegal and unauthorized materials are contained inside. Such patrols and inspections may be conducted without notice, without student consent and without a search warrant. Again, dogs may be used.

From time to time, Weapons Searches may be conducted using metal detectors. Such searches will be done according to pre-established procedures so as to protect the constitutional rights of individuals.

If a properly conducted search yields illegal or contraband materials, such findings shall be turned over to the proper legal authorities for ultimate disposition and will be used in school disciplinary proceedings.

## **VI. HARASSMENT**

Harassment of a student(s) by other students or any member of the staff is contrary to the Board of Education's commitment to provide a physically and psychologically safe environment in which to learn and may be a violation of federal or state law. In addition to sexual harassment, which includes unwelcome sexual advances or any form of improper physical contact or sexual remark, harassment shall also include any speech or action that creates a hostile, intimidating or offensive learning environment.

All such reports are to be investigated by the superintendent or designee promptly. Anyone found to have violated this policy and/or the Code of Conduct shall be subject to disciplinary action up to and including suspension or expulsion from the district.

### **Reporting Harassment**

Any student who believes there is a victim of any of the above actions or has observed such actions taken by another student, staff member or other person associated with the district should promptly take the following steps:

- A. If the alleged harasser is a student, staff member or other person associated with the district other than the student's principal, the affected student should contact the principal as soon as possible after the incident.
- B. If the alleged harasser is the student's principal, the affected student should contact the Assistant Superintendent of Curriculum and Instruction as soon as possible after the incident.

The student may make contact either by a written report or by telephone or personal visit. During this contact, the reporting student should provide the name of the person(s) whom they believe to be responsible for the harassment and the nature of the harassing incident. Each report received by the principal or the Assistant Superintendent of Curriculum and Instruction as provided above shall be investigated in a timely and confidential manner. While a charge is under investigation, no information is to be released to anyone who is not involved with the investigation, except as may be required by law or is in the context of a legal or administrative proceeding. No one involved is to discuss the subject outside of the investigation.

The purpose of this provision is to:

- A. Protect the confidentiality of the student who files a complaint
- B. Encourage the reporting of any incidents of sexual or other forms of harassment
- C. Protect the reputation of any party wrongfully charged with harassment

Investigation of a complaint will normally include conferring with the parties involved (may include parents) and any named or apparent witnesses. All students and others involved are to be protected from coercion, intimidation, retaliation or discrimination for filing a complaint or assisting in an investigation.

If the investigation reveals that the complaint is valid, then prompt appropriate remedial and/or disciplinary action will be taken immediately to prevent the continuance of the harassment or its recurrence. Any form of sexual harassment is considered a form of child abuse and the abuser must be reported immediately in accordance with AG 8462.

The district recognizes that determining whether a particular action or incident is harassment or, conversely, is reflective of an action without a discriminatory or intimidating intent or effect must be based on all of the facts in the matter. Given the nature of harassing behavior, the district recognizes that false accusations can have serious effects on innocent individuals. Therefore, all students are expected to act responsibly, honestly and with the utmost candor whenever they present harassment allegations or charges against fellow students, a staff member or others associated with the district.

## **VII. LAW ENFORCEMENT OFFICERS IN THE SCHOOLS**

The Clio Area Schools Board of Education desires the closest possible cooperation with police officers and to assist properly the law enforcement duties of such officials. Every effort shall be made for the instruction and encouragement of students to respect lawfully constituted authority. Reasonable rules and regulations are necessary, however, for the fair treatment of individuals and to meet the requirements of due process of law.

While a student is in school, he is under the control of school authorities and access to students during school hours of any proper outside group of persons, including law enforcement officers, except in emergency arrest situations, is subject to Michigan laws and to the rules under court order and regulations of the Board of Education.

School students can be interrogated by law enforcement officers on school property during school hours only in the presence of a school official. There is a significant difference between proper interrogation of individuals and arrest procedures leading to charges being placed against the person. It is necessary and proper that school officials be cooperative with police officials at all times to further proper procedures of interrogation. When interrogation of students is desired, law enforcement officers are encouraged to enter schools in plain street clothes.

It is to be emphasized that the primary duty and responsibility of the school is to educate the student, not to serve as a parent for the student. Requests by law enforcement officers to interrogate a student while the student is in school imply a reasonable assurance by the officer that the matter is of such immediate concern that it would justify interrupting the routine of the school. In cases of immediate concern, law enforcement officers should delay interrogation to hours when school is not in session and when the student's parents can be present.

Students can be called out of classes by school authorities and interrogation can take place in or near the school office in a suitable setting of complete confidentiality. Law enforcement officers should not enter the classroom without permission of the school authorities for the purpose of interrogation.

Law enforcement officers are permitted to arrest a person in the case of a felony where the officer has reasonable cause to believe that the person, including a minor student, has committed a felony or for a misdemeanor committed in the officer's presence. Whenever possible, the intention of the officer should be made clear to the school officials.

Students may be removed from school by law enforcement officers and the parents must be notified immediately by the school. If the parents are not available, the law enforcement officer shall notify the parents as soon as practicable. The principal of the school will confirm the removal of a student from school by law enforcement officers by telephone and by sending a written notification to this effect to the parents through the U.S. mail.

**VIII. LEGAL BASIS FOR SCHOOL DISCIPLINE POLICIES**  
**STATE OF MICHIGAN GENERAL SCHOOL LAWS:**

- 380.11a General Powers School District
- 380.1306 School lockers
- 380.1308 Statewide school safety information policy (Act 451 of 1976)
- 380.1309 Conduct constituting suspension; action by teacher
- 380.1310 Physical assault at school against another pupil
- 380.1310b Policy prohibiting bullying
- 380.1310c Restorative Practices
- 380.1310d Suspension or expulsion of pupil
- 380.1311 Suspension or expulsion of pupils; grounds; evaluation of handicapped pupils (M.S.A. 15.41311)
- 380.1311a Physical Assault by pupil against employee, volunteer or contractor
- 380.1312 Use of reasonable physical force on pupils; purposes; liability. (M.S.A. 15.41312)
- 380.1313 Dangerous Weapons
- 380.1316 Public school fraternity, sorority or secret society prohibited; definition (M.S.A. 15.41316)
- 380.1561 Compulsory attendance at public school; enrollment dates; exceptions.
- 722.641 Use of tobacco (M.S.A. 25.281, M.C.L.A. 722.641)  
Cigarettes by Minors, Section 2

## **IX. PROVISIONS FOR CODE OF STUDENT CONDUCT REVIEW**

The Clio Area Schools Board of Education hereby directs the school administration to make provisions for a review of this Code of Student Conduct every four (4) years or as deemed necessary due to changes in local, state or federal laws. Such a review shall meet the following:

The committee reviewing the Code of Student Conduct shall consist of a representative group of students, parents, teachers and administrators from the local schools.

The committee shall be charged with reviewing the entire policy and shall make recommendations for change in writing.

The committee shall submit their recommendations to the superintendent no later than July 1 of the year of the review.

The superintendent shall compile the results of these reports and submit to the Board of Education a summary of the survey along with the actual committee recommendations.

# CODE OF STUDENT CONDUCT



## Clio Area Schools

### Clio, Michigan

This Code of Student Conduct was adopted by the Clio Board of Education on December 19, 1974 and revised on August 16, 1976; November 18, 1977; August 10, 1978; March 25, 1981; September 12, 1984; June 22, 1988; July 27, 1994; August 16, 2000, and October 26, 2017.

The Code of Conduct conforms with the Michigan General School Laws and School Code of 1976, as revised in 1996.

This Code was compiled by a committee composed of Board of Education members, administrators, teachers, students and parents, and reviewed by the Clio Area Schools attorney, James L. Delaney.

It is the policy of the Clio School District that no person shall be excluded from participation in, or be denied the benefits of, or be subjected to discrimination under any program or activity and in employment. In addition, arrangements can be made to ensure that the lack of English language skills is not a barrier to admission or participation. Any questions concerning Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex, and inquiries related to Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of handicap, should be directed to:

Lisa Taylor, Deputy Superintendent or  
Jennifer Reinfelder, Director of Special Education Services  
Clio Area Schools  
One Mustang Drive  
Clio, Michigan 48420

# ADMINISTRATION

|   |                     |
|---|---------------------|
| Superintendent .....                                | Fletcher Spears III |
| Deputy Superintendent.....                          | Lisa Taylor         |
| Assistant Superintendent of Business Services ..... | Carrie Sekelsky     |
| Director of Special Education Services .....        | Jennifer Reinfelder |
| Director of Technology.....                         | Zachary Witham      |
| High School Principal .....                         | Kevin Ayre          |
| High School Assistant Principals .....              | Tom Wozniak         |
| .....   | John Darga          |
| Athletic Director .....                             | John Darga          |
| Middle School Principal .....                       | John Lanyi          |
| Middle School Assistant Principals .....            | T.J. Grindle        |
| .....   | Brain Trebilcock    |
| Intermediate School Principal .....                 | Michelle Pyrett     |
| Edgerton Elementary School Principal.....           | James McCallum      |
| Lacure Elementary School Principal.....             | Katrina Mitchell    |
| Community Education Director.....                   | Tim Kumar           |
| Clio Community High School Principal.....           | Tim Kumar           |
| Director of Operations & Transportation .....       | Josh Schiebel       |



**Clio Area Schools**  
*“Leaders in Educational Excellence”*