

*Benton Harbor Area Schools*  
*Benton Harbor, Michigan*



**CODE OF STUDENT CONDUCT**

*M.C.L. 380.1311, 380.1312*  
*ADMINISTRATIVE GUIDELINES FOR POLICY 5500*

*Updated NOVEMBER 2018*

The Student Code of Conduct may be accessed online [www.bhas.org](http://www.bhas.org).



# TABLE OF CONTENTS

VISION AND MISSION.....	1
THE STUDENT CODE OF CONDUCT – INTRODUCTION.....	2
EQUAL OPPORTUNITY/NON-DISCRIMINATION STATEMENT.....	5
THE STUDENT CODE OF CONDUCT.....	6
A. PURPOSE OF THE CODE OF CONDUCT.....	6
B. PROHIBITED BEHAVIOR.....	6
C. APPLICATION AND SCOPE OF THE CODE.....	7
D. IMPLEMENTATION OF THE CODE.....	7
E. THE CODE AND STUDENT ASSISTANCE.....	8
F. REMOVAL OF A STUDENT FROM SCHOOL PENDING INVESTIGATION.....	8
G. DUE PROCESS IN DISCIPLINARY PROCEEDINGS.....	8
H. THE CODE AND CONFIDENTIALITY OF STUDENT RECORDS (FERPA).....	8
I. TRANSFERS OR ALTERNATIVE EDUCATIONAL SERVICES.....	9
J. THE CODE AND REPORTING CERTAIN OFFENSES TO LOCAL POLICE.....	9
THE CODE AND REPORTING CERTAIN OFFENSES TO LOCAL POLICE.....	10
CELLULAR PHONES AND ELECTRONIC DEVICES.....	11
BEHAVIOR INTERVENTIONS AND RESPONSES.....	12
CONSIDERATIONS BEFORE IMPOSITION OF DISCIPLINE: RESTORATIVE PRACTICES.....	14
CODE VIOLATION CATEGORIES.....	15
BHAS DISCIPLINARY FLOWCHART.....	16
CODE VIOLATION CATEGORIES, INTERVENTIONS AND RESPONSES.....	17
BHAS DISCIPLINARY PROCESS.....	18
BEHAVIORAL INFRACTIONS AND CONSEQUENCES.....	20
ARSON.....	20
ASSAULT/FIGHTING/THREATS.....	21
ATTENDANCE.....	21
BULLYING/HARRASSMENT.....	22
DANGEROUS OBJECTS AND FIREARMS.....	22
DRESS CODE.....	24
DISRUPTIVE BEHAVIOR.....	25
DRUGS, ALCOHOL AND ILLEGAL SUBSTANCES.....	26
GAMBLING.....	28
INTEGRITY/HONESTY.....	29
LARCENY/THEFT.....	29
SEXUAL HARRASSMENT/INAPPROPRIATE SEXUAL BEHAVIOR.....	29
TECHNOLOGY AND THE INTERNET.....	31
TOBACCO PRODUCTS.....	31
TRANSPORTATION.....	32
TRESSPASSING.....	33
VANDALISM.....	33
DISCIPLINE OF STUDENTS WITH DISABILITIES.....	34
DUE PROCESS RIGHTS.....	36
PERSONAL EDUCATION PLAN (PEP).....	37
STUDENTS RIGHTS WHEN QUESTIONED BY LAW ENFORCEMENT.....	38
ATTENDANCE.....	40

<b>GLOSSARY OF TERMS.....</b>	<b>41</b>
<b>APPENDIX.....</b>	<b>47</b>
<b>DISCIPLINARY INVESTIGATION REPORT.....</b>	<b>49</b>
<b>DISCIPLINARY FACTOR FORM.....</b>	<b>50</b>
<b>EDUCATIONAL RE-ENTRY PLAN.....</b>	<b>51</b>
<b>PERSONAL EDUCATION PLAN CONTRACT.....</b>	<b>53</b>
<b>BEHAVIOR INTERVENTION PLAN.....</b>	<b>55</b>

# **VISION AND MISSION**

## **VISION STATEMENT**

The Benton Harbor Area Schools will do whatever is necessary, unconstrained by convention and fueled by innovation, to guarantee our students an education as worthy as any in the nation. We will recognize and instill in our students a strong and abiding sense of their value as individuals and an understanding of their roles as citizens. We will be dedicated to creating and nurturing in those students and the community we serve an appreciation for the value of education. We will be a system that treats everyone: students, teachers, employees, administrators, parents, and the community, with equal respect, in an atmosphere of mutual trust. Above all, the Benton Harbor Area Schools will take the lead and become a major force in revitalizing and strengthening the community it serves.

## **MISSION STATEMENT**

The Benton Harbor Area Schools will assure all students the opportunity to gain a challenging and quality education.

We believe that:

- ❖ All students are entitled to a quality education.
- ❖ Education is a life-long learning process.
- ❖ We value diversity by understanding, respecting and believing in the worth of every person.
- ❖ The Benton Harbor Area Schools employees, teachers, and students should be the best they can be.
- ❖ Education and learning must reflect integrity and ethics.
- ❖ The education process should be relevant, reflecting the work ethic and preparing students to become productive citizens.

## INTRODUCTION

Students enrolled in the Benton Harbor Area School District are guaranteed the right to a free, public education. Within these rights, regular attendance is vitally important for students to succeed in school. The United States Supreme Court has held that a student may not be deprived of this right to a public education without adherence to procedural due process.

It is the responsibility of the Benton Harbor Area School District and its staff to ensure that not student is arbitrarily denied the right to an education. It is the responsibility of each student to attend school and to behave in a manner that does not threaten, interfere with or deprive other students of their rights to an education.

### **Students' rights include, but are not limited to:**

- Attending school where your parent or legal guardian lives and receiving a free and appropriate public education.
- Expecting that your school will be a safe and orderly place that is focused on providing equitable educational opportunities.
- Being respected and treated courteously and fairly by other students and school staff.
- Expressing your ideas verbally and/or in writing in accordance with the BHAS policies and procedures.
- Having appropriate opportunities to participate in school activities.
- Learning in an environment free from intimidation, harassment, or discrimination by employees or students on school property or at a school sponsored event, function, or activity.
- The fair administration of disciplinary consequences.

### **Students' responsibilities include, but are not limited to:**

- Attending school daily, regularly, and on time, performing to the best of your ability, being prepared to learn and taking advantage of educational opportunities.
- Being aware of all expectations regulating behavior and conducting yourself in accordance with these guidelines.
- Seeking information and services that can help you with personal problems.
- Helping create a school environment that is free from intimidation, harassment, or discrimination by practicing inclusion and embracing our differences.
- Reporting and encouraging others to report any incidents of intimidation, harassment, discrimination. Reporting security concerns (unlocked doors, propped doors, etc.).
- Reporting students who threats to harm others or anonymous reports to *Ok2Say*, when needed.

### **Parents'/Guardians' rights include, but are not limited to:**

- Being actively involved in their children's education. Being treated courteously, fairly and respectfully by all BHAS employees.
- Receiving information about the policies and procedures of the Benton Harbor Area School District that relate to your children's education. Receiving regular reports (written or oral) from school staff regarding your children's academic progress or behavior, including but not limited to report cards, behavior progress reports, and conferences.
- Receiving information and prompt notification of inappropriate or disruptive behaviors by your children and any disciplinary actions taken by administrators or school staff.
- Receiving information about due process procedures for disciplinary matters concerning your children, including information on conferences and appeals.

- Receiving information from school staff about ways to improve your children’s academic or behavioral progress.
- Receiving information about services for students with disabilities and English learners, when applicable.
- Receiving communication in their native language.

**Parents’/Guardians’ responsibilities include, but are not limited to:**

- Having children regularly attend school on time, and communicating reasons for absences and tardiness.
- Informing BHAS staff about any concerns and/or complaints in a respectful and timely manner.
- Working with school administrators and teachers to address any academic or behavioral problems your children may experience.
- Supporting the Benton Harbor Area School District by communicating with your children about acceptable and expected school behavior.
- Becoming familiar and complying with the policies of the Benton Harbor Area School District’s, administrative regulations and the *Code of Student Conduct*.
- Providing and maintaining updated contact information to the Benton Harbor Area School District and your children’s individual school(s).
- Supporting student completion of homework and participation in offered academic support programs.
- Being respectful and courteous to staff, other parents, guardians and students at all times.

**BHAS Employees’ rights include, but are not limited to:**

- Working in a safe and orderly environment.
- Being treated courteously, fairly, and respectfully by students, parents/guardians, and other school staff.
- Communicating concerns, suggestions, and complaints to appropriate BHAS administration or Central Office without fear of intimidation, reprisal, retaliation, etc.
- Receiving appropriate professional development and training.
- Receiving the necessary resources to deliver quality instruction.
- Modifying instruction, if consistent with the policies of the Benton Harbor Area School Board and other applicable laws and regulations.
- Working in an environment free from intimidation, harassment, or discrimination by employees or students on school property or at a school sponsored events, functions, or activities.

**BHAS Employees’ responsibilities include, but are not limited to:**

- Attending work daily, being punctual, and implementing well-planned, differentiated, rigorous, and engaging instructional plans daily according to the standards for professional practice.
- Maintaining safe and orderly schools by using prevention and intervention strategies, and by following the *Code of Student Conduct*.
- Being respectful and courteous to students, parents and guardians, serving as role models for students.
- Being knowledgeable about the policies of the Benton Harbor Area Schools’ Board of Education and other applicable laws and regulations, and enforce them fairly and consistently.
- Being knowledgeable about federal and state laws, as well as, regulations about the

disciplinary process for students with disabilities.

- Communicating proactively and regularly with parents about student progress, BHAS policies, building expectations, and responding to complaints or concerns in a timely manner.

## EQUAL OPPORTUNITY/NON-DISCRIMINATION STATEMENT

Equal educational and extra-curricular opportunities are available to all students without regard to race, color, nationality, sex, sexual orientation, gender identity, ancestry, age, religious beliefs, disability, status as homeless, or actual or potential marital or parental status, including pregnancy.

No student shall, based on sex or sexual orientation, be denied equal access to programs, activities, services, or benefits or be limited in the exercise of any right, privilege, advantage, or denied equal access to educational and extra-curricular programs and activities.

**The following person has been designated to handle inquiries regarding the non-discrimination policies:**

**Patricia Robinson, Assistant Superintendent**

1995 Union Street  
Benton Harbor, MI 49022  
(269) 605 - 1000 [patricia.robinson@bhas.org](mailto:patricia.robinson@bhas.org)

If the individual filling the grievance alleges that the Section 504/ADA coordinator has engaged in discrimination, then the individual filing the grievance must provide the documentation to the Deputy Superintendent for Educational Services at:

**Lorinda Robbins, Special Education Supervisor**

1995 Union Street  
Benton Harbor, MI 49022  
(269) 605 – 1000  
[lorinda.robbins@bhas.org](mailto:lorinda.robbins@bhas.org)

The following person has been designated to serve as the District’s Title IX Coordinator and Compliance Officer for matters involving alleged discrimination. Any inquiries regarding the School District’s non-discrimination policies should be directed to:

**Tracy Spaulding, Director of State and Federal Programs**

1995 Union Street  
Benton Harbor, MI 49022  
(269) 605 – 1000  
[tracy.spaulding@bhas.org](mailto:tracy.spaulding@bhas.org)

The following person has been designated as the District’s McKinney Vento (Homeless) Liaison.

**Cleather Nichols, Student Affairs Coordinator & McKinney Vento Liaison**

870 Colfax  
Benton Harbor, MI 49022  
(269) 605 – 1200  
[Cleather.nichols@bhas.org](mailto:Cleather.nichols@bhas.org)

# THE STUDENT CODE OF CONDUCT

## A. PURPOSE OF THE CODE

The mission of the Benton Harbor Area Schools, in partnership with parents and community, includes ensuring that each student is challenged to fully develop individual abilities, skills and character to succeed in life. In addition, the vision of the district includes the creation of a school environment that cultivates the development of knowledgeable, responsible and caring citizens. To create and maintain such a school environment, respect for the rights of others, consideration of their privileges and cooperative citizenship shall be expected of all members of the school community. Students are expected to show respect for real and personal property, pride in their work, attain high achievement within the range of their ability, and demonstrate exemplary personal standards of courtesy, decency and honesty.

The Student Code of Conduct identifies standards of conduct needed to support the educational objectives of the School and to protect each student's right to a safe, orderly, and productive learning environment. While reasonable rules and regulations regarding behavior are necessary for a safe and orderly school environment, the district affirms its commitment to support the efforts of all students to manage their own behavior. Support for students may be demonstrated in a variety of ways, including the following examples:

1. School practices and policies that promote appropriate school behavior and respectful learning environments;
2. Communication of student behavioral expectations to parents;
3. Communication of clearly stated expectations for student behavior to students;
4. Teachers using effective instructional and classroom management strategies;
5. Appropriate consequences for unacceptable behaviors;
6. Specialized, intensive and individualized interventions for students whose pattern of unacceptable behavior warrants it; and/or
7. Alternative educational schedules, pathways and delivery models for students that exhibit violent behavior or chronic disruptive behavior.

When a student violates the expected standards of behavior, it is important that the school respond in a manner that restores the conditions that promote learning for all students while at the same time allowing the disciplined student to meet his/her learning obligations. The district should provide interventions and/or alternatives that are appropriate to the offense and proportional in degree, consistent with current law, normally progressive in nature, and constructive and limited to that which is reasonably necessary to promote the district's educational objectives.

The school believes that the Student Code of Conduct must provide a clearly defined opportunity for a student who stands accused of unacceptable conduct to a fair appeal process and allow opportunity for the student's learning to continue.

## B. PROHIBITED BEHAVIOR

Every student has the right to be free from fear, harm, and violence at school, on the school bus and at school-related activities. In order to preserve this right, the Board authorizes the Superintendent to create a Code of Student Conduct that sets out specific consequences for students violating the following rules:

- 1.) Students shall obey Board of Education policies, administrative regulations, school rules, and classroom rules.

- 2.) Students shall comply with all lawful directions of Principals, teachers, substitute teachers, teacher assistants, bus drivers, and other school personnel who are authorized to give such directions.
- 3.) Students shall not assault, hit, kick, punch, fight, intentionally harm or threaten to harm another person.
- 4.) A student shall not incite or instigate a fight, assault or riot. The terms “incite” and “instigate” mean to urge or direct others by words or actions to engage in a fight, assault or riot. A student commits this offense by actively urging or directing others to take part in the prohibited behavior or by causing or instigating the prohibited behavior to occur. Students committing this offense should be disciplined in the same manner as those students actually engaging in the fight, assault or riot.
- 5.) A student shall not aid or assist another student to violate any Board Policy, administrative regulation or local school rule. A student is guilty of this offense if he/she knowingly advises, induces, encourages, aids or assists another student to commit an offense OR shares in the purpose of the act (to commit the offense) and aids or is in a position to aid the other student when the offense is committed. A student committing this offense may be disciplined in the same manner as those students actively committing the offense.
- 6.) A student should avoid a fight by walking away from a threatened conflict and/or reporting the other student’s threats to a teacher or other school employee. A student may, in a defensive manner, restrain the other student or block punches, kicks etc. but if the student retaliates by kicking, hitting, striking, etc. the other student, that action is considered fighting.
- 7.) A student shall not participate in an affray. An affray is a fight between more than two people which causes a large public disturbance. Examples of an affray are fights involving multiple students in the school cafeteria or at an athletic event. A person who commits an affray may be guilty of a misdemeanor.

A student shall not intentionally cause or attempt to cause physical injury or intentionally behave in such a way as could reasonably cause physical injury to any person. Any student involved in fighting or promoting fighting **shall be subject to disciplinary action, including dismissal from campus.**

Assault or fighting is defined as a verbal or physical altercation causing a disruption of the educational process. Students should not move toward fights but should seek ways to avoid fights. A mob fight is defined as a fight in which two or more students fight against another student. Students who participate in mob fights face dismissal.

### **C. APPLICATION AND SCOPE OF THE CODE**

The Student Code of Conduct covers all students enrolled in Benton Harbor Area Schools. The Code applies to a student who is on school premises, in a school-related vehicle, or at a school-sponsored activity or trip, or who is using school telecommunication, networks, accounts or other district services. While the school is not responsible for supervising or regulating off-campus activities, the school may impose disciplinary or remedial measures in the event that off-campus activities of students, including travel to and from school, directly interfere with the operations, discipline, or general educational environment of Benton Harbor Area Schools.

The Student Code of Conduct is written in accordance with the Michigan Revised School Code and Federal regulations. This code will be reviewed and updated as needed in accordance with updates to state or federal guidelines. Updates to the Student Code of Conduct will be approved by the Superintendent/CEO of BHAS. Students will be notified of updates or changes to the document. The Student Code of Conduct will be available at [www.bhas.org](http://www.bhas.org).

### **D. IMPLEMENTATION OF THE CODE**

Implementing the Code is primarily the responsibility of the principal. When used in the Code, the term

“principal” is the assigned principal, an acting principal, an assistant principal, or any other individual so designated by the principal or central administration. Principals shall keep records of disciplinary action and notify central administration of disciplinary action that involves exclusion of a student from school. When the nature of an offense permits, disciplinary consequences will occur progressively, with the intent to provide guidance and counseling whenever possible. In cases of severe offense, however, it may be necessary to proceed directly to an advanced level of disciplinary action.

#### **E. THE CODE AND STUDENT ASSISTANCE**

When a principal deems it appropriate under certain circumstances, the Code supports the use of an assistance program for a student whose conduct suggests a need for assistance. Student assistance programs are designed to intervene as early as possible when a student's conduct indicates specific need. Assistance may be provided by counselors, social workers, and psychologists.

#### **F. REMOVAL OF A STUDENT FROM SCHOOL PENDING INVESTIGATION**

When an administrator deems it necessary, the administrator may temporarily remove from school a student charged with, suspected of committing, or suspected of being involved in, an infraction or incident, for a reasonable period of time necessary:

- 1) to complete the investigation of an alleged infraction or incident;
- 2) to defuse a situation that could become worse without such removal; or
- 3) for other reason(s) as renders such a removal in the best interests of a particular student, a school, its students, or its staff.

Such a removal shall not constitute disciplinary action, although the infraction or incident that prompts it may conclude in disciplinary action. If the incident that has prompted removal results in discipline, the time during which the student has been removed from school shall be credited to any disciplinary time imposed.

#### **G. DUE PROCESS IN DISCIPLINARY PROCEEDINGS**

Due process safeguards must apply in all instances where the behavior or rights of students are being evaluated. The student has the right to be fully informed about the alleged behavioral infraction and must be provided with an opportunity to respond to such charges. Any permanent record that results from the student's actions or their consequences should clearly state whether the charges of misbehavior were or were not substantiated.

Required due process procedures vary depending on the nature of the misconduct and the seriousness of the disciplinary action that may be imposed on a student as a result of a hearing. Thus, separate sets of procedures apply, depending on whether a student faces possible short-term or long-term suspensions, administrative transfer or expulsion. **Unsubstantiated charges must be expunged from a student's record.**

#### **H. THE CODE AND CONFIDENTIALITY OF STUDENT RECORDS**

The Family Educational Rights and Privacy Act (FERPA) affords parents and students (over 18 years of age) certain rights with respect to the student's educational records. They include:

1. The right to inspect and review the student's educational records within 45 days of the day the district receives a request for access. Parents, guardians or eligible students should submit to the school principal a written request that identifies the record(s) they wish to inspect. The principal shall make arrangements for access and notify the requester of the time and place where the records may be inspected.

2. The right to request amendment to the student’s educational records that the parent or eligible student believes is inaccurate or misleading. This should include a written request to the principal, clearly identifying the part of the record they want changed, and specify why it is inaccurate or misleading.
3. If the District decides not to amend the record as requested, the District will notify the requester of the decision and advise them of their right to a hearing regarding the request for amendment. The hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
4. The right to consent to disclosure of “personally identifiable information” contained in the student’s educational records, except to the extent that FERPA authorizes disclosure without consent.
5. Also, Benton Harbor Area School District will forward educational records on request (including disciplinary records with respect to suspensions or expulsion, a current certification and last program attended for special education students), to another school district in which the students seek to enroll without providing further notice of the transfer to the parent or eligible student.
6. Federal and state law requires all public school districts to make available Student Directory Information (names, addresses, telephone numbers, etc.) of secondary students to military recruiters and/or military service academies unless the school receives a signed, written request from students eighteen (18) years old or older, or a minor student’s parent/guardian requesting the school district not disclose such information.
7. Any parent, guardian or eligible student may prohibit the release of “Directory Information” by delivering a written objection to the building principal within 30 days of the first day of school.

## **I. TRANSFERS OR ALTERNATIVE EDUCATIONAL SERVICES**

Students that have been placed on re-entry contracts or student assistance plans that have not improved or made appropriate academic progress towards graduation may be transferred to an alternative program or receive a Personalized Education Plan (virtual, extended day, etc).

In addition to the provisions contained in this handbook, the administration and staff reserve the right to adopt or adjust building policies whenever it is judged that such changes are in the best health, safety and welfare of the students of the Benton Harbor Area School District.

## **J. THE CODE AND REPORTING CERTAIN OFFENSES TO LOCAL POLICE**

In compliance with MCL 380.1308 and the Michigan School Safety Response Guide, the Benton Harbor Area Schools report certain incidents of student misconduct to local police agencies within the limits of the Family Educational Rights and Privacy Act. Listed on the next page are examples of offenses that **must be reported** to police and other offenses that **may be reported** depending on individual circumstances.

## THE CODE AND REPORTING CERTAIN OFFENSES TO LOCAL POLICE

Column A – Reporting is **required**.

Column B – Reporting **may be required** depending on the specific circumstances of each incident and the corresponding requirements of MCL 380.1308.

Column C – Reporting these offenses will occur **only when** a school administrator believes a police report is **in the best interests of the school system**.

<b>A</b> <b>Under MCL 380.1308, the School System <u>Must Report</u> to the Local Police</b>	<b>B</b> <b>Under MCL 380.1308, the School System <u>May Report</u> to the Police</b>  <b>Administrative discretion is used on a case-by-case basis</b>	<b>C</b> <b>Examples of other offenses that the School System <u>May Report</u> to Police</b>  <b>Administrative discretion is used on a case-by-case basis</b>
<ul style="list-style-type: none"> <li>• Active or threatened violent situation. Police must be contacted in any situation in which the safety of students and/or staff is jeopardized, including, but not limited to, possession of a weapon (including a firearm) by a student or anyone other than a law enforcement officer; bomb threat; drive-by shooting; any other active threat; an actual or suspected hostage situation; or gang violence.</li> <li>• Minor in Possession (MIP): Alcohol, tobacco products – Including under the influence.</li> <li>• Possession, use, dealing drugs or other controlled substances</li> <li>• Arson</li> <li>• Vandalism – over \$100 (intentional destruction of property)</li> <li>• Theft – over \$100</li> <li>• Robbery/extortion</li> <li>• Criminal Sexual Conduct or Sexual Assault</li> <li>• Suicide threat or attempt</li> <li>• Intruder or trespasser who refused to leave</li> <li>• Death, homicide, suicide</li> <li>• Unauthorized removal of student</li> </ul>	<ul style="list-style-type: none"> <li>• Physical assault</li> <li>• Theft – Under \$100</li> <li>• Vandalism – Under \$100 (intentional destruction of property)</li> <li>• Bus with students involved in accident or incident</li> </ul>	<ul style="list-style-type: none"> <li>• Gang or other hate-related activity</li> <li>• Hazing</li> <li>• Demonstrations/strikes</li> <li>• Smoking</li> <li>• Verbal Assault</li> <li>• Fighting, inciting or prompting others to fight, gang fighting</li> <li>• Gambling</li> <li>• Making a false alarm (such as pulling a fire alarm)</li> <li>• A student on campus during an out-of-school suspension</li> <li>• Inappropriate use of vehicle on school premises</li> <li>• Suspicious intruders</li> <li>• Harassment, bullying, threats</li> <li>• Other activities or behaviors that school administrators deem advisable</li> </ul> <p><b>Suspected Child Abuse must be reported to the Department of Health &amp; Human Services. Police contact may be made depending on the circumstances.</b></p>

In judging whether to report an offense to local police, administrators consider multiple criteria including current law, severity of the incident, the pattern of the student’s behavior over time, and specific context of each incident. Whenever police are contacted, central administration is notified, and a record of the contact is kept.

## CELLULAR PHONES AND ELECTRONIC DEVICES

The Benton Harbor Area School District recognizes that student access to cell phones and other electronic devices is common in 21<sup>st</sup> Century Society; however, it is imperative that students and parents understand that there are appropriate and inappropriate times for the use of such devices. Students using cell phones or other electronic devices to record anything or anyone without authorization on school property or at school events is strictly prohibited. Failure to adhere to this policy will result in a minimum consequence of the device being confiscated and used as evidence. Other consequences may apply pending the investigation as to the intent and reason for the willful disregard of the Student Code of Conduct.

**By administrative discretion, cellphones or electronic devices may be retained until the following school day or until retrieval by parents or guardians.** Confiscated devices can be retrieved during normal school office hours as designated by the school staff.

Cell phones and similar devices may be used during class at the discretion of the teacher for instructional purposes only, (i.e., searching on the Internet, Edmodo, Poll Everywhere, Remind 101, etc.)

### **Use of Cellular Phones or other Electronic Devices During Assessments**

Test administration procedures are developed in order to help reduce measurement error and to increase the likelihood of fair, valid and reliable assessments. Procedures that protect the security of the assessment help to maintain the meaning and integrity of the score scale for all students; therefore:

- Any student using an unauthorized electronic device during testing shall be deemed to have violated the Test Administration Procedures. For the purpose of this policy, “use” shall be defined as having any electronic device out and/or in sight, whether on or off (including asleep), without the direct authorization from the classroom instructor.
- Any student found in violation of the testing procedures, by using an unauthorized electronic device, shall receive a zero on the assessment. Furthermore, the device in use shall be confiscated and turned in to administration with a written referral, in accordance with the *Student Code of Conduct*.

*The only exception to this policy shall be a situation where the student is in need of such electronic communication device for a health condition, which has been previously certified with the building administrator or designee by a medical professional.*

## **BEHAVIOR INTERVENTIONS AND RESPONSES**

Behavior modification is a useful tool for staff and parents in helping to change an undesired behavior in order to redirect students to start using a desired behavior. While supporting the students who exhibit behaviors that are a distraction to the learning environment, or a create an unsafe school environment, the Benton Harbor Area School District will consider the ABC's of behavior in order to support students with Positive Behavior Interventions and Supports, also known as PBIS. The ABCs of behavior are:

***Antecedent:*** What is triggering or going on prior to the behavior?

***Behavior:*** What behavior is actually occurring?

***Consequences:*** What consequences or event is occurring following the behavior?

The Benton Harbor Area School District believes in the PBIS framework/philosophy that student behaviors can be changed/modified by focusing on the positives while teaching students what appropriate behavior is. BHAS staff members are encouraged to reduce negative behavior by using positive reinforcement; which can be done by employing appropriate interventions and responses. The strategies and interventions that are implemented in BHAS are based upon the information collected from data and should decrease the number of negative behavior incidents through prevention.

Below is a list of some interventions and responses that are available to students, as well as examples of interventions that may be implemented to support students who are exhibiting behaviors in violation of the *Student Code of Conduct*.

## INTERVENTIONS & RESPONSES

The list below is neither exclusive nor all-encompassing, but reflective of the range of options available and utilized in changing student behavior.

<b>Apology/ Restitution</b>	Student makes amends for negative actions by taking responsibility to correct the problem created by the behavior through verbal or written declaration of remorse.
<b>FBA/BIP</b>	Functional Behavioral Assessment to determine the root causes of student behavior followed by a Behavior Intervention Plan to address those root causes and outline clear, measurable action steps for teaching alternative behaviors.
<b>Check In/Check Out</b>	Daily contact with an assigned adult on campus. Student should see the adult before school starts each day as well as at the end of the day.
<b>Conference with Parent</b>	Teacher communicates with student's parent(s) by phone, email, written notes, or in person about behavior.
<b>Conference with Student</b>	Private time with a student to discuss behavior interventions/ solutions. This can include direct instruction in or modeling of expected or desirable behaviors.
<b>Corrective Assignment/ Restitution</b>	Student completes a task that compensates for the negative action and triggers a desire not to revisit the negative behavior. (i.e., clean-up, helping another person).
<b>Daily Progress Sheet</b>	Teacher documents student behaviors daily on pre-determined format which includes both positive and corrective notation.
<b>Detention</b>	Required attendance for a monitored period of time, generally after school, during lunch or on a Saturday. Recess should not be utilized except in special situations.
<b>Home/School Plan</b>	Parent(s) and teacher agree on a consistent approach. The plan should be consistent, emphasizing teaching and rewarding of appropriate behaviors and shared with the student by the teacher and parents.
<b>In-class separation from peers</b>	Predetermined consequence for breaking classroom rules of short duration (five minutes or less, usually separated from group, but remains in class) or brief withdrawal of attention and other reinforces (a time for student to reflect on his or her action).
<b>Mentoring</b>	An agreed-upon adult or student who provides consistent support, guidance, and concrete help to a student who is in need of a role model.
<b>Morning Meeting</b>	Regularly scheduled structured class meeting to build student social skills and develop relationship under guided leadership from the teacher.
<b>Privilege Loss</b>	Loss of a privilege as a consequence for inappropriate behavior.
<b>Reflective Assignment</b>	Help student realize why his/her misbehavior was wrong by asking him/her to compose a reflective essay.
<b>Response to Intervention</b>	Referral to the Response to Intervention team to review data on performance and make recommendations on programmatic and individual responses.
<b>Teacher/ Re-teach Model</b>	Teach and model behavioral expectation that students are having difficulty with adherence.

*Key personnel receive ongoing professional development in regards to PBIS and will share new strategies and solutions with staff members as it is necessary.*

## **CONSIDERATIONS BEFORE IMPOSITION OF DISCIPLINE: RESTORATIVE PRACTICES**

In accordance with state law and Board Policy 5600 and except as specifically provided below, before a student may be suspended, expelled or permanently expelled, the District administrators making the disciplinary decision shall consider each of the following factors:

1. The student's age
2. The student's disciplinary history;
3. Whether the student is a student with a disability;
4. The seriousness of the violation or behavior committed by the student;
5. Whether the violation or behavior committed by the student threatened the safety of any student or staff member;
6. Whether restorative practices will be used to address the violation or behavior committed by the student; and
7. Whether a lesser intervention would properly address the violation or behavior committed by the student.

The fact that consideration of these factors has occurred shall be documented in the record of the disciplinary decision. The Superintendent has developed an appropriate checklist to be used to document consideration of these factors.

Except as provided below, the District has discretion over whether to suspend, expel or permanently expel a pupil. In exercising this discretion, there is a rebuttable presumption that a suspension, expulsion or permanent expulsion is not justified unless administration can demonstrate that it considered each of the factors listed above.

The obligation to consider the factors listed above shall not apply to a student being permanently expelled for possessing a firearm in a weapon-free school zone.

The District shall consider using restorative practices as an alternative or in addition to suspension or expulsion of a student. If the District suspends or expels a student, the District shall consider using restorative practices in addition to suspension or expulsion. The obligation to consider restorative practices shall not apply to a mandatory expulsion for possession of a firearm in a weapons-free school zone.

“Restorative practices” means practices that emphasize repairing the harm to the victim and the school community caused by a student's misconduct. Restorative practices shall be considered as an alternative or in addition to suspension or expulsion of a student. The Superintendent has established procedures for the use of restorative practices within the District.

## CODE VIOLATION CATEGORIES

Code Violation Categories offer school administrators guidance when determining the appropriate interventions, supports, and/or responses for student misconduct. Each category represents the maximum consequence permitted for specific code violations; however, depending on the circumstances, administrators may provide an intervention, support, or consequence from a lesser category.

### ***Category 1:***

Code violations under this category shall result in classroom supports, interventions, or minor consequences which may include temporary suspension or exclusion within the school.

### ***Category 2:***

Code violations under this category may result in minor consequences (temporary suspension or exclusion), or a suspension for a maximum of three (3) days.

### ***Category 3:***

Code violations under this category may result in a suspension between one (1) and five (5) days.

### ***Category 4:***

Code violations under this category may result in a suspension between one (1) and ten (10) days.

### ***Category 5A:***

Code violations under this category shall result in suspension between eleven (11) and fifty-nine (59) school days.

The long-term suspension may extend beyond a 59-school-day period, if the superintendent or his/her designee finds that (i) the offense involves a firearm or destructive device, firearm muffler or firearm silencer, or a pneumatic gun, drugs or serious bodily injury or (ii) the division superintendent or his/her designee finds that aggravating circumstances exist as defined by the Michigan Department of Education.

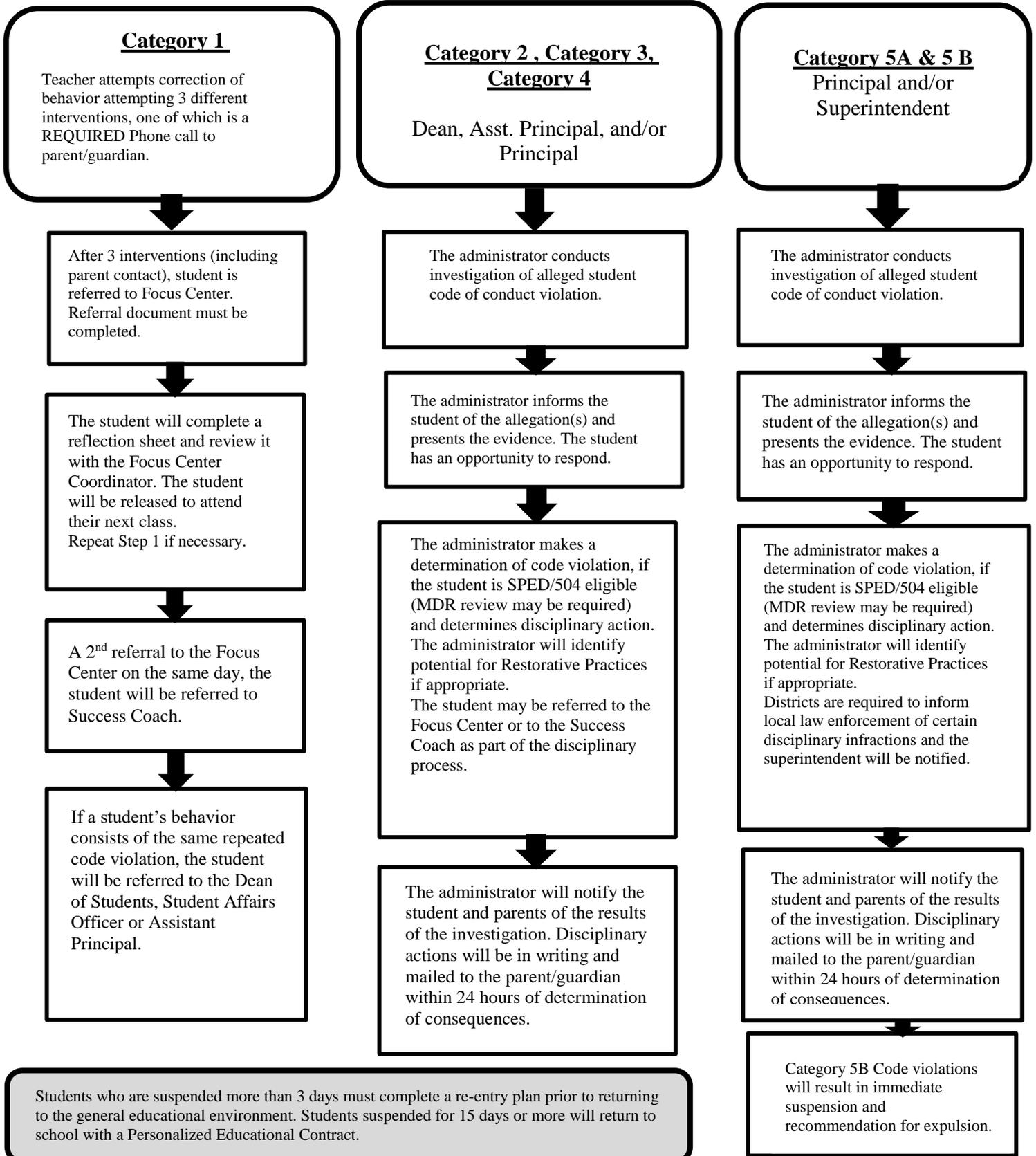
### ***Category 5B:***

Code violations under this category shall result in immediate suspension and recommendation for expulsion.

***School and district administrators will use these codes and categories to make decisions regarding student discipline, as well as, to document and analyze discipline data. The list of documented infractions is meant to be a guideline and not all-inclusive. District administration has the authority to deal appropriately with any misconduct not listed below which interferes with the educational process.***



# BENTON HARBOR AREA SCHOOLS DISCIPLINARY FLOWCHART



# CODE VIOLATION CATEGORIES, INTERVENTIONS AND RESPONSES

*These interventions aim to teach appropriate and alternative behavior, so students can learn and demonstrate safe and respectful behavior. The examples below are neither all-inclusive nor required to be exhausted. In every case, the staff should consider revisions to plans supporting students with special needs (Multi-Tiered Systems of Support – MTSS, IEP or 504 Plans).*

<b>Category 1: Examples of Classroom Interventions and Reponses</b> Teachers are encouraged to try a variety of teaching and classroom management strategies, including, but not limited to:	
<ul style="list-style-type: none"> <li>Establish relationships with students</li> <li>Pair or group students into positive peer groups</li> <li>Involve students in alternate activity</li> <li>Verbal correction</li> <li>Move to separate instructional area within the classroom</li> <li>Reminders and redirection</li> <li>Establish buddy teacher system</li> <li>Loss of classroom privilege</li> </ul>	<ul style="list-style-type: none"> <li>Change of seat in classroom</li> <li>Contact parent via telephone, email or text message to discuss concern</li> <li>Daily progress sheet on behavior (for student &amp; parent)</li> <li>Parent or guardian bring student to school for informal pre-class refocusing with Success Coach</li> <li>Teacher/Student Conference</li> <li>Referral to office</li> <li>Lunch Detention in classroom or office</li> </ul>
<b>Category 1: Examples of Student Support Team Interventions and Responses</b> Teachers are encouraged to try a variety of teaching and classroom management strategies, including, but not limited to:	
<ul style="list-style-type: none"> <li>Parent/Guardian notification</li> <li>Referral to after-school program</li> <li>Community service</li> <li>Mentoring Program</li> <li>Peer Mentoring Program</li> <li>Conflict Resolution Conference</li> <li>In-School Suspension (ISS) with restorative practices</li> </ul>	<ul style="list-style-type: none"> <li>Referral to community resources</li> <li>Develop behavior contract</li> <li>Conduct Functional Behavioral Assessment and develop a Behavior Intervention Plan (FBA/BIP)</li> <li>Develop Behavioral Support Plan for General Education (BSP)</li> <li>Referral to Focus Center with restorative practices</li> <li>Referral to Success Coach</li> </ul>
<b>Category 2: Examples of Administrative Interventions and Responses</b> These interventions involve the school administration and aim to correct behavior by stressing the seriousness of the behavior while keeping the student in school. These interventions may involve a short-term removal of a student from the classroom environment because of the severity of the behavior. The duration of any short-term suspension is to be limited as much as possible while adequately addressing the behavior, but not exceed three (3) school days.	
<ul style="list-style-type: none"> <li>Change in class or schedule</li> <li>Notification of parent by administration</li> <li>Loss of privilege</li> <li>Mentoring</li> <li>In-School Suspension (ISS) with restorative practices</li> </ul>	<ul style="list-style-type: none"> <li>Restitution for loss or damage</li> <li>Short-term suspension 1 to 3 days</li> <li>Detention within the school</li> <li>Conflict Resolution</li> <li>Develop Behavior Intervention Plan or Behavior Support Plan</li> </ul>
<b>Category 3: Examples of Administrative Suspensions and Responses</b> These interventions may involve short-term removal of a student from the school environment because of the severity of the behavior. The duration of any short-term suspension is to be limited as much as possible while adequately addressing the behavior, but not to exceed 5 school days (may not exceed 3 days at PK-3 <sup>rd</sup> Grade).	
<ul style="list-style-type: none"> <li>Parent/Guardian notification by administration</li> <li>Short-Term suspension 1 to 5 days</li> <li>Develop Behavior Intervention Plan or Behavior Support Plan</li> </ul>	<ul style="list-style-type: none"> <li>Referral to local community resources</li> <li>Referral to credit recovery program</li> <li>Develop an Personalized Education Plan</li> </ul>
<b>Category 4: Examples of Extended Administrative Suspensions and Responses</b> These interventions involve the removal of a student from the school environment because of the severity and/or frequency of the behavior(s). They may involve the placement of the student in a safe environment that provides for addition structure to address behavior. These interventions focus on monitoring the safety of the school and community and ending self-destructive and dangerous behavior. Short-term suspension within this category is reserved for 1 – 10 days and may not exceed 10 consecutive days. (may not exceed 3 for PK – 3 <sup>rd</sup> Grade).	
<ul style="list-style-type: none"> <li>Parent/Guardian notification by administration</li> <li>Conduct Functional Behavioral Assessment and develop Behavior Intervention Plan (FBA/BIP) or develop a Behavior Support Plan (BSP)</li> <li>Transition back to general classroom schedule after serving 1 (one) day in In-School Suspension (Grades 6 – 12)</li> </ul>	<ul style="list-style-type: none"> <li>Short term Suspensions 1- 10 days</li> <li>Alternative educational placement</li> <li>Referral to appropriate community-based agency, mental health services, substance abuse counseling services, etc.</li> </ul>
<b>Category 5A: Referral to CEO/Superintendent: Long-term Suspension or Expulsion</b>	
<ul style="list-style-type: none"> <li>Long-term suspension between 11 – 45 school days</li> <li>Referral to appropriate community-based agency, mental health services, substance abuse counseling, etc.</li> <li>Transition back to general classroom schedule after serving 1 (one) day in In-School Suspension (Grades 6 – 12)</li> </ul>	<ul style="list-style-type: none"> <li>Placement in an alternative educational placement</li> <li>Return to school with additional behavioral supports</li> <li>Return to school with a Personalized Education Plan (PEP)</li> </ul>
<b>Category 5B: Referral to CEO/Superintendent: Long-term Suspension or Expulsion</b>	
<ul style="list-style-type: none"> <li>Expulsion hearing before the Board of Education</li> <li>Additional educational supports may be provided throughout the expulsion period</li> </ul>	<ul style="list-style-type: none"> <li>Referral to appropriate community-based agency, mental health services, substance abuse counseling, etc.</li> <li>Placement in an alternative educational setting</li> </ul>

# **BENTON HARBOR AREA SCHOOL DISTRICT DISCIPLINARY PROCESS**

When disciplinary action is appropriate, it shall at all times:

1. depend upon the substantiation of the charges;
2. involve a reasonable and logical relationship between the seriousness of the act and the severity of the discipline;
3. be constructive in intent; and
4. take into account such factors as age, stature, and motivation of the student and his/her past record.

In those instances, in which the seriousness of the offense does not dictate an immediate disciplinary response, the administrator or the designee will attempt to take actions designed to encourage a change in the student's behavior. For example, the administrator/staff should develop behavior interventions and warn the student that the behavior was unacceptable and the reason why the behavior is unacceptable. When necessary, the assistance of the home, other educational supportive services and/or other professional community agencies may be utilized.

Each building principal is authorized to adopt disciplinary actions for use by building administrators in situations which do not warrant short-term suspension, long-term suspension, administrative transfer or expulsion. Building disciplinary rules and procedures must be written and distributed to staff, parents and students on an annual basis.

In those instances, where the seriousness of the offense requires the removal of the student from a class or building, the following forms of disciplinary action are authorized:

## **FOCUS CENTER/IN-SCHOOL SUSPENSION (ISS) Grade 6 – Grade 12**

The temporary removal of a student from the general building environment and all school sponsored activities.

The denial of student's rights and privileges of attending school, and all school-related activities, for a period of one (1) school day to five (5) school days as specified under Category 2, Category 3, Category 4 or Category 5A Code Violations. The principal or his/her designee has the authority to impose a short-term suspension based upon student misconduct.

All students who are suspended for Category 4 or Category 5A Code Violations, will have the last day of their suspension in ISS. Before returning to the general education setting, the student will develop a re-entry plan in order to return to the general educational environment.

## **SHORT-TERM SUSPENSION**

The temporary removal of a student from the building and all school sponsored activities.

The denial of student's rights and privileges of attending school, and all school-related activities, for a period of one (1) school day to five (5) school days as specified under Category 2 or Category 3 Code Violations. The principal or his/her designee has the authority to impose a short-term suspension based upon student misconduct.

Before a suspended student may be returned to school, he/she will be required to attend a readmission conference with the parents or designee to discuss the behavioral problem(s).

In the event the administrator is unable to arrange the conference by the date set for readmission, the principal may, at the request of the parent, authorize an alternative method of achieving a conference or may waive the requirement of the conference.

## **LONG-TERM SUSPENSION**

The denial of student's rights and privileges of attending school, and all school-related activities, for a period of six (6) to ten (10) school days. The student will serve the last day of the suspension in In-School Suspension and complete a re-entry plan before returning to their general educational schedule.

The principal or his/her designee has the authority to impose and recommend a student for a Long-Term suspension, after completing the Discipline Factor Review as required by MCL 380.1310d (form in Appendix A). A suspension pending an expulsion review may extend up to ten (10) school days. The Superintendent **shall reserve the right and authority to rescind and or refer all cases for school board expulsion hearings.**

## **EXPULSION**

The denial of student's rights and privileges of attending school, and all school-related activities for an indefinite time, unless otherwise specified by the school board or state law. **The Benton Harbor Board of Education reserves the right and authority to expel a student from the Benton Harbor Area School District based on Michigan State Mandates in accordance with MCL 380.1310d.**

## BEHAVIORAL INFRACTIONS AND CONSEQUENCES

### ARSON

*Category 5A or 5B: Arson: Actual*

*Category 5A: Arson: Attempted*

*Category 4 or 5A: Lighted Firecrackers, Cherry Bombs, Stink Bombs (that contribute to a damaging fire or injury to a student or staff member)*

All items confiscated in a case of recommended expulsion should be safely and properly secured and may be turned over to the school's resource officer. Photographs and/or a descriptive statement of the confiscated item should be included in the suspension/expulsion packet.

- A. The use, intent to use, or threat to use an explosive, including but not limited to: fireworks, cherry bombs, smoke/stink bombs, or any device contributing to a fire or representation of an explosive device, including a bomb threat, is prohibited. These actions include bringing, receiving, and/or storing the items on school property or at a school-sponsored event.
- B. The use or intent to use any material (matches, lighters, etc.) which may result in a fire on school property or setting fire to the property of students, staff, or volunteers is prohibited unless specifically authorized by school officials.

### ASSAULTS/FIGHTING/THREATS

**Some offenses under this section must be reported to the Director of School Safety by an administrator or his/her designee in accordance with section 380.1311 of the Michigan Revised School Code.**

*Category 2: Attempted Extortion*

*Category 2: Minor Physical Altercation*

*Category 3: Extortion*

*Category 3: Fighting - No/Minor Injury (Multiple offenses may result in consequences up to a Category 4)*

*Category 4: Hazing*

*Category 4: Stalking*

*Category 4 or 5A: Threat/Intimidations (Staff or Student)*

*Category 5A: Battery/Assault (No Injury)*

*Category 5A: Bomb Threat*

*Category 5A: Chemical/Biological Threat*

*Category 5A: False Fire Alarm*

*Category 5A: Terrorist Threat*

*Category 5A or 5B: Battery/Assault (Staff no Weapon or Student no Weapon)*

*Category 5B: Battery/Assault (Staff with Weapon or Student with Weapon)*

*Category 5B: Malicious Wounding (No Weapon)*

**Students and school personnel are entitled to a school environment free from threat, aggression, and assault.**

- A. Actions, comments, or written messages intended to cause others to fight, which may result in a fight, or that obstruct staff from trying to break up a fight/altercation are prohibited.
- B. Intentionally hitting, pulling hair, shoving, scratching, biting, kicking, blocking the passage of, or throwing objects at a student is prohibited.
- C. Conveying by gestures, notes, or verbal comments with the intent to cause bodily injury or to deprive a

student of his/her rights is prohibited.

- D. Fighting involving two or more parties in conflict when they are striking each other for the purpose of causing harm or injury is prohibited. This action may extend to mutual shoving, wrestling, or other aggressive actions which may result in the danger of harm or injury to either party, bystanders, or school property.
- E. The willful use of physical violence which is intended to result in bodily injury or the use of a dangerous object in an effort to cause bodily injury is prohibited.
- F. Assault upon a School Board employee, School Resource Officer, Police Officer, School Security Officer, or volunteer is prohibited. *VIOLATION OF THIS RULE SHALL RESULT IN AN AUTOMATIC RECOMMENDATION FOR EXPULSION.*
- G. Conveying by gestures, notes, or verbal comments with the intent to cause bodily injury or to deprive a School Board employee, School Resource Officer, Police Officer, School Security Officer, or volunteer, of his/her rights, or demonstrating hostile acts, is prohibited.
- H. The willful use of physical or verbal threats or physical abuse intended to result in an involuntary transfer of money or property to another student is prohibited.
- I. Cursing, threatening, using abusive language, bullying and cyber-bullying (as further defined in this Code), teasing, hazing, or other acts of intimidation are prohibited. This includes, but is not limited to: any verbal, written, electronic (through any social chat rooms, web space, telephones, or text messaging), physical or mental teasing, threat of bodily injury or use of force directed toward and based upon a person's race, religion, sex, sexual orientation, national origin, disability, or intellectual ability.
- J. Unsafe conduct which endangers either oneself or others is prohibited.

## **ATTENDANCE**

**Legal Reference: Michigan Compulsory Law, Act 451.380.1561**

*Category 1 - Excessive Absences*

*Category 1 - Truancy*

*Category 1 - Leaving Without Permission*

Michigan law requires that whoever has custody or charge of any child between ages six (6) and eighteen (18), unless the child has already completed high school graduation requirements, shall ensure that the child attends public school during the entire school year. Michigan law requires that the student's attendance be continuous and consecutive for the school year fixed by the school district.

Michigan law includes the following exceptions to the mandatory school attendance requirement:

1. The child is attending a state approved nonpublic school, which teaches subjects comparable to those taught in the public schools to children of corresponding age and grade.
2. The child is less than nine (9) years of age and does not reside within 2.5 miles of the by the nearest traveled road of a public school. If transportation is provided for pupils in the school district of the child's residence, the subdivision does not apply.
3. The child is age twelve (12) or thirteen (13) and attends confirmation classes conducted for a period of five (5) months or less.
4. The child is regularly enrolled in a public school while attending religious instruction classes for not more than 2 class hours per week, off public school property during public school hours, upon written request of the parent/legal guardian.
5. The child is being educated at the child's home by his or her parent/legal guardian in an organized

educational program in the subject areas of reading, spelling, mathematics, science, history, civics, literature, writing, and English grammar.

**Students demonstrating chronic absenteeism that is negatively impacting their academic progress may be considered for non-traditional educational services as determined by a behavioral contract.**

## **BULLYING/HARASSMENT**

Benton Harbor Area Schools takes bullying seriously; therefore, additional offenses under this category may warrant more serious consequences.

*Category 4 or 5A: Bullying*

*Category 4 or 5A: Cyber Bullying*

*Category 4 or 5A: Harassment (Non-Sexual) - physical, verbal, or psychological*

A student, either individually or as a part of a group, shall not harass or bully others. Prohibited conduct includes, but is not limited to: physical, verbal, or written intimidation, taunting, name-calling, insults, lies, rumors, social exclusion or isolation, threatening body posture, money or possessions taken or damaged, being threatened or forced to do things, and any combination of prohibited activities. Prohibited conduct includes verbal or written conduct consisting of comments regarding the race, gender, religion, physical abilities, sexual orientation or characteristics of a person or group, or associates of the targeted person or group. Any aggressive behavior that involves unwanted

negative actions and a pattern of behavior repeated over time, and an imbalance of power or strength is considered bullying and will not be tolerated.

1. Repeated, unwanted negative overtures and actions over time toward a person or persons are prohibited.
2. Bullying methods (repeated) such as verbal abuse, social exclusion or isolation, physical abuse, intimidation, lies, rumors, sexual inferences, robbery, damaged personal items, threats, racial attacks, and bullying through electronic devices will not be tolerated.
3. Electronic bullying and/or cyber-bullying-related activity of any nature and that which is obscene, pornographic, threatening, or otherwise inappropriate, including (but not limited to) email, instant messaging, web pages, and use of hardware and/or software which substantially disrupts or interferes with the safety and welfare of the school and its students, are strictly prohibited, even if such uses/actions take place off school property (i.e., home, business, private property, etc.).
4. The principal or his/her designee is directed to notify the parent of any student involved in an alleged incident of bullying and of the status of any investigation within five (5) school days of the allegation of bullying.
5. Conveying by gestures, notes, or verbal comments with the intent to cause bodily/emotional injury or to deprive a student of his rights is prohibited.
6. The willful use of physical or verbal threats or physical abuse intended to result in an involuntary transfer of money or property to another student is prohibited.
7. Cursing, using abusive language, teasing, hazing or other acts of intimidation are prohibited. This includes, but is not limited to: any verbal, written, physical or mental teasing, threat of bodily injury or use of force directed toward and based upon a person's race, religion, sex, sexual orientation, national origin, disability, or intellectual ability.

## **DANGEROUS OBJECTS AND FIREARMS**

Some offenses under this section must be reported to the Director of School Safety by an administrator or his/her designee in accordance with section 380.1311 of the Michigan Revised School Code.

*Category 3 or 4: Possession of Ammunition*

*Category 4: Bringing Razor Blades/Box Cutter to School or School Event*

*Category 4: Bringing a Toy/Look-alike Gun to School or School Event*

*Category 4: Bringing Fireworks, Firecrackers or Stink Bombs to School or School Event*

*Category 4: Possession of Stun Gun*

*Category 4: Possession of Taser*

*Category 4: Possession of Pneumatic Weapon (BB Gun, Paintball Gun, or Pellet Gun)*

*Category 4 or 5A: Possession of Explosive Device or a Bomb*

*Category 4 or 5A: Possessing or bringing to school or a school-sponsored event any substance used as a weapon (Mace, Tear Gas, or Pepper Spray)*

*Category 4 or 5A: Possession of Other Weapons*

*Category 5A: Possession of a Knife (Blade 3 inches or longer)*

*Category 5A: Possession of Other Firearms*

*Category 5A or 5B: Possession of Weapon that Expels a Projectile (By action of explosion or combustion)*

*Category 5A or 5B: Use of Explosive Device or a Bomb*

*Category 5B: Possession of Firearm*

*Category 5B: Possession of a Shotgun or Rifle*

In accordance with 380.1311 of the Michigan Revised School Code, a student who is determined to have possessed a firearm or an air rifle or BB gun on school property, in a school division vehicle, or at a school-sponsored event may be expelled permanently. The Superintendent, his/her designee, or the School Board may determine, based on the facts of the particular case, that special circumstances exist and no disciplinary action or another disciplinary action is appropriate.

All items confiscated in a case of recommended expulsion should be safely and properly secured and may be turned over to the school's resource officer. Photographs and/or a descriptive statement of the confiscated item should be included in the suspension/expulsion packet.

Each student who attends school at Benton Harbor Area Schools has the right to learn in a safe environment with others who respect his/her well-being. The following categories are considered extremely serious violations which threaten a suitable and secure learning environment:

- A. The possession of dangerous objects is prohibited. Dangerous objects include the representation of items commonly understood to be inappropriate to school activities. These items include, but are not limited to, bullets, machetes, brass knuckles, switchblades, knives, box cutters, other sharp objects, Chinese stars, mace, firecrackers, fireworks, stink bombs, etc. Also included is the misuse of commonplace objects, including but not limited to keys, locks, etc. Violation of this rule may result in a recommendation for expulsion.
- B. The possession of look-alike weapons, including, but not limited to, cap guns, squirt or water guns, toy pistols, comb knives, etc., is prohibited on school property.
- C. The objects noted in A and B used or intended to intrude on the security and safety of fellow students and school personnel **WILL RESULT IN AN AUTOMATIC RECOMMENDATION FOR EXPULSION.**
- D. The possession, use, or representation of a firearm, whether loaded or unloaded, operative or inoperative, on any school property or during any school activity, is prohibited unless specifically authorized by school officials. Firearms which meets the definition of firearm in the Code of Michigan. **VIOLATION OF THIS RULE WILL RESULT IN AN AUTOMATIC RECOMMENDATION FOR EXPULSION.**
- E. The possession or representation of any explosive or flammable material considered to have the capacity to create an explosion or to start a fire, including, but not limited to, firecrackers, lighter fluid, and other flammable substances, is prohibited unless specifically authorized by school officials.

- F. Possession of a Pneumatic Weapon (includes pellet guns, BB guns, CO2 air pistols, stun weapons, paint ball guns, and any other device utilizing air driven projectiles) does not require, but may result in a recommendation for expulsion.

## **DRESS CODE**

The Benton Harbor Area School District's dress code is designed to provide students with an educational environment that is conducive to the learning process and free from distractions. The policy is designed to prevent distractions including health and safety hazards that may disrupt the educational environment.

*Category 1 - Non-compliance to dress code*

*Category 2 – Repeated non-compliance*

**Students** have the right to express their own individuality in their apparel, provided that such dress does not conflict with the student dress code established for all students in the school and/or Benton Harbor Area School District. The principal or designee has the discretion to determine if a student is properly groomed or dressed appropriately. If necessary, parents/guardians will be called to bring proper clothing so that the student may resume his/her regular schedule. Repeated violations of the dress code will be treated as a violation of district dress code requirements and expectations.

**Students** are expected to adhere to the student dress code and are expected to exemplify proper grooming standards in a manner that projects an appropriate image for the student, the school, and the Benton Harbor Area School District. Clothing and/or accessories shall not endorse any item or product related to tobacco alcohol, other controlled substances, profane language or sexual activity.

The Benton Harbor Area School District acknowledges the right of a parent that a student be exempted for the mandatory dress code requirements on the basis of religious objects.

### **Dressing and Grooming**

The Benton Harbor Area School District encourages students to take pride in their attire at the school. The dress and groom of students becomes the concern of the school if it causes disruption of the educational program, it is offensive to others or it is inappropriate. Students should dress in a manner that takes into consideration the educational environment, safety, health, and welfare of others. Therefore, students' clothing shall adhere to the following guidelines for both male and female students:

#### **Shirts/Tops**

- Shirts must cover to the point of the shoulders.
- NO half-length shirts, tank top, strapless, backless, cut-off, halter or bare-midriff shirts or blouses shall be worn.
- No sheer or see-through garments will be permitted unless worn over a shirt that meets dress code guidelines.
- Shirts must have appropriate coverage of undergarments.
- Undergarments must be covered at all times.
- No cleavage shall be visible. Low cut blouses, tops, sweater, etc., with plunging necklines are not permitted.
- Garments with inappropriate language, advertising gang affiliation, alcohol, or drugs are not allowed.

#### **Pants/Shorts**

- Pants and shorts must be worn at the natural waistline. Belts must be worn if pants will not

stay at the natural waistline. Exposure of undergarments **will not be tolerated.**

- The minimum length of any garment, regardless of what it is called must be no shorter than mid-thigh.
- Cut-outs or holes should not be present above the knee.
- Slits in skirts cannot be higher than mid-thigh.
- Form-fitting pants (yoga, leggings, jeggings, tights) must be covered with a top/sweater reaching the mid-thigh.
- Lounge pants, such as pajamas, are not allowed.
- Leggings/tights will not be considered a substitute for pants.
- Athletic shorts must follow dress code regulations except during athletic periods or activities as approved by coached.

### **Shoes**

- Students shall wear appropriate shoes
- Slippers, cleats, “heelies” and other similar footwear are not to be worn.

### **Hats/Hoods/Caps**

- Upon entering the school buildings, all hats, hoods (attached to hoodies) and caps must be removed during school hours.
- Hair-wraps, skull-caps, wave-caps and bonnets are not allowed and must be removed during school hours.
- Sunglasses (other than prescription) are not to be worn during school hours.

In the event that a student is not following the dress code, the administrator/staff member will address the student in private, in an attempt to come up with a solution by using the following guidelines:

- Give the student the option of removing the articles and/or accessories that do not conform to the dress code.
- Allow the student to get another clothing item from his/her locker and change.
- Refer to the student to the administration office to contact parent/guardian to bring the student appropriate clothing.

## **DISRUPTIVE BEHAVIOR**

*Category 1: Minor Insubordination*

*Category 1 or 2: Disrespect (walking away, etc.)*

*Category 1 or 2: Defiance (refuses to follow directives)*

*Category 1 or 2: Failure to Wear or Bring Student Identification*

*Category 1 or 2: Other School Code Violation*

*Category 2: Cellular Telephones*

*Category 2: Disruptive Demonstrations*

*Category 2: Electronic Devices*

*Category 2: Gambling*

*Category 2: Possession of Obscene or Disruptive Literature*

*Category 2 or 3: Using Obscene or Inappropriate Language or Gestures*

*Category 3: Classroom or Campus Disruption*

*Category 4: Attempting to Incite a Riot*

*Category 4: Inappropriate Personal Property*

*Category 4 or 5A: Gang Activity (Category 5B - for a subsequent offenses)*

*Category 4 or 5A: Inciting a Riot*

*Category 5A: Setting Off False Fire Alarm*

***Students are entitled to a learning environment free of unnecessary disruption.*** Any physical, written, or verbal

disturbance, communication or activity, within the school setting or during related activities, which may interrupt or interfere with teaching and the orderly conduct of school activities is prohibited. Any communication or activity committed outside of the school setting that interrupts or interferes with the school day is also prohibited, and subject the Code of Student Conduct.

- A. Any event, action, or statement which relies on chance for the monetary advantage of one participant at the expense of others is gambling. This violation includes exchanging items of value, as well as currency, and extends to keeping score for later settlement.
- B. The possession or distribution of print or electronic materials which are obscene, violent, inappropriate, or significantly disruptive to the educational process is prohibited. Included are inappropriate student expression, sexting, threats, hit lists, distribution of non-authorized literature, and illegal assembly.
- C. Verbal assault is cursing, threatening, or using abusive language or written remarks intended to demean or harm a student, staff member, or visitor and is prohibited. This violation includes, but is not limited to: actions, displays, or written material of an obscene, violent, or inappropriate nature and the wearing of clothing or adornments, including inappropriate jewelry, which themselves convey either violent or sexually suggestive messages or offensive statements towards school personnel and/or students (i.e., vulgar language).
- D. Failure to respond appropriately to written or verbal directions given by school personnel, chaperones/volunteers, or law enforcement officers is considered insubordination. Also included is disobedience or defiance of reasonable requests made by school personnel, chaperones/volunteers, or law enforcement officers.
- E. Other activities which disrupt the orderly functions of the school include, but are not limited to: demonstrating hostile or disruptive behavior, repeated offenses/violations of the Code of Student Conduct, unauthorized fraternities or secret societies, unauthorized sales by students, possession of inappropriate toys, inappropriate use of school lockers and facilities, setting off false fire alarms, and compromising school safety (propping doors open for easy access, opening doors for individuals instead of making them enter through the main entrance, etc.).
- F. Gang-related activity will not be tolerated. Symbols of gang membership are expressly prohibited (i.e., clothing that symbolizes association, rituals associated with, or activities by an identified group of students).
- G. Using violence, force, coercion, threat of violence, or gang activity, causing disruption or obstruction to the educational process on school premises, in a school- related vehicle, or at a school-sponsored activity or trip. Gangs are defined as organized groups of students and/or adults who engage in activities that threaten the safety of the general populace, compromise the general community order, and/or interfere with the school district's education mission. Gang activity includes any one of the following:
  - Wearing or displaying any clothing, jewelry, colors, or insignia that intentionally identifies the student as a member of a gang, or otherwise symbolizes support of a gang.
  - Using any word, phrase, written symbol, or gesture that intentionally identifies a student as a member of a gang, or otherwise symbolizes support of a gang.
  - Gathering of two or more persons for purposes of engaging in activities or discussions promoting gangs.
  - Recruitment of students for gang related activities.

## **DRUGS, ALCOHOL AND ILLEGAL SUBSTANCES**

### **ALCOHOL**

#### **1. Use/Possession of Alcohol**

*Category 4: Alcohol Use*

*Category 4: Alcohol Possession*

Students shall not use, be under the influence of, or have in their possession any alcoholic

beverages on school property or at any school-sponsored event.

## **2. Possession with Intent to Sell or Distribute**

### *Category 5B: Alcohol Sales/Distribution*

Students shall not possess alcohol or alcoholic beverages on school property or at a school-sponsored event with the intent to sell, give, share, pass on to, take orders for, or arrange for a sale to occur before, during, or after school.

## **DRUGS**

### **1. Possession/Use**

*Category 4: Synthetic Marijuana Use or Possession*

*Category 4: Marijuana Possession*

*Category 4: Other Drug Use/Possession (includes cannabimimetic agents)*

*Category 4: Other Drug or Paraphernalia Possession (includes cannabimimetic agents)*

*Category 4: Possession of Inhalants*

*Category 4: Use of Inhalants*

*Category 4: Substances Represented as Drugs (Look-alikes)*

*Category 4: Anabolic Steroid/Use and Possession*

*Category 5B: Schedule I & II Drug Use (e.g., heroin, cocaine, opium, morphine, LSD, methamphetamines, ecstasy, Adderall®, Hydrocodone®, Percocet®, Ritalin®, OxyContin®, etc. includes controlled substance analogs and cannabimimetic agents)*

*Category 5B: Schedule I & II Drug Possession (includes controlled substance analogs and cannabimimetic agents)*

Students shall not use, be under the influence of, or have in their possession any drugs and/or drug paraphernalia on school property or at any school-sponsored event.

The possession of a Schedule I & II Drug (e.g. heroin, cocaine, opium, morphine, LSD, methamphetamines, ecstasy, Adderall®, Hydrocodone®, Percocet®, Ritalin®, OxyContin®, etc., includes controlled substance analogs and cannabimimetic agents as further described in the definitions section of this Code).

### **FOR ANY SECONDARY STUDENT POSSESSING A SCHEDULE I OR II DRUG WITHOUT A VALID PRESCRIPTION - WILL RESULT IN AN AUTOMATIC RECOMMENDATION FOR EXPULSION.**

Certain circumstances will warrant a recommendation for expulsion; however, the following consequences will apply:

#### **Refer the incident to an administrative school hearing chaired by the building principal and/or designee.**

- A. A minimum out-of-school suspension of 6-10 school days is mandatory.
- B. A mandatory 30-calendar-day suspension from all BHAS team participation and extracurricular activities.
- C. If a student has an illegal substance in a motor vehicle, parking permit privileges will be revoked for 20 school days.
- D. Absences as a result of out of school suspension will be unexcused, with no right to make up missed work; however, if the student successfully completes the school division's Awareness and Intervention Program and if the student and parent participate in one meeting with Program staff, the student will be allowed to complete missed assignments. Any student participating in extracurricular activities must comply with stipulations of the Student Activities Contract on page 15.

- E. The parents may enroll the student in a community drug counseling program of their choice and sign permission to share information between the school and the program. In this case the provisions of paragraph 1(d) shall apply.
- F. Subsequent Drug and/or Alcohol Abuse Offenses Consequence (cumulative within 3 years).

In addition to any of the penalties described under possession, the following will be implemented:

1) RECOMMENDATION FOR EXPULSION

A prior drug and/or alcohol offense that resulted in expulsion will be regarded as a “First Offense” for the purposes of determining whether the consequence for a “Subsequent Drug and/or Alcohol Offense” is applicable.

**2. Possession with Intent to Sell or Distribute**

*Category 5A: Substances Represented as Drugs (Look-Alikes)*

*Category 5A or 5B: Over-the-Counter/Prescription Medication/Sale/Distribution*

*Category 5B: Schedule I & II Drug Sale/Distribution*

*Category 5B: Synthetic Marijuana Distribution and Sale*

*Category 5B: Marijuana Sale/Distribution*

*Category 5B: Other Drug Sale/Distribution (includes cannabimimetic agents)*

*Category 5B: Anabolic Steroid Sale/Distribution*

*Category 5B: Drug violations of prescription drugs, theft, or attempted theft of prescription drugs*

Students shall not possess drugs or drug paraphernalia on school property or at a school-sponsored event with the intent to sell, give, share, pass on to, take orders for, or arrange for a sale to occur before, during, or after school. Students shall not manufacture, distribute, intend to distribute, or possess on school property or at a school-sponsored event, any of the following: drugs (including anabolic steroids and cannabimimetic agents), chemicals, or lookalike/imitation drugs, or chemicals.

**3. Possession or use of Medication and Prescription Drugs**

*Category 3: Over-the-Counter Medication Possession*

*Category 4: Over-the-Counter Medication Use*

*Category 4: Drug violations of prescription drugs, theft, or attempted theft of prescription drugs*

In order that school authorities will know what medicine a student is taking in case of an emergency and in order to prevent trafficking of drugs, no student may have in his/her possession any medication or prescription drugs, even if recommended or prescribed for the student’s use, unless his parent or guardian has requested and received permission from the school for the student to possess and self-administer prescribed medication in accordance with School Board policy. Medication and prescription drugs shall not be taken to school by the student. A parent or guardian is required to take all such items to the school’s clinic for documentation. “Medication” shall mean any drug or other substance used in treating illnesses, disorders, healing, or relieving pain, including over-the-counter drugs, such as aspirin, cough syrups, gargles, cold tablets, and the like.

**GAMBLING**

Engaging in an illegal game of chance or betting; or possessing gambling paraphernalia, on school premises, in a school-related vehicle, or at a school-sponsored activity or trip.

Examples may include, but not limited to, dice and card games.

*Category 2: Gambling (1<sup>st</sup> & 2<sup>nd</sup> offense)*

*Category 3: Gambling (subsequent offenses)*

## **INTEGRITY/HONESTY**

*Category 3: Misrepresentation*

*Category 3: Cheating*

*Category 3: Plagiarism*

*Category 3: Falsification*

Benton Harbor Area Schools' students are expected to perform honestly through the production of their own work. They should also demonstrate respect for the belongings and rights of others, including, but not limited to, staff members and volunteers.

### **The following acts are prohibited:**

- A. Cheating includes the actual giving, receiving, or use of any unauthorized aid or assistance or the actual giving or receiving of unfair advantage on any form of academic work.
- B. Plagiarism includes using or copying the language, structure, idea, and/or thought of another and representing it as one's own original work.
- C. Falsification includes, but is not limited to, a verbal, written, or electronic transmission (i.e., emails, images), including the production or use of forgery or counterfeiting.
- D. Attempts toward completion of any act described above would constitute a violation and may be punishable to the same extent as if the attempted act had been completed.
- E. Unauthorized use of technology and information accessed through technology without permission is prohibited. Student files may be subject to search.
- F. Willful or malicious false accusations/reports against school personnel or other students.

## **LARCENY/THEFT**

Some offenses under this section must be reported to the building administrator or his/her designee an administrator.

*Category 4: Actual Burglary*

*Category 4: Attempted Burglary*

*Category 4: Theft of School Property*

*Category 4: Theft of Staff Property*

*Category 4: Theft of Student Property*

*Category 4: Possession of Stolen Property*

*Category 4 or 5A: Attempted Theft or Theft of Motor Vehicle*

*Category 5A or 5B: Attempted Robbery*

*Category 5B: Actual Robbery*

**Benton Harbor Area Schools students are expected to respect the rights and property of others.**

### **The following acts are also prohibited:**

- A. Stealing another person's possessions without right or permission. The possession of stolen property is considered theft.
- B. Any theft of money or personal or public property of significant value and/or theft involving breaking and entering, including lockers (includes unauthorized or illegal use of computer services).

## **SEXUAL HARASSMENT/INAPPROPRIATE SEXUAL BEHAVIOR**

Some offenses under this section must be reported to the Superintendent by an administrator or his/her designee in accordance with. Intentionally engaging in sexual harassment of another person. Under Board

Policy 5517, “sexual harassment” consists of 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; or
- B. submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual; or
- 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.

*Category 4 or 5A: Sexual Harassment (Category 5B for subsequent offenses)*

*Category 4 or 5A: Sexual Touching - Student (Category 5B for subsequent offenses)*

*Category 5A: Sexual Offenses (Consensual)*

*Category 5A: Sexual Touching - Staff (Category 5B for subsequent offenses)*

*Category 5B: Forcible Assault/Rape (Staff)*

*Category 5B: Forcible Assault/Rape (Student)*

*Category 5B: Attempted Forcible Assault/Rape (Staff)*

*Category 5B: Attempted Forcible Assault/Rape (Student)*

*Category 5B: Aggravated Sexual Battery*

*Category 5B: Sexual Battery (Staff)*

*Category 5B: Sexual Battery (Student)*

It is the policy of the Benton Harbor Area Schools to maintain a working and learning environment which provides for fair and equitable treatment, including freedom from sexual harassment, for all its employees and students. Sexual harassment includes any unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal, written, electronic, or physical conduct of a sexual nature that creates an intimidating, hostile, or offensive environment. A student shall not sexually harass another student or any school employee, volunteer, student teacher, or any other person present in school facilities or at school functions.

It is prohibited for any student or employee, male or female, to harass another student or employee by making unwelcome sexual advances or requests for sexual favors, or engaging in other verbal, written, electronic, or physical conduct of a sexual nature. Conditions may include, but are not limited to:

- a. submission to or rejection of such conduct is used as a basis for academic decisions affecting the student;
- b. such conduct creates an intimidating, hostile, or offensive working or learning environment; or submission to such conduct is made either explicitly or implicitly a term or condition of the individual’s employment or participation in school programs.

Examples of activities which could constitute sexual harassment include, but are not limited to:

1. unwelcome leering, sexual flirtations, or propositions;
2. unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions;
3. graphic comments about an individual’s body or overly personal conversation;
4. targeted sexual jokes, stories, drawings, pictures, or gestures toward others;
5. spreading sexual rumors;
6. inappropriate or suggestive sexual gestures;
7. cornering or blocking of normal movements;
8. displaying sexually suggestive objects in an educational environment; or
9. displaying sexually explicit behavior.

Any student who believes that he or she has been subjected to sexual harassment by another student should

immediately file a complaint of the alleged act with the principal. The principal shall request that the complaint be in writing. The principal shall investigate the complaint and work towards a resolution of the matter.

The principal must immediately report the complaint of the alleged incident to the Superintendent's office. Refusal to put the complaint in writing shall not preclude an investigation of the complaint. The complaint should state in detail the basis for the complaint, the names of the persons involved, and the dates of any specific incidents. A thorough investigation of all reported incidents to determine the nature and extent of any alleged sexual harassment will be undertaken.

The question of whether a particular action or incident is prohibited behavior requires a determination based on all the available facts in the matter. A written report summarizing the investigation and stating any conclusions or recommendations shall be documented at the conclusion of any investigation of sexual harassment regardless of the outcome of that investigation.

Any student who is found after an investigation to have engaged in sexual harassment of another student will be subject to disciplinary action appropriate to the offense from a short-term suspension up to a recommendation for expulsion.

## **TECHNOLOGY AND THE INTERNET**

*Category 2: Unauthorized Use of Technology or Information*

*Category 2: Violations of Acceptable Usage Policy*

*Category 3: Violations of Internet Policy*

*Category 5A: Causing/Attempting to Cause Damage to Computer Software or Files*

Technology includes, but is not limited to: computers, electronic devices, software, the Internet, social networks, email, and web pages. All BHHS users are responsible for the appropriate use of all technology to which they have access, even if such use takes place off school property or after school hours.

Technology is constantly in flux; yet the security, safety of, and opportunity for our students and staff is paramount. Students and staff are encouraged to use school division technologies in support of teaching and learning, recognizing that there is an inherent responsibility to protect one's self, others, and property in the process. To minimize risk, BHAS employs a number of tools and monitoring technologies, such as filters, designed to comply with relevant laws as well as to create a reasonable expectation of safety. It is ultimately up to each individual student or staff member to be responsible for his or her use of these networks and to understand the specific policies herein as they pertain to computer, network and Internet use.

## **TOBACCO PRODUCTS**

*Category 2: Bringing Tobacco Paraphernalia to School or School Event*

*Category 2: Tobacco Use*

*Category 2: Tobacco Possession*

*Category 4: Tobacco Sales/Distribution*

***Michigan law requires all school buildings to be smoke-free.***

All students are PROHIBITED from the use and possession of tobacco products, to include smokeless tobacco, matches, electronic cigarettes and vaporizers, and lighters on school property. This prohibition includes all school related locations and activities (i.e., bus stops, school buses, extracurricular activities, school-sponsored events, etc.).

## **TRANSPORTATION**

*Category 1: Motor Vehicle Regulations (Bus)*

*Category 1: Drivers*

*Category 1: Improper Use of Bicycle*

*Category 1: Walkers/Property/Rights*

Proper behavior is required to, from, and at bus stops (i.e. door to door) and while riding the bus to assure that the rights of others, residential or otherwise, are respected. School bus stops are considered school property. Students are required to listen to and follow the directions of the bus driver. Students must ride the bus to which they are assigned. Temporary permission to ride an alternate bus must be granted, in writing, by the principal or designee.

### **THE SCHOOL BUS**

Riding a school bus is a privilege. Students who violate the Code of Student Conduct and designated bus rules on the school bus may lose the privilege of riding the bus for a specified period of time or permanently. In addition, other consequences may apply. When the driver requires assistance to resolve a potentially harmful situation on the bus, the principal or designee of the school served by the driver will provide assistance.

Glass containers, inflated balloons, live animals, water guns, skateboards, toy weapons or weapons of any type are not allowed on the bus or at the bus stop. Only band instruments, school projects and backpacks that may be held in the student's lap may be carried on the bus. All provisions of this Code are in full effect on the school bus and include the following rules:

- Follow all directions from the driver and bus assistant.
- Remain in your seat and keep all body parts inside of the bus.
- No pushing, shoving, fighting or loud noises at any time.
- No cursing, abusive or disrespectful language or yelling out of the window.
- No eating, drinking or smoking on the bus.
- Do not litter, write on or damage the bus in any way.
- Do not throw objects on the bus or out of windows.

### **DRIVERS**

High school students who meet the requirements and accept the responsibilities of driving vehicles to school are permitted to do so. This privilege depends upon the student's compliance with the parking and vehicle regulations as prescribed by the individual high school, including consent to search. Students are assumed to have knowledge of and will be held responsible for all items in their vehicles. Failure to adhere to these regulations could result in disciplinary action as listed in the recommended consequences of the Code of Student Conduct, including loss of driving privilege and having one's vehicle booted or towed from the premises at the operator's expense.

### **IMPROPER USE OF BICYCLE**

Bicycles may be ridden to school. The safety of the riders and the securing of their bicycles is the responsibility of the riders. Improper use of bicycles, such as riding in bus loading areas, constitutes grounds for the loss of bicycle parking privileges at school. Bicycle riders are prohibited from violating the rights of homeowners, apartment dwellers, and businesses on their way to and from school.

### **WALKERS/PROPERTY/RIGHTS**

Students in elementary, middle, and high schools who live within the designated non-transportation zones are

required to arrive promptly at school. Parents are encouraged to identify and assist in the choice of a safe route. Student walkers are prohibited from violating the rights of others including homeowners, apartment dwellers, and businesses on their way to or from school.

***Reminder: The Bus Stop is considered Benton Harbor Area Schools property; therefore, all Code of Student Conduct offenses committed at the bus stop shall receive the same consequence(s) as if committed in school. Additionally, the Code of Student Conduct is enforceable from “door-to-door”, which means the authority of BHAS begins the moment the student leaves home until the student returns home.***

## **TRESPASSING**

*Trespassing (Secondary)*

*Category 4: Trespassing (A)*

*Category 3: Trespassing (B, C, D)*

Students, patrons, and school personnel are expected to have the appropriate authorization to be on the property of Benton Harbor Area Schools

- A. Any student who has been suspended or expelled from attendance may be considered a trespasser if he/she appears on any Benton Harbor Area Schools property, or at any Benton Harbor Area Schools activity, during the suspension/expulsion period. Violation of this section will be considered an additional infraction and will require a separate consequence. Students who arrive at school before school opens or remain after the close of their school day without specific need or appropriate authorization and supervision may be considered trespassers.
- B. Any student who is requested by an administrator to leave school property is expected to do so immediately. Failure to do so may be considered trespassing.
- C. No student or other person may attend or visit a Benton Harbor Area Schools as a guest during the regular school day without authorization from the school’s administration.

## **VANDALISM**

*Category 3: Vandalism of School Property (Category 4, depending on cost of repair/replacement)*

*Category 3: Vandalism of Private Property (Category 4, depending on cost of repair/replacement)*

*Category 3: Graffiti (Category 4, if gang related)*

Members of the school community are entitled to enjoy property free from the abuse of others. Vandalism is the willful marring, defacing, or destruction of School Board property, including leased property or any employee’s or other person’s property. This section includes, but is not limited to: the buildings, both exteriors and interiors thereof, books, computer equipment and software, school buses, private automobiles, school grounds, and property as designated above. Causing, intent to cause, or attempt to cause damage to school or personal property of others is prohibited.

**Senior pranks that damage property are strictly PROHIBITED and will be considered a Category 4 Offense.**

## **DISCIPLINE OF STUDENTS WITH DISABILITIES**

The standards of conduct contained within the Student Code of Conduct apply to all students, including those identified as special education or Section 504 and those suspected of having a disability. However, due to the unique needs of students with disabilities, appropriate disciplinary action and implementation of the Student Code of Conduct will vary in accordance with applicable local, state and federal laws.

### **STUDENTS WITH A DISABILITY**

“Student with a disability” means a person who: 1) is determined by an evaluation team, or a hearing officer to have one (1) or more of the impairments that necessitates special education or related services, or both; 2) who is not more than 25 years of age as of September 1 of the school year of enrollment; 3) who has not completed a normal course of study; and 4) who has not graduated from high school. A student who reaches the age of 26 years after September 1 is a “student with a disability” and entitled to continue a special education program or service until the end of that school year. 4 These students are commonly referred to by local, state, federal and education agencies as students who are included in the Individuals with Disabilities Education Act (“IDEA”), or IDEA students.

### **SECTION 504**

This designation refers to section 504 of the Rehabilitation Act of 1973, which is designed to eliminate discrimination on the basis of handicap in any program or activity receiving federal financial assistance. Under federal law, a “handicapped person” is defined as one who has a physical or mental impairment which substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment. These students have a 504 Evaluation and Educational Plan developed by a 504 team.

### **DISCIPLINARY ACTIONS FOR IDEA AND SECTION 504 STUDENTS**

When an administrator is considering disciplinary action involving removal of an IDEA or 504 student, the student’s records shall be reviewed to determine the total number of days during the current school year that the student has missed due to disciplinary action. Once this determination has been made, the following procedures must be followed:

1. If the student has not accumulated more than 10 (ten) days of disciplinary removal for the school year, then utilize procedures as outlined for non-disabled students.
2. If the pending suspension is in excess of ten (10) consecutive days (including proposed expulsions) OR if the suspension is less than ten (10) days but would result in 10 cumulative days for one school year and a pattern of removals has been determined, this constitutes a change in placement. Before implementing a suspension or expulsion that constitutes a change in placement, the student must have an IEP/504 meeting to determine whether the behavior issue is a manifestation of the student’s disability (a “manifestation determination” review). This meeting must take place within ten (10) school days of the decision to change the placement from school.

### **EXCEPTIONS**

In cases where the offense involves the current use of drugs/alcohol, the Section 504 meeting is not necessary. The student may be disciplined in the same manner as non-disabled students. Note, if the offense is centered on possession alone, not use, a manifestation hearing is still required.

If the IEP/504 team determines that the behavior is a manifestation of the student's disability, the student is NOT subject to further disciplinary action. However, the evaluation continues to determine whether the student's current educational placement is appropriate. The student MUST return to his/her original placement UNLESS the parent agrees otherwise through the IEP/504 process.

**EXCEPTION:** If the offense involves any of the following, school personnel may remove the student to an interim alternative educational setting for not more than forty-five (45) days:

Carrying or possessing a weapon at school or at a school function

Knowingly possessing or using illegal drugs

Selling or soliciting the sale of a controlled substance while at school or at a school function

Inflicting serious bodily injury upon another person.

If the IEP/504 team determines that the behavior is NOT a manifestation of the student's disability, the student may be removed in the same manner as any non-disabled student.

The school must continue to provide IDEA student's services so that the student progresses towards IEP goals, even if the child is no longer served in the same school environment. Section 504 students are not entitled to a continuation of specialized services.

The IEP team decides what services the child needs and where those services will be provided.

When a change in placement occurs, the student is entitled to the procedural protections of Section 504/IDEA, including, an expedited due process hearing (appeal). When an appeal is pending, the student's placement will remain in the disciplinary removal setting until a decision is reached or the expiration of the removal issued by BHAS, whichever comes first.

Students with disabilities, even if expelled, must be provided with an appropriate education in an alternative educational setting.

## **STUDENTS SUSPECTED OF HAVING A DISABILITY**

Students suspected of having a disability have the right to assert any of the disciplinary protections available to students with disabilities, if prior to the behavior subject to disciplinary action, one or more of the following exist:

1. The parent/guardian(s) have expressed specific concerns in writing to supervisory or administrative personnel of BHAS, or a teacher of the student, that the student is in need of special education and related services.
2. The parent/guardians(s) has requested or consented in writing to a special education evaluation.
3. The student's teacher, or other school personnel, expressed specific concerns about a pattern of behavior demonstrated by the student, directly to the appropriate supervisor or director of special education for BHAS.
4. BHAS shall not be deemed to have knowledge that the student is a student with a disability if the parent of the student has previously refused to consent to an evaluation of the student, or has refused special education and related services, or the student was found ineligible for special education.

If a request is made for an evaluation of a student during the time period in which the student is subjected to disciplinary measures, the student remains in the disciplinary removal setting and the evaluation shall be conducted in an expedited manner. If the student is found to be a student with a disability, BHAS shall provide special education and related services as appropriate.

Where a student presents an immediate threat to the safety of others, school officials may promptly adjust the placement or suspend the child for up to ten (10) school days, in accordance with procedures applied to non-

disabled students.

## **DUE PROCESS RIGHTS**

Before a student may be suspended or expelled from school, there are specific procedures that must be followed.

### **SUSPENSION FROM SCHOOL**

When a student is being considered for a suspension of ten (10) days or less, the administrator in charge will notify the student of the charges. The student will then be given an opportunity to explain his/her side and the administrator will then provide the student the evidence supporting the charges. After that informal hearing, the principal will make a decision whether or not to suspend. If a student is suspended, s/he and his/her parents will be notified, in writing within one (1) day, of the reason for and the length of the suspension. The suspension may be appealed, within two (2) school days after receipt of the suspension notice, to the principal or assistant principal (another administrator). The request for an appeal must be in writing. Suspension from co-curricular and extra-curricular activities may not be appealed.

During the appeal process, the student is allowed to remain in school unless safety is a factor. If that is the case, the student shall be immediately removed under the Emergency Removal Procedure.

The appeal shall be conducted in a private meeting and the student may be represented. Sworn, recorded testimony shall be given. If the appeal is heard by the Board of Education, the hearing is governed by the Open Meetings Act. Under the Open Meetings Act, the hearing must be public unless the parent request that the meeting be conducted in a closed session.

When a student is suspended, s/he may make-up work missed while on suspension. Any learning that cannot be made up such as labs, field trips, skill-practices, or any learning that the student chooses not to make-up may be reflected in the grades earned.

A student being considered for suspension of more than ten (10) days will be given due process as described in the expulsion section below.

### **LONG-TERM SUSPENSION OR EXPULSION FROM SCHOOL**

When a student is being considered for long-term suspension (more than ten (10) days) or expulsion, the student will receive a formal letter of notification addressed to the parents which will contain:

- the charge and related evidence;
- the time and place of the board meeting;
- the length of the recommendation suspension or a recommendation for expulsion;
- a brief description of the hearing procedure;
- a statement that the student may bring parents, guardians, and counsel;
- a statement that the student and/or parent may request a translator;
- a statement that the student may give testimony, present evidence, and provide a defense;
- a statement that the student may request attendance of school personnel who were party to the action or accused the student of the infraction;
- the ability of the student and/or parent to request, potentially at their own cost, a transcript of the hearing, if approved by the board.

Students being considered for a long term suspension or expulsion may or may not be immediately removed from the school. A formal hearing is scheduled with the superintendent during which the student may be represented by his/her parents, legal counsel and/or by a person of his/her choice.

Within five days after notification of long-term suspension or expulsion, the long-term suspension or expulsion may be appealed, in writing, to the superintendent. The appeal will also be formal in nature with sworn testimony before official(s) designated by the Board of Education. The appeal will be heard in an open session unless the student or the student's parent or guardian requests a closed session. Again, the right to representation is available. All opportunity to earn grades or credit ends when a student is expelled

Benton Harbor Area School District makes a sincere effort to have disciplinary actions take place that will allow the student to remain in school. If a disciplinary action does not result in removal from school, it is not appealable. Should a student or parent have questions regarding the propriety of an in-school disciplinary action, they should contact the school principal.

### **Discipline of Students with Disabilities**

Students with disabilities are entitled to the rights and procedures afforded by the Individuals with Disabilities Education Act (IDEA) and the Americans with Disabilities Act (ADA).

### **Alternative Placement of Students**

Students who have been long-term suspended by BHAS Administration or expelled by the School Board are not without educational opportunities during that period. These students are generally placed at an alternative environment where they are able to continue with their academics. The following alternative learning settings may be available to BHAS students who have been long-term suspended and/or expelled:

- ❖ Home-based Instructional Services
- ❖ Home-based Instructional Services with self-directed online learning opportunities
- ❖ Personal Educational Plans
- ❖ School-based online learning opportunities through the DREAM Innovative Academy

### **Personal Education Plan**

A Personal Education Plan (PEP) is a temporary authorized departure from the regular school program designed to provide educational and social development for students whose behavior places them at risk of not succeeding in the traditional school structures without positive interventions. The purposes of these personalized education plans are to:

1. Provide a safe and orderly learning environment for the education of all students at Benton Harbor High School, and
2. Meet the educational needs of students through the development of a personal education plan.

Personal education plans encompass a range of options such as:

- A separate part-time or full-time alternative education;
- Dream Alternative
- A combination academic/work-based program
- Blended (face to face and online) program delivery; or
- Enroll in General Educational Development (GED) preparation program

Goals of PEP

- Assist students in developing self-discipline and sense of personal responsibility.
- Provide students a safe learning environment.
- Provide students a flexible curriculum.
- Assist students in improving academic grades.

- Encourage students to develop a positive self-concept.
- Assist students in recognizing the barriers that inhibit learning.
- Enable students to obtain re-entry into the traditional educational setting.

#### Placement

The process for a general education student to be considered for PEP shall be as follows:

The principal or assistant principal, parent, student affairs officer, community agencies when applicable, will complete the appropriate PEP forms and the student affairs officer will submit all necessary paperwork to get student started with his/her PEP.

Students exhibiting behaviors including, but not limited to, the following may be considered for a PEP:

- History of truancy, skipping school/classes
- Fighting
- Frequent suspensions
- Academic
- Anti-social attitudes (hates school, defies authority, delinquent behavior)

#### Re-Entry Criteria

Students shall demonstrate the appropriate skills necessary to function in the traditional education setting prior to being considered back into the traditional education setting. Student Affairs Officer will monitor student progress and will recommend whether the student should return to the regular school setting.

Appropriate skills and/or benchmarks to function in the traditional education setting include but are not limited to:

- Self-discipline;
- Academic success;
- Positive self-concept, completion of any counseling needed;
- Improved attendance, and
- Satisfactory completion of the written plan.

## **STUDENT RIGHTS WHEN QUESTIONED BY LAW ENFORCEMENT**

Principals are authorized to permit police officers and identified representatives from the court to interview students on official business. Students may be searched or arrested when such action is authorized by a warrant or otherwise permitted by law. When considered appropriate, such interviews shall be conducted in the presence of the principal or a designee. The principal or designee will inform the parents of the questioning and, whenever possible, they may be present.

#### **SEARCH AND SEIZURE**

School authorities reserve the right to conduct random searches of lockers, desks, computers, computer hardware and software, and other property, as well as individuals and their personal belongings. This action will be taken to protect the safety and security of the school environment. School authorities may also conduct a search when there is reasonable suspicion for believing that items will be found that violate the law or school policy, rules, and regulations. The search should be reasonable in scope, duration, and intensity in relation to the item being sought. Students shall be held responsible for all items in their lockers and vehicles. The locations at which searches of students and student property may be conducted are not limited to the school building or school property, but may be conducted wherever the student is involved in a school-sponsored activity. If articles violate school policy, rule, regulation, or the law, they will be taken by an administrator. Illegal articles will be turned over to a police officer.

- **Automobiles** - Parking on school grounds is a privilege. All personal vehicles parked on school property may be searched as a part of a random search or with reasonable suspicion. Parking on school property shall be deemed a consent to such search.
- **Canines** - In an effort to ensure that each school maintains a safe environment, police dogs may be brought onto school property to inspect school premises, including, but not limited to, students, lockers, desks, backpacks, instrument cases, handbags and vehicles.
- **Metal Detectors** - School officials may conduct random metal detector searches at any regular or extracurricular school event. School authorities may also use metal detectors for searches when there is reasonable suspicion that the search will disclose the possession of items which violate law or school policy, rules, and regulations. A uniform procedure described in School Board regulation will be used or all metal detector searches. *Refer to BHAS School Board Policy 7400B – Metal Detector Search Procedures.*
- **Surveillance Cameras** - Surveillance cameras may be used on buses, in school facilities, and around school grounds in order to monitor and maintain order, discipline, and school safety.

### **Michigan Mandatory Rules:**

Michigan State Law (MCL 380.1311) requires expulsion for students in possession of a firearm in a Weapons Free School Zone, unless there is clear and compelling evidence of/or exception being present. Michigan State Law (MCL 380.1311) requires expulsion be considered for students in possession of a dangerous weapon, committing criminal sexual conduct or arson in a school building or on school property. For students in grade 6 or above, the commission of physical assault against an employee, volunteer or contractor also requires expulsion. Expulsion means the loss of the right to attend all schools and programs in Benton Harbor Area Schools, as well as all other public schools in Michigan.

- Dangerous weapons are defined as a firearm, explosive device (including firecrackers), [any] knife, iron bar, brass knuckles, or switchblade. Firearms include, but are not limited to, any weapon designed to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, a muffler or silencer for such weapon, or destructive device.
- Criminal sexual conduct includes, not only what we think of as “Rape,” but also includes some intentional sexual contact as well.
- Arson is defined as the intentional burning of any “personal” or “real” property, (including a school bus), owned by himself, herself or another person.
- Physical Assault is defined as intentionally causing or attempting to cause physical harm to any school employee, volunteer, or contractor through force or violence committed by students in grade 6 or above.

If a dangerous weapon is found in the possession of a student while the student is in attendance at a school, school activity, or while the student is going to or from school on a school bus, a report shall **immediately** be made to the police department and to the parent/guardian.

Following the school suspension, the principal shall, in writing, notify the parent(s) or legal guardian(s) of the suspended student, or the student in question, if 18 years of age or older, that an Expulsion Review Hearing will be set up with the Superintendent.

- During an Expulsion, students can be permanently dismissed from the Benton Harbor Area School District as determined by the offense. The Board of Education has the authority to expel students once they are found guilty of a Class III offense.
- When students are found guilty at a school district formal hearing, secondary students (grades 6-12) may be expelled for up to 180 school days, while elementary students (grades K-5) may be expelled for up to 90 school days. Special Education students may be placed in an interim alternative educational placement or may be expelled for not more than 45 days.

**(Note: A parent or student may not appeal a decision of the principal to suspend a student pending an expulsion review.)**

## **ATTENDANCE**

### **Excessive and Unexcused Tardiness or Absences to School or Class**

Students are expected to attend all assigned classes every day. Absence from class includes late arrival, early dismissal or being missing from any class. Justifiable reasons for non-attendance should be submitted to the school for each absence, late arrival, or class absence. Absences from class require approval from an administrator. Unexcused tardiness and/or skipping class are considered violations of compulsory attendance.

### **Truancy**

All student absences are considered unexcused unless the parent either calls the school or sends a written note to provide a justifiable reason for the absence within 24 hours of the absence. Acceptable excuses include the following:

1. Illness of student;
2. Serious illness in family which necessitates absence of student;
3. Death in family;
4. Special and recognized religious holidays; and
5. Other reasons approved by principal

*A written statement by a physician may be required when a student misses more than 10 days during the school year because of illness.*

### **Leaving School Property without Permission**

Once a student arrives on school property, he may not leave without administrative permission prior to the end of the regularly scheduled day. Students with early dismissals must sign out prior to leaving school. High school students, with written authorization from a parent or legal guardian, may sign themselves out; however, elementary/middle school students must be signed out by a parent or legal guardian who must present a pictured ID card when picking a student up from any school.

## GLOSSARY OF TERMS

**Alternative School Program** - An instructional program on school sites for students who require an administrative intervention for certain violations of the Code of Student Conduct. This allows for the continuation of the academic program while counseling and/or other interventions may be employed.

**Appeal** - To make a request to a higher authority for the review of a disciplinary case.

**Arson** - Deliberately setting a fire on school property which endangers life, limb, or property.

**Assault/Battery** - An actual offensive and intentional touching or striking of an individual, with or without use of a dangerous object or weapon, against his or her will, causing or intending to cause bodily harm.

### **Attendance Related Terms:**

- ❖ **Truancy** is defined as any absence or part or all of one or more days from school during which the school attendance officer or teacher has not been notified of the legal cause for such absence by the parent or guardian of the absent pupil, and also means intermittent attendance carried on for the purpose of defeating the intent of Michigan Statute MCL 380.1561.
- ❖ **Habitual truancy** refers to a student who is absent from school without an acceptable excuse for five or more days which school is held during a school semester.
- ❖ **Tardy Excused** is rendered when a student is late to school from 3 to 20 minutes. Tardy is excused because the parent communicated with school officials as required outlined in district attendance policy. This also refers to students who are late due to district transportation issues, weather, and unforeseen community events.
- ❖ **Tardy Unexcused** is rendered because the student reports to school with no communication from the parent and/or the communication was not aligned as required outlined in the district attendance policy.
- ❖ **School Activity Excused** is rendered when a student is present in a school-sanctioned (approved by the principal) activity.
- ❖ **Suspension** denotes that student has been suspended from school and is not in the building.
- ❖ **In School Suspension** denotes that student has been suspended from classes, but is present in a designated location in the building under the supervision of an assigned staff member(s).
- ❖ **Homebound** refers to the student who is medically frail and receiving homebound instruction as approved by the designated district administrator.
- ❖ **Parent** is defined to include biological parents, any guardian, any person in a parental relationship or “any person exercising supervisory authority over a student in place of the parent.

**Bodily Injury** - (A) a cut, abrasion, bruise, burn, or disfigurement; (B) physical pain; (C) illness; (D) impairment of the function of a body part or mental faculty; or (E) any other injury to the body, no matter how temporary.

**Bomb/Explosive Device** - Any weapon that is designed to explode with the use of a triggering device or by a chemical reaction that causes an explosion.

**Bullying** - A person is being bullied or victimized when he or she is exposed repeatedly and over time to negative actions on the part of one or more persons. Two main components of bullying are aggressive behavior that involves unwanted negative actions and a pattern of behavior repeated over time, and an imbalance of power or strength. Different forms of bullying are verbal, social exclusion or isolation, physical, lies and rumors, money or possessions taken or damaged, being threatened or forced to do things, racial bullying, sexual bullying, and cyber bullying via cell phone or Internet. The person who inflicts such activity upon another or others is considered the bully and will be disciplined accordingly. Bullying does not include ordinary teasing, horse-playing, arguing, or peer conflicts.

**Burglary** - Unlawfully entering or attempting to enter a building or other structure with the intent to commit a crime.

**Community Service** - Authorized work in the building, grounds, and/or other appropriate services provided by the student to the school or the community.

**Confiscation** - Any item prohibited by the Code of Student Conduct or the law will be removed from the student's possession.

**Consequences** - Recommended actions administrators are to use in handling alleged infractions of the Code of Student Conduct.

**Controlled Substance Analogs & Cannabimimetic Agents** - Substances prohibited by the laws of the State of Michigan and as amended from time to time (formerly known as "synthetic cannabinoids", including substances such as "bath salts" and "spice", now included among Schedule I & II drugs as defined further herein).

**Court Referral** - Violations of the law must be reported to law enforcement in accordance with the Code of Michigan, including but not limited to drug offenses, assaults, weapon possession, truancy, or other violations of the Code of Virginia. Violations of the law will be reported to the School Resource Officer or other appropriate authority, who will initiate appropriate legal action.

**Criminal Street Gang** - Any ongoing organization, association, or group of three or more persons, whether formal or informal, (i) which has as one of its primary objectives or activities the commission of one or more criminal activities, (ii) which has an identifiable name or identifying sign or symbol, and (iii) whose members individually or collectively have engaged in the commission of, attempt to commit, conspiracy to commit, or solicitation of two or more predicate criminal acts, at least one of which is an act of violence, provided such acts were not part of a common act or transaction.

**Detention** - A consequence (not to exceed an hour) employed by any teacher or administrator to keep a student before or after school hours or on Saturdays in hope of correcting inappropriate behavior. Parents must be notified.

**Distribution** - The selling, giving, sharing, passing on to, taking orders for, and/or arranging for selling or sharing of a controlled substance to occur.

**Drug Paraphernalia** - Those items described in Section [MCL 333.7451](#) and [MCL 333.7455\(1\)](#) in Michigan Law, including but not limited to items such as pipe fittings, stems, bowls, bongs, etc.

**Expulsion/Exclusion** - The termination of a student's privilege to attend school within the school division by a vote of the Benton Harbor Area School Board or the exclusion of a student expelled or withdrawn from admission by a public or private school in or outside Michigan. An expelled or excluded student is ineligible for readmission for 365 calendar days and may only be readmitted upon petition in accordance with School Board policy and procedures as outlined in this Code, in accordance to the laws of the State of Michigan.

**Functional Behavioral Assessment (FBA) and Behavioral Intervention Plan (BIP)** - The FBA is a process to determine the underlying causes or functions of a child's behavior that interferes with the learning of the child with a disability or the learning of his or her peers. A BIP uses positive behavioral interventions and supports to address behaviors that interfere with the learning of the child with a disability; interfere with the learning of others; and/or require disciplinary actions.

**Harassment** - Repeatedly annoying or attacking a student or a group of students or other personnel which creates

an intimidating or hostile educational or work environment.

**Hazing** - Hazing means to recklessly or intentionally endanger the health or safety of a student or students or to inflict bodily injury on a student or students in connection with or for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a club, organization, association, fraternity, sorority, or student body regardless of whether the student or students so endangered or injured participated voluntarily in the relevant activity. The principal of any school, at which hazing that causes bodily injury occurs, shall report the hazing to the Superintendent or local law enforcement.

**Instructional Support Services Intervention** - When a student experiences repeated problems in school, the school personnel may refer this student to the child study team or other appropriate team or individual for instructional or behavioral support. The student may also be counseled and, if necessary, evaluated for alternative placement and educational program modifications.

**Jurisdiction** - The Code of Student Conduct and these related policies apply to any Benton Harbor Area Schools student. It is enforced when he/she is on school property, while traveling to school or from school, to, from, and at bus stops, in School Board vehicles, and in attendance at school or at any school-sponsored activity. In addition, the Code of Student Conduct applies to incidents off school property as referred to in Definitions - Alternative Placements. The Code also applies to a student's conduct which interferes with or obstructs the orderly operation of the school system or the safety or welfare of students, employees, or volunteers. Students who observe or are subjected to inappropriate actions as described in the Code are expected to report such incidences to their school administration. In addition, all students must report to a school staff member any information concerning threats or disruptions involving the safety of students, staff, or the school environment.

**Larceny** - The crime of taking and carrying away the personal property of someone else with the intent to permanently deprive the owner of that property.

**Law Enforcement Agencies** - In cases of serious violations of the law and/or when required by the Michigan Law, the Berrien County Police (to include School Resource Officers), Benton Harbor Public Safety, Michigan State Police, Child Protective Services, and Juvenile Probation Departments may be contacted, consulted, or included in the consequence of student matters. The Director of School Safety usually serves as a liaison for these activities.

**Long-Term Suspension** - A disciplinary action whereby a student is not permitted to attend school between 11 and 59 school days. The long-term suspension may extend beyond a 59-school-day period, if the division superintendent or his/her designee finds that (i) the offense involves a firearm or destructive device, firearm muffler or firearm silencer, or a pneumatic gun, drugs or serious bodily injury or (ii) the local school board or the division superintendent or his/her designee finds that aggravating circumstances exist, as defined by the Department of Education.

**Look-alike/Imitation Drugs** - A pill, capsule, tablet, or other item which is not a controlled substance, an alcoholic beverage, anabolic steroid, or marijuana, but which by overall dosage unit, appearance, including color, shape, size, marking or package, or by representations made, is intended to lead or would lead a reasonable person to believe that such a pill, capsule, tablet, or other item is a controlled substance, an alcoholic beverage, anabolic steroid, or marijuana.

**Mediation/Conflict Resolution** - Mediation/Conflict Resolution is a process led by either student and/or staff mediators in which disputants in a conflict are encouraged to meet and resolve their dispute.

**Medication Administration** - The Michigan Department of Education, in interpreting Section 380.1178 of the School Code, defines medication administration "as maintaining and providing medication to students in the

school setting.”

**Medication** - any drug or other substance used in treating illnesses, disorders, healing, or relieving pain, including over-the-counter (OTC) drugs such as aspirin, cough syrups, throat lozenges, cold tablets, and the like. OTC drugs are medicines sold directly to a consumer without a prescription from a healthcare professional.

**Minor Consequences** - Minor Consequences include, but are not limited to, lunch detention, after school detention, time out, loss of privileges, assignment of work projects, in-school suspension, etc.

**Parent/Guardian** - A parent is considered a natural parent, parent by legal adoption, or court appointed legal custodian. Teachers, counselors, and administrators are expected to contact parents by phone or letter in an effort to keep them informed of their child’s conduct.

**Possession** - Includes bringing, receiving, and/or storing items on school property or at a school-sponsored event. This includes, but is not limited to, items found in personal vehicles parked on school property.

**Restitution** - The replacement of or payment for property taken, damaged, or destroyed will be required.

**Robbery** - Taking, or attempting to take, anything of value owned by another person or organization under confrontational circumstances by force or threat of force or violence and/or by putting the victim in fear.

**Schedule I and II Drugs** - Controlled substances included in Schedules I and II of Section 202 of the Controlled Substances Act, 21 U.S.C. Section 812 and further defined in the Code of Federal Regulations, 21 C.F.R. Sections 1300.11 through 1300.15, and as further defined under Michigan State Law.

**School Conference with Parent** - Parents are encouraged to set up an appointment with any teacher, school counselor, or administrator to discuss their son’s or daughter’s progress or problems. If a student is suspended, a parent/guardian may be asked to come to school to initiate reinstatement of the student.

**School Grounds and Property** - Includes land, school facilities, and school vehicles used for the provision of academics, extracurricular programs, and administration by the district. School grounds include parking lots, playgrounds, and recreational places. School grounds also include that portion of the land, school facilities, and other facilities owned by municipalities, private entities, or other individuals during those times when the school district has exclusive use of a portion of such land, school facilities, or other facilities for the provision of extracurricular programs.

**School Property and Activities** - Includes real and personal property owned, leased, or operated by or on behalf of the School Board. It also includes any school-sponsored event, bus stops, and activity to and from school and bus stops.

**School Resource Officers** – A police officer from Berrien County Sheriff Department, assigned to the high school to assist with the maintenance of safe school environments and to support administration, staff, and students regarding law related topics, and provide informal counseling and role modeling.

**Serious Bodily Injury** - Bodily injury which involves (A) a substantial risk of death; (B) extreme physical pain; (C) protracted and obvious disfigurement; or (D) protracted loss or impairment of the function of a body part or mental faculty.

**Short-term Suspension** - A disciplinary action whereby a student is not permitted to attend school for a period not to exceed 10 school days of in accordance with the Code of Student Conduct.

**Student Conference** - The first line of discipline is with the classroom teacher. Formal and informal

conferences are held between the student and teacher. If problems become more serious, the grade level administrator will hold a conference with the student in an attempt to improve behavior. The student's counselor often will be included in this conference.

**Suspension** - According to adopted School Board policy, a student may be suspended from school attendance for violations of the Code of Student Conduct. Suspensions of students with disabilities shall be consistent with federal and state laws and regulations, as well as School Board policy. A principal or his/her designee may suspend a student up to 10 school days. (A "school day" is defined as any day that schools are open and students are expected to be in attendance.) Prior to suspension, the principal and/or designee should meet with the student. A letter shall promptly be mailed informing the parent of the violation of the Code of Student Conduct and the details of the suspension. Suspensions to a disciplinary hearing and recommendations for expulsion may be issued by the principal. Any suspensions greater than 10 days will be at the discretion of the Superintendent or his/her designee.

**Suspension Intervention Program** - Under Codes 4 (Disruptive Behavior) and (Assaults/Fighting//Threats) of the Code of Student Conduct for suspensions of three (3) or more school days, a student in grades K-5 may participate in this program, which allows the maintenance of the core academic subjects in addition to providing anger/conflict management and other problem-solving strategies. This is considered an in-school disciplinary action and may be appealed accordingly.

### **Technology-Related Terms:**

- ❖ **Application** - A program that helps the user accomplish a specific task. Examples include word processing programs or spreadsheet programs.
- ❖ **Cyber Bullying** - Abusive behavior including, but not limited to: taunting, threatening, stalking, intimidating, and/or coercing by one or more individuals against other students or staff, perpetrated using information and communication technologies, such as cell phone text messages, pictures, Internet email, social networking sites, defamatory personal websites, and defamatory online personal polling websites to support deliberate, hostile behavior intended to harm others.
- ❖ **Extensions** - Small programs that add to or extend the capabilities of the computer's system software.
- ❖ **Hacker** - One who uses programming skills to gain illegal or unauthorized access to computers, computer networks, or files.
- ❖ **Preferences** - Settings that are altered by the user to personalize the computer. Examples include track pad, date, time, Internet settings, and network settings.
- ❖ **Proxy** - Proxy is a computer system or router that can be used to bypass firewall rules, web filters, and/or security policies.
- ❖ **Sexting** - The act of sending and receiving sexually explicit messages or photos electronically, primarily through use of cellular phones. This includes consensual and nonconsensual exchange, distribution, or possession of graphic images or messages.

**Software Image** - The pre-set software image is defined as the configuration of the system software, preferences, and extensions that reside on the computer.

**System Software** - The programs and routines that control the functioning of the hardware and direct its operation.

**Theft** - The crime of taking and carrying away the personal property of someone else with the intent to permanently deprive the owner of that property.

**Tobacco Products** - Any lit or unlit cigarette, including candy cigarettes, cigar, pipe, and any other

smokeless tobacco, dip, chew, and snuff in any form. This includes electronic devices, including electronic cigarettes and vaporizers that emit nicotine vapor, cigarette packages, smokeless tobacco containers, lighters, and any other items containing or reasonably resembling tobacco, tobacco product images and tobacco company logos, such as key chains, t-shirts, ash trays, and coffee mugs.

**Tobacco Use** - Includes smoking, which means carrying or having in one's possession a lighted cigarette, cigar, pipe, or other object giving off or containing any substance giving off smoke; chewing spit tobacco, also known as smokeless tobacco, dip, chew, and snuff in any form. This includes electronic devices, including electronic cigarettes and vaporizers that emit nicotine vapor. The term 'use' means the chewing, dipping, lighting, smoking and any other usage of any tobacco product.

**Verbal Assault** - The act of cursing, threatening, or using abusive language or written remarks, intended to demean or harm a student, staff member, or visitor.

**Web Space** - A series of best practices oriented toward assisting people to create dynamic websites. These websites serve as online platforms to allow individuals to use various methods of communication as well as to easily connect various services, personal information, and social activities which utilize web tools. (Example of web tools include: blogs, music, hosting, photo sharing, instant messaging, bulletin boards, online chat rooms, etc.).

# Appendix





# BENTON HARBOR AREA SCHOOL DISTRICT DISCIPLINARY INVESTIGATION REPORT

## General Information

Student Name:	
Date and Time Incident Occurred:	Location of Infraction:
School Name:	Grade:

## Complaint

Last Name:	First Name:
Categorical Violation:	
Description of Incident:	
Evidence/Statements from Witnesses: Please describe below:	
Assigned of Discipline:	
Mandated Reportable offense: <input type="checkbox"/> YES <input type="checkbox"/> NO	

## List of Witnesses:

Last Name: _____	First Name: _____	Witness Report <input type="checkbox"/> Y <input type="checkbox"/> N
Last Name: _____	First Name: _____	<input type="checkbox"/> Y <input type="checkbox"/> N

Parent Contacted:  yes  no  
 School Designee Investigating: \_\_\_\_\_ Date \_\_\_\_\_

*Before suspending or expelling a student, building administration must complete this form (MCL 39-.1310d).*



BENTON HARBOR AREA SCHOOL DISTRICT
DISCIPLINARY FACTOR FORM

Student Name: \_\_\_\_\_ Date of Alleged Offense: \_\_\_\_\_

Grade Level: \_\_\_\_\_ Location of Offense: \_\_\_\_\_

Description of Misconduct:
\_\_\_\_\_
\_\_\_\_\_

Before issuing any discipline, Section 1310d requires school officials to consider the following factors:

- 1. Did the student possess a firearm on school property or at a school event? YES [ ] NO [ ]
If YES, there is no need to complete the remainder of this form
2. Student's DOB: \_\_\_\_\_ Age at the time of alleged offense: \_\_\_\_\_
3. Does student have a disciplinary history? YES [ ] NO [ ]
a. If YES, attach printout or briefly describe relevant discipline: \_\_\_\_\_
b. Is the current misconduct similar to the past misconduct? YES [ ] NO [ ]
4. Is the student a student with a disability? YES [ ] NO [ ]

Check YES if any of the following are true:

- i. Individualized Education Plan or 504 plan;
ii. Currently being evaluated for IDEA or Section 504 eligibility;
iii. Parent/ guardian has expressed concern in writing to a supervisor, administrator, or teacher that the student needs special education and related services;
iv. Parent/ guardian has requested a special education evaluation; or
v. Teacher or other personnel expressed specific concern directly to special education or other supervisory personnel about student's pattern of behavior.

Check NO if none of the above factors apply, or if the student was evaluated for IDEA or Section 504 eligibility but parent/ guardian revoked consent for or refused IDEA or Section 504 services.

- 5. Did the misconduct threaten the safety of any student or staff member? YES [ ] NO [ ]
6. Will restorative practices be used to address the misconduct? YES [ ] NO [ ]
a. Restorative practices must be considered in addition to, or in lieu of, suspension or expulsion.
If restorative practices will be used, briefly describe: \_\_\_\_\_
7. Is there an intervention other than suspension/expulsion that would address the misconduct? YES [ ] NO [ ]
a. If YES, will the lesser intervention be used? YES [ ] NO [ ]
b. If NO, why not? \_\_\_\_\_

I have considered the above factors, and the seriousness of the misconduct, and I have determined that the following discipline is appropriate: \_\_\_\_\_

Administrator Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Submit a copy of this form with supporting suspension documentation to designee at BHAS Central Administration.



**BENTON HARBOR AREA SCHOOL DISTRICT  
EDUCATIONAL RE-ENTRY PLAN**

The purpose of a re-entry meeting is to review the suspension-related behavior, to discuss how to prevent further incidents and to demonstrate the student is ready to return back to school.

Date of Conference: \_\_\_\_\_

Students Name: \_\_\_\_\_ Grade: \_\_\_\_\_ DOB: \_\_\_\_\_

General Education     Special Education (IEP)     504 Plan

The following people were present for the conference:

Parent(s)/Guardian(s): \_\_\_\_\_

Administrator: \_\_\_\_\_

Counselor: \_\_\_\_\_

Teachers: \_\_\_\_\_

Others: \_\_\_\_\_

**Current Year Discipline History:**

Number of Office Referrals                      Number of Detentions                      Number of Times in the Focus Center

Number of Suspensions                      Recommendations for Expulsion                      Other

What is the reason for this suspension?

\_\_\_\_\_

Where did it occur? \_\_\_\_\_

**Previous Attempts to Improve Behavior:**

Has a parent meeting been scheduled and held?  Yes  No Comments: \_\_\_\_\_

Is there a documented behavior plan?  Yes, how long has it been in effect? \_\_\_\_\_  No

Has the student been referred to counseling or other services?

Yes  No Where \_\_\_\_\_ On what date? \_\_\_\_\_

Has student been referred to court for truancy?  Yes  No

Days absent in current semester: \_\_\_\_\_ Academic: Good \_\_\_\_ Fair \_\_\_\_ Poor \_\_\_\_

**In order for \_\_\_\_\_ to return to school and avoid being suspended again or recommended for expulsion the following behavior changes must be made:**

- Follow directions
- Adhere to dress code regulations
- Avoid the use of profanity
- Remain in assigned classroom/area
- Remain in class unless given permission to leave
- Gain teacher's attention appropriately
- Express feelings and anger appropriately
- Speak courteously with and to others
- Report to assigned areas during transitions
- Other \_\_\_\_\_

**The school will provide the following to support student:**

- Teach social skills
- Review the student schedule for academic issues
- Maintain  daily or  weekly communication with parent or guardian
- Other \_\_\_\_\_
- Use preventive teaching techniques
- Correct the student discreetly & in close proximity

**The Student will:**

- Sign the plan as a behavior contract.
- Attend school every day on time unless there is a valid excuse.
- Take a progress report to each teacher daily for signatures and return the signed report the following school day.
- Write a personal letter of apology to \_\_\_\_\_ by \_\_\_\_\_.
- Complete and submit all make-up work by \_\_\_\_\_.
- Take assignments home daily.

**The Parent will:**

- Sign reports sent home daily and return with student the following school day.
- Maintain communication with the teacher and/or school designee.

This plan may be revisited or modified at any time and will be reviewed on \_\_\_\_\_ for determination of completion or continuation.

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
BHAS Designee Signature

\_\_\_\_\_  
Date



**BENTON HARBOR AREA SCHOOL DISTRICT  
PERSONAL EDUCATION PLAN CONTRACT**

A Personal Education Plan (PEP) is an authorized departure from the regular school program designed to provide educational and social development for students whose behavior places them at risk of not succeeding in the traditional school structures without positive interventions. The purposes of these personalized education plans are to provide a safe and orderly learning environment for the education of all students, and to meet the educational needs of students through the development of a personal education plan.

Student's Name: \_\_\_\_\_ DOB: \_\_\_\_\_

School: \_\_\_\_\_

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

Parent/Legal Guardian: \_\_\_\_\_

Home Phone: (\_\_\_\_) \_\_\_\_\_ Cell Phone: (\_\_\_\_) \_\_\_\_\_

Work Phone: (\_\_\_\_) \_\_\_\_\_ Emergency Phone: (\_\_\_\_) \_\_\_\_\_

What is the concern in regards to the student's current educational plan? Please attach a copy of data from PowerSchool or other data collected. How will academic growth be measured? What is the timeline for measuring growth?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

What actions have occurred to address the primary challenges that student has had? What was done? What were the obstacles preventing the student from being successful? What has worked?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Student's Strengths and Interests

\_\_\_\_\_  
\_\_\_\_\_

Student's Learning Style

---

---

Areas of Personal/Social Development

---

---

Accumulative Credit Hours (if applicable): \_\_\_\_\_

**Is the Personal Education Plan for the student developed as an alternative to expulsion?**  Yes  No

If yes, violation of the conditions of the Personalized Education Plan will result in the recommendation to the Superintendent of BHAS for an Expulsion Hearing.

**The Personal Education Plan for the student is:**

- Part-time alternative education
- Full-time alternative education
- Dream Innovative Academy
- A combination academic/work-based program
- Blended (face to face and online) program delivery; or
- Enroll in General Educational Development (GED) preparation program
- Enroll in the Credit Recovery Program

**The school will support the student transition to the PEP by:**

- Providing a daily check-in or check-out for student
- Providing a weekly check-in or check-out for student
- Monitor online coursework for pace of progress
- Designing a personalized learning plan that leads to a high school diploma or GED

**The student commits to:**

- Attend class on a daily basis
- Seek assistance from teachers or other adults
- Following the Student Code of Conduct
- Completing coursework and maintaining the recommended pace for completion

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
BHAS Designee Signature

\_\_\_\_\_  
Date



# BENTON HARBOR AREA SCHOOL DISTRICT BEHAVIOR INTERVENTION PLAN

Students Name: \_\_\_\_\_ Date: \_\_\_\_\_

Grade: \_\_\_\_\_ DOB: \_\_\_\_\_  General Education  Special Education (IEP)  504 Plan

Teacher: \_\_\_\_\_ Support Staff: \_\_\_\_\_

### Problem Behavior

- Student chooses not to follow and comply with school and class rules, routines and procedures
- Student does not admit responsibility for their part in circumstances, incidents, and/or issues
- Student is disrespectful toward peers and adults
- Student often blames others for their behaviors, failures or actions
- Student does not care about disciplinary actions and measures
- Student chooses to not follow through with directions or directives
- Student frequently engages in power struggles with others, even over perceivably small, insignificant things
- Student is defiant toward peers, teachers, adults, and/or authority figures

### **Intervention Plan**

#### Objectives:

- Increase student compliance with school and class rules, routines and procedures
- Increase student's cooperation and compromise with peers and adults
- Increase the student's problem solving, conflict resolution, and coping skills
- Reduce incidents of power struggles, arguing, and defiant behaviors
- Increase student's independent and responsible decision making
- Student will recognize and assume responsibility for their part in incidents
- Improve the student's relationship skills
- Increase the student's concepts of cause and effect or action and consequence
- Student will follow teacher and adult directives and directions without arguing
- When given choices or options, the student will select one and follow through
- The student will decrease disruptive behaviors
- Other \_\_\_\_\_

#### Preventative Strategies

- Teachers/adults will speak and interact with the student in a neutral and emotionally calm tone
- Teachers/adults will give the student choice when asking them to do something
- Teachers/adults will state directives, expectations and directions in a clear and concise manner, and then walk away from the student to avoid being drawn into a power struggle
- Teachers/adults will frequently state school and class rules in clear and concise manner to the class
- Teachers/adults will listen to the student's concerns without interrupting and validate their feelings
- Teachers/adults will externalize directives, requests and corrections (rather than saying "I want you to...", say "when the bell rings that means..." or, "the school rules say we...")
- Teachers/adults will provide the student with a more highly structure routine, schedule and class environment
- Teachers/adults will send the student for a break or an errand when they see the student escalating (get a drink, drop off a note, etc.)
- When appropriate, the teachers/adults will ignore disruptive behavior from the student
- Other \_\_\_\_\_

**Teaching Alternative Behaviors**

- Teachers/adults will involve the student in developing plans to deal with their negative behavior(s)
- The student will be given a classroom job or duty
- The student will go into a class with younger students and teach/role play how to get along with friend, how to be a friend and how to follow school/class rules and expectations
- Teachers/adults will post the school/class rules, expectations and consequences in a highly visible area
- Teachers/adults will develop a positive behavior contract with student
- Teachers/adults will teach, model and role play small lesson on getting along with others, compromise, coping, conflict resolution, cooperation, friendship, anger management, cause and effect, respect, and the consequences of actions
- Teachers/adults will allow students to redo assignments to improve their score or grade
- Teachers/adults will offer the student a “face-saving” out when possible
- Teachers/adults will teach and remind the student appropriate ways to express concerns and emotions appropriately

**Positive Reinforcements**

- Teacher and parent will reward the student for putting forth good effort, attempting assignments and task, and exhibiting a positive attitude
- Teacher will praise and encourage the student for good effort, attempting tasks, completing work, etc. (4 positives to 1 negative)
- Teachers/adults will give the student frequent positive feedback, such as high five, verbal praise, etc.
- Teachers/adults may give the student frequent positive feedback discretely, whispering or leaving a note
- Teachers/adults will provide frequent positive praise feedback for each small part of good effort (rather than praise and encouragement for the whole task – recognize the small accomplishments)
- Student will utilize a sticker or other similar chart for effort and work, receiving rewards for reaching goals

**Consequences for Non-Compliance**

- Student will be subject to the school and class discipline policies and procedures
- Student will be subject to natural consequences
- Student will be sent to the office to speak with the administrator
- Student will be sent to the Focus Center for a redirection conference
- Student will be sent for a timeout, break or a cool down period when they are non-compliant
- Student will complete a self-reflection sheet after engaging in target behaviors
- Teacher will tell the student clearly and concisely what behavior they are engaging in and the consequences if they Continue

**Home Interventions/Supports**

- Parent/Guardian will maintain regular communication with teacher and administrator
- Parent/Guardian will attend scheduled behavior meetings
- Parent/Guardian will consistently follow through with rewards and consequences at home
- Parent/Guardian will review with the student school rules, expectations, procedures and consequences
- Parent/Guardian will implement and maintain a daily homework routine and assist the student when needed
- Parent/Guardian will maintain daily structured bedtime and morning routines
- Other \_\_\_\_\_

The behavior intervention plan will take effect immediately and will be reviewed on \_\_\_\_\_.

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
BHAS Designee Signature

\_\_\_\_\_  
Date

