



**Fraser Public Schools**

# **STUDENT CODE OF CONDUCT**



**Miller Johnson School Policy Services**

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## TABLE OF CONTENTS

INTRODUCTION .....	1
SECTION 1: PROHIBITED STUDENT CONDUCT.....	2
§1.0 Peer Harassment.....	2
§1.1 Disruptive Conduct.....	2
§1.2 Defiance .....	2
§1.3 Obscenity .....	2
§1.4 Use/Possession of Tobacco or Tobacco-Like Products .....	2
§1.5 Leaving Building Without Permission/Truancy.....	3
§1.6 Inappropriate Use of Technology .....	3
§1.7 Property Damage/Vandalism.....	3
§1.8 Inappropriate Attire .....	3
§1.9 Academic Integrity .....	4
§1.10 Trespass .....	5
§1.11 Larceny.....	5
§1.12 Indecency.....	5
SECTION 1: PENALTIES.....	5
SECTION 1: PROCEDURES.....	6
SECTION 2: PROHIBITED STUDENT CONDUCT.....	7
§2.0 Fighting, Assault, and Battery .....	7
§2.1 Peer Harassment/Bullying .....	7
§2.2 Extortion, Blackmail, or Coercion.....	10
§2.3 Major Larceny .....	10
§2.4 Trespass .....	10
§2.5 False Reports/Complaints or Refusal to Comply with an Investigation.....	10
§2.6 Gross Interference/Interruptions of Education Process and/or School Environment .....	11
§2.7 Major Property Damage/Vandalism .....	11
§2.8 Multiple and/or Repeating Offenses .....	11
§2.9 Gross Indecency.....	11
SECTION 2: PENALTIES.....	11
SECTION 2: PROCEDURES.....	11
SECTION 3: PROHIBITED STUDENT CONDUCT.....	12
§3.0 Use or Possession of Weapons .....	12
§3.1 Fire Alarm.....	12
§3.2 Making a Threat .....	12
§3.3 Unlawful Interference with School Authorities .....	12

§3.4 Arson .....	12
§3.5 Robbery.....	12
§3.6 Battery.....	12
§3.7 Sale, Use, Purchase, Possession, or Being Under the Influence of Alcoholic Beverages, Illegal Drugs or Controlled Substances, or any Paraphernalia.....	13
§3.8 Repeating Offenses .....	13
SECTION 3: PENALTIES.....	13
SECTION 3: PROCEDURES.....	13
SECTION 4: MANDATORY DISCIPLINE OFFENSES .....	14
SECTION 5: SUSPENSION/EXPULSION BY THE BOARD .....	15
SECTION 6: GENERAL PROCEDURES.....	16
§6.0 Alleged Violations of Section 1 and 2 .....	16
§6.1 Alleged Violations of Section 3 and 4 .....	16
§6.2 Review by Board of Education .....	16
§6.3 Rebuttable Presumption.....	16
§6.4 Restorative Practices.....	17
SECTION 7: SEXUAL HARASSMENT.....	18
§7.0 Notice.....	18
§7.1 Prohibited Conduct .....	18
§7.2 Practical Application .....	18
§7.3 Where to Report Sexual Harassment.....	19
§7.4 Penalties.....	19
SECTION 8: OTHER MATTERS OF STUDENT CONDUCT .....	20
§8.0 Off-Campus Misconduct .....	20
§8.1 Misconduct While Enrolled in Another School District.....	20
§8.2 Searches .....	20
§8.3 Rights and Responsibilities.....	20
§8.4 Attendance Policy .....	21
§8.5 High School Graduation Requirements.....	22
§8.6 Internet Acceptable Use Policy .....	24
§8.7 Bring Your Own Technology (BYOT) Policy .....	25
§8.8 Procedures and Rules for the Acceptable Use of iPads/MacBooks.....	26
§8.9 School Dance Contract.....	28
§8.10 Severability Provision.....	30

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## INTRODUCTION

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The Student Code of Conduct establishes the rules governing the most serious and obvious types of student misconduct. The prohibited acts listed below are not to be considered an all-inclusive list, or a limitation on the authority of the school officials to deal appropriately with conduct, not specified, which interferes with the good order of Fras Public Schools (School District), the proper functioning of the educational process, or the health and safety of students.

The acts of misconduct, below, are presented in the three sections. These groupings are based on the potential severity of the discipline that may be imposed for a violation of the student code of conduct.

## **SECTION 1: PROHIBITED STUDENT CONDUCT**

### **§1.0 Peer Harassment**

Initial circumstances of intimidation of others by acts such as, but not limited to the following: threatening or committing actual harm; unwelcome contact; verbal, written, or electronic taunting; racial slurs, blocking or impeding student movement.

### **§1.1 Disruptive Conduct**

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

While the following acts are not intended to be exclusive, they illustrate the kinds of offenses encompassed within this rule. It should be understood that any conduct which causes disruption, is likely to result in disruption, or interferes with the educational process, is forbidden:

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

### **§1.2 Defiance**

Defiance is refusal to obey the instructions and directions of School District employees (including substitute and student teachers), volunteers, or persons acting as a chaperone or in a supervisory capacity.

### **§1.3 Obscenity**

Obscenity is using profanity or obscene acts or gestures in the presence of other students, parents, teachers or other school personnel.

### **§1.4 Use/Possession of Tobacco or Tobacco-Like Products**

A student shall not smoke, chew, or otherwise use tobacco. A student shall not, while on school property, have in his/her possession or under his/her control, tobacco in any form. This includes electronic cigarettes, vaporizers, or any other device that simulates smoking any type of product, regardless of whether they are manufactured, distributed, marketed, or sold under any product name or descriptor.

In addition to any school discipline that may be imposed, a possible violation of Section 1.4 may result in notification to the Fraser Police of the violation of the appropriate City Ordinance and/or state and federal law. A student who is found to have violated an Ordinance may be guilty of a misdemeanor punished by a fine, possible community service, and participation in a health promotion and risk reduction assessment program. Students will be responsible for any cost for participation in the program.

### **§1.5 Leaving Building Without Permission/Truancy**

Students shall not be permitted to leave the building during their school day unless they have prior approval and the appropriate pass. Truancy is any unexcused absence or tardiness.

### **§1.6 Inappropriate Use of Technology**

Students are prohibited from using or possessing active (i.e., turned on) electronic communication devices in classrooms, restrooms, locker rooms, offices, and other locations in an effort to violate a reasonable expectation of privacy (i.e., recording students and teachers). Students may not use or possess active electronic communication devices without explicit staff permission in class or on buses. Students are expected to use good judgment when using or possessing active technology devices in classrooms, hallways during passing time, in the parking lot, cafeteria during lunch, and extracurricular activities. *Also see Fraser Public Schools Acceptable Use Policy.*

### **§1.7 Property Damage/Vandalism**

Property damage is the defacement or destruction of property under \$100.00. School property that is damaged may require restitution.

In addition to any school discipline that may be imposed, a possible violation of Section 1.7 may result in notification to the Fraser Police of the violation of the appropriate City Ordinance. A student who is found to have violated an Ordinance may be guilty of a misdemeanor punished by a fine, possible community service, and participation in a health promotion and risk reduction assessment program. Students will be responsible for any cost for participation in the program.

### **§1.8 Inappropriate Attire**

Common sense and propriety are the basic guidelines to determine appropriate dress for the student. Most forms of dress are acceptable for students as long as they are neat and clean, *or are required in observance of religious customs*, and do not interfere with the educational process. We rely on the good taste and judgment of the students and the responsibility of the parents to advise their children of the appropriate dress in accordance with the School District Dress Code policy. The following guidelines have been established in order to maintain a positive learning environment.

The following types of clothing are inappropriate for school and **WILL NOT BE ALLOWED**:

- Outdoor wear (coats, jackets, vests, raincoats, etc.) in classrooms, halls, and the cafeteria.
- Hats, caps, hoods, bandannas, or other head coverings unless required in class for safety reasons.
- Bare midriff tops, halters, revealing tops, tank tops, muscle shirts, mesh clothing, see-through clothing, blouses or shirts with string type straps.
- Shorts, skirts and dresses shorter than the tip of the student's index finger when arms are hanging down.

- Clothes or accessories displaying offensive words and symbols including those related to alcohol, illegal/controlled substances, tobacco products, weapons, sexual references and/or language disruptive to the educational process.
- Tight fitting clothing or clothing of spandex-type material that is not covered with other clothing to mid-thigh.
- Beach-type footwear. Sandals with heel straps are allowed.
- Underwear and sleepwear as outer clothing unless pre-approved by the building principal and associated with a school activity.
- Sunglasses unless a written prescription from a doctor is provided.
- Pants not worn at the waistline (sagging), exposing undergarments or underwear are inappropriate. Beltline of pants must be at waistline.
- Shop apparel, including safety glasses, except in shop class. (Glasses are required in class when working near machinery, power equipment, or participating in a laboratory environment.)
- Chains in excess of 12" that hang outside clothing.

***The level of enforcement of the above bulletin items will be at the discretion of each building's administration.***

Students who are considered to be dressed inappropriately or who violate above guidelines will be sent to the office. The principal or assistant principal shall determine whether a mode of dress is in violation of the district Dress Code policy.

In cases where a student is inappropriately dressed, arrangements will be made with the parents for an appropriate change of clothing. In the case of high school students, with parent authorization, the child may be sent home for a change of clothing.

Students who are sent to the office more than one time for Dress Code violations may be suspended.

## **§1.9 Academic Integrity**

As a Fraser High School student, you are expected to present yourself, your knowledge, and your skills honestly. Cheating and plagiarizing are not acceptable and will result in a failing grade for the assignment as well as possible disciplinary action. In addition, students who assist those who cheat or plagiarize are subject to the same consequences as those who do.

Examples of cheating:

- Sharing answers for class work or homework unless explicitly instructed by the teacher to do so.
- Submitting work that is identical to another student's work when asked to only share ideas.
- Copying someone else's class work, homework, or test answers.
- Disclosing the content of a quiz or test.





## **SECTION 1: PROCEDURES**

Alleged violations of Section 1 of this Code shall be heard and dealt with by the school principal or a designee. A building administrator's decision to impose a penalty of up to and including ten (10) school days is final and not subject to further review or appeal.

## SECTION 2: PROHIBITED STUDENT CONDUCT

### §2.0 Fighting, Assault, and Battery

A student shall not physically assault, or cause, behave in such a way to cause, or threaten to cause physical injury to a school employee, (including substitute and student teachers), student, volunteer, chaperone, or other person (e.g., fighting). Per the [Revised School Code](#) of the State of Michigan (PA 289 of 1995), local school districts are mandated to provide “for the safety and welfare of pupils while at school or a school sponsored activity or while en route to or from school or a school sponsored activity.” [\[MCL 380.11a\(3\)\(b\)\]](#). Fighting is the aggressive physical contact between two or more individuals. In compliance with [MCL 380.1310](#) and [MCL 380.1311](#), students will be subject to suspension.

Any student initiating, encouraging, and/or escalating a fight such as telling a student to punch another student will also be subject to suspension. In addition, any student in Grade 9 or above who is found in violation of Section 2.0 may result in notification to the Fraser Police of the person’s possible violation of City Ordinance.

### §2.1 Peer Harassment/Bullying

Repeated circumstances after initial report of harassment or bullying to an administrator of acts such as, but not limited to the following: threatening or committing actual harm; unwelcome contact; verbal, written, or electronic taunting; racial slurs, blocking or impeding student movement.

The Board of Education has adopted Policy 2006 which addresses bullying and harassment. Students are prohibited from engaging in conduct whether written, verbal or physical, that substantially interferes with another student’s participation in or the enjoyment of school or school-related activities. The prohibition in includes cyberbullying.

The “hallmark characteristics” of bullying are the following:

- (i) **An Imbalance of Power:** students who bully use their power—such as physical strength, access to embarrassing information, or popularity—to control or harm others. Power imbalances can change over time and in different situations, even if they involve the same people.
- (ii) **Repetition:** Bullying behaviors happen more than once or have the potential to happen more than once.

While the foregoing characteristics are not required in order for there to be a finding of bullying, such characteristics are deemed to be highly persuasive and important to any such review into behavior alleged to be bullying.

#### **Implementation.**

*Responsible School Official.* The Principal of each school building is primarily responsible for implementing this administrative regulation and its corresponding policy for the school to which he or she is assigned.

*Publication.* The Superintendent will revise the School District’s Student Code of Conduct, consistent with this administrative regulation, to specifically prohibit bullying and cyberbullying, as defined below. The Superintendent is directed to post this administrative regulation and its implementing policy on the School District’s website.

*Reporting.* The Superintendent shall report to the Board of Education, on an annual basis, all verified incidents of bullying, and the resulting consequences that were imposed.

**Definitions.** The following definitions apply for purposes of this section:

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

- (i) Substantially interfering with educational opportunities, benefits, or programs;
- (ii) Adversely affecting a student's ability to participate in or benefit from educational programs or activities by placing a student in reasonable fear of physical harm or by causing substantial emotional distress;
- (iii) Having an actual and substantial detrimental effect on a student's physical or mental health; or
- (iv) Causing substantial disruption in, or substantial interference with, the orderly operation of the school.

*"At school"* means in a classroom, anywhere else on school premises, on a school bus or other school-related vehicle, and at a school-sponsored activity or event, whether or not it is held on school premises. *"At school"* includes the off-premises use of a telecommunications access device or telecommunications service provider if the device or service provider is owned by or under the control of the School District.

*"Cyberbullying"* means any electronic communication that is intended or that a reasonable person would know is likely to harm one or more students either directly or indirectly by doing any of the following:

- (i) Substantially interfering with educational opportunities, benefits, or programs;
- (ii) Adversely affecting a student's ability to participate in or benefit from educational programs or activities by placing a student in reasonable fear of physical harm or by causing substantial emotional distress;
- (iii) Having an actual and substantial detrimental effect on a student's physical or mental health; or
- (iv) Causing substantial disruption in, or substantial interference with, the orderly operation of the school.

**Accountability.** Each student in the School District is accountable for his/her own behavior, based on age-appropriate expectations. Respect for all students is part of a safe and healthy learning environment. Each student is expected to demonstrate respect through their interactions with the give-and-take of friendships, group cooperation, social interaction, compromise, and acceptance of differences among other students and staff.

**Retaliation.** Retaliation against a target of bullying, a witness, another person with reliable information about an act of bullying or any person who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry concerning allegations of bullying is prohibited and will not be tolerated. Such retaliation shall be considered a serious violation of Board policy independent of whether a complaint is found to have been substantiated. Suspected reprisal or retaliation should be reported in the same manner as bullying.

Making intentionally false reports about bullying for the purpose of getting someone in trouble is similarly prohibited and will not be tolerated. Retaliation and intentionally false reports may result in disciplinary action.

**Complaint Procedure.** In order to implement the bullying policy, the School District has developed the following complaint procedure:

A student who believes that he/she has been the victim of bullying or cyberbullying must immediately report the incident(s) to the building principal. A student's parent must also report any such incident(s) on behalf of the student. Upon receipt of a report (complaint), the principal or his/her designee (the investigator) will conduct a prompt investigation. At the request or with the permission of the complainant, the investigator may first attempt to resolve the matter informally, such as through restorative practices. Informal steps will not, however, cause a substantial delay in the investigation. The complainant may, at any time, request that the matter move to a formal investigation. Where the bullying activity is alleged to have been based, in whole or in part, on the protected classifications of race, color, sex, national origin, or disability, the building principal will notify the School District's designated Compliance Officer or Coordinator pursuant to Board of Education Policy 8007.

*Step 1: Formal Investigation.* The investigator will interview the complainant and document the interview. Generally, the complainant will be asked to reduce the complaint to writing, to provide the names and contact information, if known, of any persons who witnessed and may be able to substantiate the allegations of the complaint, and to produce any documents or other things supporting the complaint. The complainant will be directed not to discuss the complaint with other students while the investigation is pending.

The investigator will interview the accused and document the interview. Generally, the accused will be asked to reduce his/her response to writing and to produce any documents or other things supporting his/her response. The investigator should not disclose the identity of the complainant unless this is necessary to enable the accused student to respond to the allegations. The accused will be directed not to contact the complainant, if the complainant's identity is known or suspected, or retaliate or threaten to retaliate in any way against the complainant or any potential witnesses

In the event of a significant discrepancy between the complainant and the accused, the investigator will interview other persons reasonably necessary to resolve the discrepancy.

*Step 2: Decision.*

*Complaint Found Valid.* If the investigator concludes that the complaint is valid (i.e., bullying or cyberbullying in violation of School District policy has occurred), the following actions will be taken:

- The parent of both the complainant and the accused will be notified of the results of the investigation;
- The results of the investigation will be reported to the Superintendent;
- The Superintendent will consider whether restorative practices may be appropriate and, if so, invite the complainant and the accused to participate in a restorative practices team meeting;
- The Superintendent will consider whether disciplinary action may be appropriate and, if so, initiate disciplinary action in accordance with the Student Code of Conduct; and
- The Superintendent will determine whether relief to the complainant is feasible and available.

*Complaint Found Not Valid.* If the investigator concludes that the complaint is not valid (i.e., no bullying or cyberbullying in violation of School District policy has occurred or can be substantiated), the following actions will be taken:

- The parent of both the complainant and the accused will be notified of the results of the investigation;
- The complainant and the accused will be reminded the School District prohibits retaliation or threats of retaliatory action;
- The results of the investigation will be reported to the Superintendent; and
- Any references to the complaint will be removed from the education records of the accused. The investigator will retain the investigative file for at least three years.

A student, while not in attendance at a district sponsored event, who engages in off-campus conduct that is determined to have a direct and substantial effect on the safety and welfare of students, staff or others in the school community, may be subject to disciplinary action per the Student Code of Conduct, given sufficient nexus.

**Discriminatory Harassment** A student shall not engage in unwelcome sexual advances or requests for sexual favors or unwelcomed sexual touching. See, *Sexual Harassment & Bullying*, below. A student shall not engage in other verbal or physical conduct relating to a person's sex, race, color, national origin, religion, or handicap or disability (e.g., sexual or racial comments, threats, insults, etc.).

## **§2.2 Extortion, Blackmail, or Coercion**

Extortion, blackmail, or coercion is obtaining money or property by threat of violence or forcing another to act against his/her will by threat of violence.

## **§2.3 Major Larceny**

Major larceny is the taking of school property of value of \$100.00 or more without the knowledge or permission of the school. School property that is taken may require restitution.

In addition to any school discipline that may be imposed, a possible violation of Section 2.3 may result in notification to the Fraser Police of the violation of the appropriate City Ordinance. A student who is found to have violated an ordinance may be guilty of a misdemeanor punished by a fine, possible community service, and participation in a health promotion and risk reduction assessment program. Students will be responsible for any cost for participation in the program.

## **§2.4 Trespass**

Trespass is being present in an unauthorized place or refusing to leave when ordered to do so.

## **§2.5 False Reports/Complaints or Refusal to Comply with an Investigation**

A student shall not refuse to cooperate with School District administrators and/or teaching staff investigating a possible violation of this Student Code of Conduct, other codes of conduct, and/or building rules. No student shall make false statements or give false evidence to School District administrators and/or teaching staff.

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

## **§2.6 Gross Interference/Interruptions of Education Process and/or School Environment**

Gross interference/interruption of the education process and or school environment are prohibited. These include, but are not limited to, inappropriate or disrespectful behavior, defiance, obscenity, and/or libel/slander/insubordinate behavior/remarks directed toward District personnel, whether verbal, written and/or electronic.

## **§2.7 Major Property Damage/Vandalism**

Major property damage/vandalism is the defacement or destruction of property or misconduct which causes damage for loss of property in excess of \$100.00. School property that is damaged may require restitution.

In addition to any school discipline that may be imposed, a possible violation of Section 2.7 may result in notification to the Fraser Police of the violation of the appropriate City Ordinance and/or state and federal law. A student who is found to have violated an Ordinance may be guilty of a misdemeanor punished by a fine, possible community service, and participation in a health promotion and risk reduction assessment program. Students will be responsible for any cost for participation in the program.

## **§2.8 Multiple and/or Repeating Offenses**

Multiple or repeating infractions of Section 1 offenses or the commission of two (2) or more acts forbidden by Section 1. A Behavior Contract may be instituted and will require the signatures of an administrator, the student, and the student's parent(s) or guardian(s). Students who are placed on and violate a Behavior Contract may be referred to the Superintendent for a long term suspension or expulsion.

## **§2.9 Gross Indecency**

Students are prohibited from engaging in indecent behavior, as defined under Section 1.12. Multiple infractions of Section 1.12 or conduct which is particularly indecent, obscene, or offensive will result in a violation of this Section.

## **SECTION 2: PENALTIES**

For any violation in Section 2, in most cases the student may be suspended for not less than five (5) nor greater than ten (10) school days, but a more serious consequence may be imposed if warranted by the circumstances. Any disciplinary consequences will be consistent with [MCL 380.1310d](#).

## **SECTION 2: PROCEDURES**

Alleged violations of Section 2 of this Code shall be heard and dealt with by the building principal or designee. The building principal or designee will communicate with the student's parents or guardian. A building administrator's decision to impose a penalty of up to and including ten (10) school days is final and not subject to further review or appeal. Where circumstances are thought to warrant discipline in excess of ten (10) school days, the building administrator may recommend such action to the Superintendent.

## **SECTION 3: PROHIBITED STUDENT CONDUCT**

### **§3.0 Use or Possession of Weapons**

Use or possession of weapons is to use, possess or threaten to use any weapon, explosive device (including firecrackers, etc.) or other instrument capable of inflicting bodily injury.

### **§3.1 Fire Alarm**

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

### **§3.2 Making a Threat**

The District will follow its Threat Assessment Protocols in assessing the conduct of any student perceived as making a threat. Threats contemplated by this section are major offenses which cause significant disruption to the school environment and potentially threaten the health, safety, and welfare of students. Threats of a lesser nature are generally, but not exclusively, addressed by Section 1.1, Disruptive Conduct.

### **§3.3 Unlawful Interference with School Authorities**

Unlawful interference with school authorities is the unreasonable interference with teachers or administrators in the conduct of their affairs by force or violence or by intimidation with the threat of force or violence.

### **§3.4 Arson**

Arson is the intentional setting of a fire or the burning or attempting to burn of any tangible property. Depending on the circumstances, this may be a mandatory expulsion offense.

### **§3.5 Robbery**

Robbery is the taking of money or goods from another person, without his/her permission or against his/her will, by force or violence.

If the violation is of Sections 3.1, 3.2, 3.4 or 3.5, provision shall be made for restitution.

### **§3.6 Battery**

In this section, battery is defined the physical attack or intentional infliction of harm on another requiring medical attention.

**§3.7 Sale, Use, Purchase, Possession, or  
Being Under the Influence of Alcoholic Beverages,  
Illegal Drugs or Controlled Substances, or any Paraphernalia**

A student shall not manufacture, sell, possess, use, deliver, transfer, or be under the influence (legal intoxication not required) of any drug, narcotic drug, hallucinogen, stimulant, depressant, controlled substance, counterfeit substance, or a controlled substance analogue intended for human consumption.

A student shall not sell, deliver, or transfer, or attempt to sell, deliver, or transfer any prescription or non-prescription drug, medicine, vitamin, or chemical substance (e.g., pain relievers, stimulants, diet pills, pep pills, No-Doze pills, cough medicines, laxatives, stomach or digestive remedies, etc.), nor shall a student use or possess these substances for an improper purpose.

A student shall not sell or represent a legal substance as an illegal or controlled substance (e.g., selling NODOZ as "Speed" or "Crack") or sell, manufacture, possess, use, deliver, or transfer "designer" drugs.

Section 3.07 suspensions will typically require a suspension of not less than 20 school days. Under Section 3.07, the School District may offer a one-time opportunity to reduce the suspension time if the parent and the student agree to participate in a chemical awareness program approved by the District and have an evaluation made by an approved agency. Acceptance of this will reduce the suspension time by 10 days.

**§3.8 Repeating Offenses**

A repeating of Section 2 offenses or the commission of two or more acts forbidden by Section 2.

**SECTION 3: PENALTIES**

Violations of Section 3 may result in suspension of a number of days to be determined by the Superintendent and/or Designee, up to and including permanent expulsion.

**SECTION 3: PROCEDURES**

Alleged violation of Section 3 of this Code shall be heard and dealt with by the Superintendent or designee. If the recommended penalty is a suspension in excess of (180) school days or expulsion, the alleged violation shall be heard by the Board of Education. Pending a decision of the Superintendent or designee under this Section 3, or by the Board of Education under Section 4, the building principal or designee may suspend the student.



## SECTION 4: MANDATORY DISCIPLINE OFFENSES

Certain acts of misconduct specifically identified within the [Revised School Code](#) require disciplinary action. If a student is found to have engaged in one of the following, of these acts, the student must be permanently expelled, but subject to possible later reinstatement:

- Possessing a dangerous weapon on district property, or in a district vehicle used to transport students (consistent with the requirements of [MCL 380.1311\(2\)-\(3\)](#));
- Arson in a school building or on school grounds;
- Criminal sexual conduct in a school building or on school grounds;
- Pleading to, is convicted of, or is adjudicated for criminal sexual conduct against another student enrolled in the same school district; and
- For a student enrolled in grade 6 or above, physical assault against a school employee, volunteer or contractor on district property, in a district vehicle or at a district-related activity.

The [Revised School Code](#) also requires that a student in grades 6 or above be suspended or expelled where the student is found to have engaged in any of the following:

- Verbal assault against a school employee, volunteer or contractor on district property, in a district vehicle or at a district-related activity;
- Physical assault against another student at school; or
- A bomb threat or other similar threat directed at a school building, other school property, or a school-related event.

Physical assault means intentionally causing or attempting to cause physical harm to another through force or violence.

Verbal assault means a spoken threat to inflict physical injury on another person, under circumstances which creates a reasonable fear of imminent injury, coupled with the apparent ability to inflict injury.

## **SECTION 5: SUSPENSION/EXPULSION BY THE BOARD**

Upon the recommendation of the Superintendent or designee, the Board of Education may suspend for up to 59 school days, or expel a student or students from school who are guilty of gross misdemeanor or persistent disobedience.

## SECTION 6: GENERAL PROCEDURES

**Out of School Suspensions** Any out of school suspension will result in exclusion from attending or participating in school or school sponsored activities during the suspension period.

### §6.0 Alleged Violations of Section 1 and 2

The student shall: (1) be informed of the alleged violation of Section 1 or section 2 of the code; (2) be informed of the reasons or basis for the alleged violation; and (3) have the opportunity to present his/her view and any information pertinent to the occurrence.

### §6.1 Alleged Violations of Section 3 and 4

The student and his/her parents or guardian shall be provided with written notice of the alleged violation of Section 3 or 4 and the time, date, and place of a hearing. At the hearing, the student and his/her parents or guardian may be represented by a representative of their choosing and at their expense. Witnesses may be presented by the school district and by the student and his/her parents or guardian, and such witnesses shall be subject to examination by the other party. Pertinent information may also be presented by either party. The hearing will be informal and the rules of evidence will not apply.

The hearing may be open or closed at the option of the student and/or his/her parents or guardian. The student may be suspended pending the decision. The decision will be in writing and provided to the student and his/her parents or guardian.

### §6.2 Review by Board of Education

A decision of the Superintendent or designee under Section 3 of the Code may be appealed to the Board of Education under such procedures as it shall designate at the written request of the student and his/her parents or guardian, provided the written request is submitted to the Superintendent within five (5) days of the date of the Superintendent's or designee's written decision.

### §6.3 Rebuttable Presumption

Consistent with Michigan law, the School District adopts a rebuttable presumption that students should not be disciplined by the imposition of long-term suspension (i.e., more than 10 school days) or expelled (i.e., more than 60 school days) unless the School District has determined, in its sole discretion, the presumption has been rebutted by considering each of the following seven factors:

- The student's age;
- The student's disciplinary history;
- Whether the student is disabled within the meaning of IDEA or ADA/Section 504;
- The seriousness of the student's misconduct or behavior;
- Whether the student's misconduct or behavior threatened the safety of any pupil or staff member;
- Whether restorative practices will be used to address the student's misconduct or behavior; and
- Whether less severe discipline would properly address the student's misconduct or behavior.

This rebuttable presumption does not apply to short-term suspensions (i.e., 10 school days or fewer) or to a student who possesses a firearm in a weapons free school zone. However, with respect to all out-of-school suspensions and expulsion (short-term or long-term), the School District administrator implementing the suspension shall consider and document consideration of the seven factors listed above on a form approved by the Superintendent.

## **§6.4 Restorative Practices**

Consistent with Michigan law and in every case, the School District will consider restorative practices as an addition or alternative to suspension or expulsion. Restorative practices are practices that emphasize repairing the harm of the victim and the School District community of a student's misconduct or other behavior. Restorative practices may be considered and implemented by a restorative practices team. The restorative practices team may be constituted and act in the manner described in [Section 1310c\(2\) of the Revised School Code](#) or in a similar manner, depending on the circumstances as a whole in the sole discretion of the School District administrator assigned to handle the misconduct or behavior or the Board of Education (if the Board of Education is handling the misconduct or behavior).

Restorative practices should be the first consideration to remediate offenses such as interpersonal conflicts, bullying, verbal and physical conflicts, theft, damage to property, class disruption, and harassment, bullying, and cyberbullying.

## SECTION 7: SEXUAL HARASSMENT

### §7.0

#### Notice

The harassment of any student while on School District premises, on the basis of sex, is a violation of federal and state laws, and the policies of this school district. It is the intention of the School District to prohibit such behavior consistent with its policies and applicable state/federal law, including Title IX. Any student who believes he/she has been subjected to harassment on the basis of sex should submit a complaint to the Title IX Coordinator for the District using the procedures located [here](#).

### §7.1

#### Prohibited Conduct

For purposes of this policy, harassment shall be defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submission to such conduct or communication is made a term or condition to obtain favor in a class.
- Submission to, or rejection of such conduct or communication by an individual used as a factor in decisions affecting such student's education.
- Such conduct or communication has the purpose or effect of substantially interfering with a student's education, or creating an intimidating, hostile, or offensive educational environment.

### §7.2

#### Practical Application

The following examples of prohibited conduct are intended by way of illustration, and not by way of limitation, to notify the student of the types of conduct that will not be tolerated by the School District:

- Unwelcome or unwanted sexual advances.
- Requests or demands for sexual favors.
- Verbal abuse or teasing that is sex-oriented and considered unacceptable by another individual.
- Engaging in any type of sexually oriented conduct that would substantially interfere with another's school performance.
- Creating an educational environment that is intimidating, hostile or offensive because of unwelcome or unwanted sexually-oriented conversations, suggestions, requests, demands, physical contacts, or attentions.

Any questions, concerns, or other inquiries over the conduct that is prohibited by this policy should be directed to the Director of Personnel or the Superintendent immediately.

### §7.3

### Where to Report Sexual Harassment

Any student who believes that his or her rights under this policy have been violated is hereby encouraged to report such violation immediately to the School District's Title IX Coordinator as soon after the occurrence as possible. Individuals may also report violations of this policy to:

- The building principal, or
- The office of the Director of Human Resources, Administration Building, 439-7024, or
- The office of the Assistant Superintendent of Schools, Administration Building, 439-7014.

### §7.4

### Penalties

All individuals covered by this policy are hereby notified of the School District's intention to vigorously and strictly enforce the provisions of this policy and to take appropriate disciplinary measures against any person violating its terms. **VIOLATIONS OF THIS POLICY MAY RESULT IN DISCIPLINARY ACTION UP TO AND INCLUDING EXPULSION FROM SCHOOL.**

## SECTION 8: OTHER MATTERS OF STUDENT CONDUCT

### §8.0 Off-Campus Misconduct

Students in attendance at district sponsored events that are held off-campus are, nevertheless, subject to this Student Code of Conduct.

A student, while not in attendance at a district sponsored event, who engages in off-campus conduct that is determined to have a direct and substantial effect on the safety and welfare of students, staff or others in the school community, may be subject to disciplinary action per the Student Code of Conduct.

### §8.1 Misconduct While Enrolled in Another School District

A student who enrolls in the district and who is found to have engaged in misconduct while enrolled in another school district, or who withdrew from another school district prior to a determination of guilt on alleged misconduct, may be charged with a violation of this Student Code of Conduct. All applicable due process procedures will be followed in determining whether discipline will be imposed by this District.

### §8.2 Searches

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

The district makes parking available to students who are licensed drivers. This privilege is conditioned on the student's consent, in advance, to the search of their vehicles by District personnel at any time, for any reason, with or without notice to the student.

District personnel may, to the full extent permitted by law, search and seize students and their personal effects. Items may be confiscated by district personnel and, when appropriate, delivered to police authorities.

The Board also authorizes the use of canines, trained in detecting the presence of drugs or devices. Canines are used to determine the presence of drugs in locker areas and other places where such substances may be concealed. Canine detection is usually conducted in collaboration with law enforcement authorities or other certified organizations and is not used to search individual students without legally sufficient suspicion, a warrant or parental permission has been obtained.

### §8.3 Rights and Responsibilities

**Expression of Opinions** Students are entitled to verbally express their personal opinions. Such verbal opinions shall not, however, interfere with the freedom of others to express themselves. The use of obscenities or personal attacks is prohibited.

Meetings of the student clubs in school buildings or on school grounds may function only as a part of the formal educational process or as authorized by the principal.

Students have the freedom to assemble peacefully. There is an appropriate time and place for the expression of opinions and beliefs. Conducting demonstrations which interfere with the operations of the school or classroom is inappropriate and prohibited.

**Student Publications** Students are entitled to express in writing their personal opinions. The distribution of such material may not interfere with or disrupt the educational process. Such written expressions must be signed by the authors. Students who edit, publish, or distribute handwritten, printed, or duplicated matter among their fellow students within the schools must assume responsibility for the content of such publications. Libel, obscenity, and personal attacks are prohibited in all publications. Unauthorized commercial solicitation will not be allowed on school property at any time. An exception to this rule will be the sale of non-school-sponsored student newspapers published by District students at times and places as designated by the school authorities.

## §8.4 Attendance Policy

**Introduction** Regular attendance of students in all classes (both in person and virtual) is essential to the orderly presentation of instructional material. Regular attendance has been proven to be a key factor in the attainment of a good education. Active participation in class is an integral part of the student's total education. Whenever a student is absent from class, he/she has missed the interaction with teachers and other students which is so valuable to an education. This interaction can never be fully regained.

Attendance in school is the responsibility of the student and his/her parents. It is the responsibility of the school to insure the regular attendance of students in accordance with the Michigan Compulsory Attendance law. Presence in the classroom aids students by instilling concepts of self-discipline necessary to meet their responsibilities in life. The staff at Fraser High School believes that if parents encourage their children in this regard and support our efforts to insure regular attendance, students will be able to meet this goal.

This policy is designed to ensure maximum attendance and to set attendance standards for the attainment of academic credit.

**Policy** Every student is to attend class every day unless a compelling and valid excuse exists for missing school. Additionally, a student is to be on time for all classes.

### **Definitions**

**Excused Absence.** The absence of a student from a class period shall be excused if it is verified as having the consent of his/her parent or guardian, counselor, teacher or administrator.

**Unexcused Absence.** The absence of a student from a class period shall be unexcused if it is without the prior consent of a parent/guardian, counselor, teacher or administrator.

**Suspension.** The exclusion of a student by an administrator from a class or classes for a specific duration shall constitute a suspension. All suspensions are considered excused absences.

**Tardy.** The failure of a student to be **inside the assigned classroom** when the bell rings is regarded as a tardy for the class period. Tardiness in excess of fifteen (15) minutes for the first period of each day will constitute an absence. After the first period, tardiness in excess of five (5) minutes for a class period will constitute an absence. Three (3) tardies equals one (1) unexcused absence.

**Procedures** The student's parent/guardian must call the Attendance Office (439-7292) either the day of the absence or the next day to have an absence excused. Each day of absence must be cleared through this office. A twenty-four (24) hour answering service is available to assist parents in verifying their children's absence. In those rare cases where notes are necessary for verifying absences, they will be accepted by the Attendance Office **within two days** of the student's return to school.



**Excessive Absences.** A student must be in attendance a minimum of ninety percent (90%) of the time. When a student's attendance rate falls below this percentage, he/she may be placed on an Attendance Contract.

School sponsored activities, field trips, religious holidays, bereavement days, required court appearances, medically required absence, and suspension will not be used in the compiling of the ninety (90%) minimum attendance figure. Verification of these absences must be submitted to the Attendance Office within two days of the student's return to school. All other types of absences are counted toward credit review.

When a student's attendance rate falls below the stated minimum percentage, the attendance administrator will meet with the student to notify his/her parent(s)/guardian(s) shall receive notification during this process.

In the event a student accumulates a total of six (6) absences in a course, that student will be placed on a credit review contract. In order to retain the privilege of earning both his/her grade earned and credit for a class, a student must not exceed a total of eight (8) absences or the allotted amount of absences. Excessive absences and/or tardiness may result in a student being denied the opportunity to participate in school privileges (i.e. extra curriculums). If a student violates the credit review contract they will receive an F in the class. They may appeal the F and receive the grade earned in the class when the necessary criteria is met.

As part of the appeal process, the student will have to produce documentation of the extenuating circumstances that contributed to the excessive absences. All appeals must be filed within five (5) business days of the last day of the semester.

**Early Dismissal.** When leaving school early, it is necessary for the parent/guardian to call the Attendance Office at 439-7292. All classes missed will be excused, but it must be remembered that these do count when compiling the minimum attendance percentage.

**Pre-Excused or Extended Absences.** Should it be necessary for a student to be absent for family vacations or travel, a pre-excused absence form should be obtained by submitting a written request one week prior to the event. Whenever possible, class work should be completed in advance of the trip. When planning such events, please remember that these days do count in your child's allowable percentage of absences.

## §8.5 High School Graduation Requirements

**Minimum Requirements** Graduation requirements are defined by the following tables. In addition, eight semesters of attendance is required for graduation. A unit of credit is acquired by successfully completing a full year's work in a subject or two one-half year subjects.

## GRADUATION REQUIREMENTS

8 Semesters of Attendance  
And 27.5 Credits

Fraser High School requires 27.5 credits for graduation.  
Below lists the mandatory courses for graduation.

COURSE	CREDITS
English*	4
Algebra 1	1
Algebra 2	1
Geometry	1
Math or Math Related Course (1 credit of Math must be taken in the Senior Year)	1
Biology	1
Physics or Chemistry	1
Additional Science Course	1
Government	1/2
Economics	1/2
American History and Geography	1
World History and Geography	1
Physical Education	1
Health	1/2
Fine Arts**	1
Career & Technical Education ***	1
SMART****	
Online experience	
World Language (K-12)	2

**PLEASE NOTE:** One credit courses are full year courses. The student must sign up for both semesters to receive a full year of credit.

\* Effective with the class of 2009 all students must take a composition class in Grade 12.

\*\* Fine Arts credit is earned through successful course work in the areas of Foreign Language, Art, Humanities, Stagecraft, Vocal and Instrumental Music.

\*\*\* Career and Technical Education credit is earned through successful course working the areas of Business Tech, Allied Health Tech, Industrial Tech, Life Skills and Career Prep Center courses.

\*\*\*\*SMART Hour is required every semester unless you are in a school approved activity that conflicts with this time.

### **Other Matters**

- Attendance at a vocational high school or community college may be included in the senior year activities with the permission of the Principal of Fraser High School.
- No credit toward graduation may be earned through driver education.

- Many courses at Fraser High School are full year classes. To be properly enrolled, a student must sign up for both the “A” segment and the “B” segment of these classes. Examples: English 9A and English 9B is your full year of English and equals 1 credit.

## **§8.6 Internet Acceptable Use Policy**

In exchange for the use of the School District’s internet connection and/or device, all students agree to the following. Failure to follow these policies will result in loss of Internet access and/or disciplinary action.

Students will:

- Use the Internet for educational purposes, research, and to gather information consistent with the goals of the District.
- Obey all copyright laws.
- Report any misuses of the Internet including viruses, illegal access to accounts or illegal tampering.
- Accept responsibility for the care of the equipment and respect the individual work, files and programs of others.
- Immediately report any misuse or abuse of the Internet to the appropriate administrator.

Students will not:

- Infect any District property with a virus or program that damages, alters, destroys or provides access to unauthorized data/information.
- Hack or bypass network security and/or filters.
- Violate the Academic Integrity Policy.
- Use any technology, including the Internet, that violates Federal, State and Local laws along with any Board policy.
- Use the Internet to send or receive messages that are inflammatory, harassing in nature (cyber bullying), sexist, racist, or contains obscene or pornographic material.
- Access inappropriate files or materials including all pornographic material.
- May not use technology to record, transmit or post photographic images or video of a person or persons on school property without prior approval from a staff member.
- Access or modify other accounts, data, files or passwords without authorization.
- Allow others to use my account to access the Internet or school network.
- Use the Internet for commercial or for profit purposes.
- Use the Internet to obtain or distribute illegal copies of software, printed materials or other materials to which I do not have ownership.
- Use electronic devices during the course of the school day unless approved by the classroom teacher and/or school administration.

- Access, use, disclose or disseminate student or staff information.
- Use the device at unauthorized times, which may result in the loss of privileges.

The Superintendent or designee reserves the right to access, read and/or delete any information stored or used on the network. The School District has the right to collect and examine any device upon demand.

## **§8.7 Bring Your Own Technology (BYOT) Policy**

**Introduction** The availability of wireless Internet access in all District buildings is now allowing students to bring their own technology to school. Students are now able to use their personal wireless devices to complete their schoolwork. In order to access the District network, students will need to comply with the District Acceptable Use Policy (AUP) and the BYOT Policy. Please be aware that Bring Your Own Technology is considered a privilege, and is solely at the discretion of District staff.

**Technology** For purposes of the BYOT policy, technology means a privately owned wireless electronic device.

**Internet** Only the District Internet connection may be accessed while on school property.

**Security and Damages** The individual owner is responsible for the security and safety of the device. The District and its employees are not liable for any device brought to the School District. Individuals are encouraged to utilize security methods for their own devices. The District will not investigate theft or damage to a personal device.

In addition to the District AUP, the following BYOT terms must be adhered to before an individual may bring their own technology to school:

- Must be in silent mode while on school campuses and on school buses.
- May not be used to violate the Academic Integrity Policy.
- May not be used to record, transmit or post photographic images or video of a person or persons on school property without prior approval from a staff member.
- Transmission of a bullying nature will not be tolerated.
- May not be used to send any inappropriate messages that violate Federal, State, and Local Laws along with any Board policy.
- School's network filters must be applied and cannot be bypassed.
- Infecting any District property with a virus or program that damages, alters, destroys or provides access to unauthorized data/information is a violation of Board policy. This includes hacking or bypassing network security policies.
- The School District has the right to collect and examine any device.
- Games are not permitted without teacher permission.
- Printing to school printers is not available at this time. Printing can be done using webmail or SkyDrive from a District computer.

- Device must be charged prior to coming to school.
- Using the device at unauthorized times may result in the loss of privileges.

## **§8.8 Procedures and Rules for the Acceptable Use of iPads/MacBooks**

The use of a school-owned iPad/MacBook is a privilege and with that privilege all users have no expectation of privacy in e-mail, data on the iPad/MacBook or server, network communications, Internet use, video recording, and all other technologies available on or through the iPad/MacBook. The School District is the owner of the iPad/MacBook and therefore all users understand that their use of the iPad/MacBook can and may be strictly monitored electronically or otherwise by School District personnel at any time.

- Users shall not install any software on the iPad/MacBook or download any applications without the express prior permission of the School District's Director of Technology.
- Students are not permitted to install software on the assigned iPad/MacBook from other iTunes accounts nor connect iPad/MacBook to a computer with a different iTunes account configured on it.
- The use of the iPad/MacBook for fraudulent or illegal copying, communication, taking or modification of material in violation of law is prohibited and will be referred to federal authorities. The illegal use of copyrighted software is prohibited. The School District upholds the copyright laws of the United States as they apply to computer programs or licenses owned or licensed by the School District. Such action is also governed by the School District policy.
- Users shall not knowingly or intentionally introduce a virus, worm, Trojan horse, rootkit, or engage in any other malicious action affecting the iPad/MacBook.
- Users shall not attempt to obtain any other user's password(s) and shall not read, copy or alter other user's data without their permission. Users shall not intentionally seek information, obtain copies of, or modify files, other data or passwords belonging to other users, or misrepresent other users on the iPad/MacBook.
- Users shall not knowingly or intentionally allow other users to use their identity/password(s) to access School District technology resources and computer systems, or iTunes accounts. All users shall maintain the security and confidentiality of their identity/password(s).
- Users shall not use an iPad/MacBook or iTunes account that has been logged in under another user's name. Users shall immediately notify the School District if a security problem is suspected or identified.
- Users shall not use the iPad/MacBook for purposes other than for School District-related business. The iPad/MacBook shall not be used for illegal activity, for-profit purposes, lobbying, campaigning, advertising, fundraising, transmitting offensive materials, hate mail, mass e-mailing, discriminating remarks, or obtaining or sending obscene or pornographic material.
- Users shall not use the iPad/MacBook to harass or intimidate.
- Users shall not download or install any programs, files, technology, games or other electronic media without the written permission of the School District's Director of Technology.

- Users shall report any problems or malfunctions with the iPad/MacBook to the main office within one school day of detection of the problem.
- The School District may, at any time, make determinations that particular uses of the Internet and Technology Resources are not consistent with the goals or mission of the School District and prohibit such uses.
- Users shall not play video games, visit chat rooms or otherwise use the iPad/MacBook for non-academic purposes.
- The School District in its sole discretion reserves the right to terminate the availability of the iPad/MacBook at any time.

The School District reserves the right to:

- Make determinations as to whether specific uses of the iPad/MacBook and iTunes are consistent with its goals, educational mission, policies and/or procedures;
- Monitor and keep records of iPad/MacBook, Internet, and iTunes use;
- Terminate user's privileges to access and use the iPad/MacBook and other School District technology resources to prevent unauthorized activity.

Failure to follow the policy, procedures, rules and regulations of the School District may result in termination of the user's privilege to access the iPad/MacBook and other School District technology resources. In addition, the user may be subject to other disciplinary or legal action.

Parents or legal guardians of users under the age of eighteen have the right to revoke their student's iTunes account or use of the iPad/MacBook.

Each user shall be responsible for any and all damages to the iPad/MacBook resulting from their deliberate or willful acts.

All School District policies and procedures, including the Student Handbook, apply to the use of the iPad/MacBook and iTunes account.

Administration has the discretion to prohibit, allow, and otherwise regulate the use of the iPad/MacBook during the school day.

Each teacher has the discretion to allow and regulate the use by students of their iPad/MacBook in the classroom and on specific projects.

In the classroom, students may use their iPad/MacBook only for the purpose of accessing materials that are relevant to the classroom curriculum.

The school's network filters will be applied to the iPad's/MacBook's connection to the Internet and other Technology Resources.

Users are expected to charge their iPad/MacBook prior to school and run their iPad/MacBook on battery power while at school.

Users shall maintain their iPad/MacBook in silent mode at all times when on school property, unless otherwise permitted by school staff.

Users shall not record, transmit or post images or video of a person or persons on campus during school activities and/or hours, unless provided with written authorization by a teacher or administrator in compliance with School District policies and procedures.

Use of the iPad/MacBook is prohibited in the following areas/situations:

- Locker rooms
- Bathrooms
- Any private areas used for the purpose of changing clothes
- Any other areas as designated by administration

Students shall not use their iPad/MacBook to cheat on assignments or tests.

Users shall not print from their iPad/MacBook to School District printers without the prior authorization of school staff.

**Disclaimer** The School District will make every effort to provide appropriate technology resources, however, the School District makes no warranties of any kind, whether expressed or implied, for the iPad/MacBook and iTunes account it is providing. The School District shall not be responsible for any damages incurred by a user of the iPad/MacBook or iTunes account, including loss of data resulting from delays, non-deliveries, mis-deliveries, or service interruptions. In no event shall the School District be liable for any damages (whether direct, indirect, special or consequential) arising out of the use of the iPad/MacBook or iTunes account, accuracy or correctness of information contained therein, or related directly or indirectly to any failure or delay of access to the Internet or other network application.

This policy is in effect until rescinded by the parent or the School District in writing. Failure to follow these policies will result in loss of Internet access and/or disciplinary action based on the District Student Code of Conduct.

**Authorization and Supervision of Internet Usage** Procedures determining the adequate supervision of Internet usage will be established according to grade level.

## **§8.9 School Dance Contract**

The purpose of this contract is to promote healthy, safe, and enjoyable events for all students. The following behavior expectations, consequences, and procedures are designed to insure a positive dance environment.

### **Expectations**

- I will demonstrate good character, maintain a high community standard, and follow all school/districts rules.
- I will adhere to the school accepted dance dress code.

### **Ladies/Female Themed Attire**

- Strapless/spaghetti straps are allowed
- Dress/skirts must be at least to the top of the knee
- Dress/skirt slits no higher than the top of the knee
- Backless to waist is permitted – below waist is not permitted

- No banded/bubble dresses
- No garters or other exposed lingerie/undergarments
- No sheer/see-through dresses and no see-through sides or bare sides
- No excessively low cut dresses or tops
- No bare midriffs

#### **Gentlemen/Male Themed Attire**

- Collared shirts
- Shirts must have sleeves
- Shirts must remain on
- Dress pants or slacks; no jeans (except for designated casual dances)
- No hats, bandanas, chains, or canes

#### **Other Expectations**

- I will be required to show photo ID and be willing to submit to a search of vehicle and/or person for alcohol, drugs, or tobacco products.
- I will be respectful and courteous towards other students, faculty, and chaperones.
- I understand that I am not allowed to engage in sexually explicit dancing. Sexually explicit dancing includes: freaking, grinding, or any other type of dancing which could be construed as vulgar or provocative, including: no straddling legs, no bending over, no front to back touching/grinding, no touching of breasts, buttocks, or genitals, and both feet on floor.
- I understand that once I enter the dance, I am not permitted to leave and enter again and will not be allowed to enter the dance any time after 1 hour from the dance start time.
- I understand that if I have the privilege to bring a non-District guest to the dance that they must be under the age of 21.

**Consequences** Students violating this contract will be removed from the dance, and their parents will be called. They will be moved to a safe room until they are picked up if they don't have their own transportation. Students violating this contract will not be allowed to attend the next school dance event. No refunds will be given if a student is directed to leave. Students who commit illegal acts are subject to legal action, including being issued a citation or arrest.

**Procedures for Controlling Sexually Explicit Dancing and Inappropriate Behavior** Upon entry to the dance each student and guest will be given one wrist band. If a dancer is spotted by a faculty member or chaperone inappropriately dancing, the wrist band will be removed and the student will be allowed to remain in the dance with a warning. If he/she is caught again, they will be removed to a safe room until pickup if transportation is required. All rules, consequences, and procedures will be expected of student guests, and a student guest must have signed and completed the contract information provided for each dance.



**§8.10****Severability Provision**

In the event that any provision(s) herein shall be determined to be illegal or of no effect by a court of competent jurisdiction, such provision(s) shall be void and inoperative, but all other provisions hereof shall remain and continue in full force and effect.