

## Michigan Great Lakes Virtual Academy Student Code of Conduct

The goal of Michigan Great Lakes Virtual Academy is to provide the best possible educational experience for each student. The instructional program, partnership of parents and teachers, clubs, outings, and competitions help to increase student success. Coupled with the advantages of these educational opportunities is the need for students to assume personal responsibility for their behavior.

Students share with the school community responsibility for developing Michigan Great Lakes Virtual Academy into a school that exemplifies high standards and excellence. Michigan Great Lakes Virtual Academy's Code of Student Conduct is based upon this responsibility. Understanding the information that follows is an essential responsibility of each student. The Michigan Great Lakes Virtual Academy Student Code of Conduct shall apply in all environments- home and community and during the school day and at any school function that goes beyond these hours.

## Non-Discrimination Equal Educational Opportunity Policy

Michigan Great Lakes Virtual Academy shall not discriminate in its educational programs, activities, or employment practices based on race, color, national origin, sex, disability, age, religion, ancestry, or any other legally protected classification. This policy is in accordance with state and federal laws, including Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Sections 503 and 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990, Americans with Disabilities Amendment Act of 2009, and the Michigan Human Relations Act. Information relative to special accommodation, grievance procedure, and the designated responsible official for compliance with Title VI, Title IX, and Section 504 may be obtained by contacting the school.

## Glossary of Terms

*Bullying* shall mean engaging in behavior that prevents or discourages another student from exercising his/her right to education. It is intentional hurtful behavior perpetrated repeatedly over a period of time, in a relationship characterized by an imbalance of power (with regards to gender, physical or mental strength, social acceptance). Such prohibited behavior includes the use of threats, coercion, repeated harassment, abuse, oppression, intimidation against students, school personnel, or school visitors.

*Cyber-Bullying* shall mean bullying that occurs by use of electronic devices through means of e-mail, instant messaging, text messages, blogs, discussion threads, mobile phones, chat messaging, pagers, and websites.

*Student Assistance Program (SAP)* shall mean a support program for students in grades K through 12. This program allows for the identification, intervention, and follow-up for students experiencing barriers to learning.

*Disability* shall mean a physical or mental impairment that substantially limits one or more of the major life activities of an individual; a record of such impairment; or being regarded as having such an impairment; or a specific disability such as: cognitive impairment, emotional impairment, hearing impairment, visual impairment, physical impairment, other health impairment, speech and language impairment, early childhood developmental delays, specific learning disability, severe multiple disabilities, traumatic brain injury, autism spectrum disorder and deaf-blindness.

*Expulsion* shall mean the removal of a student from school for more than 10 days because the student has violated this code.

*IEP* shall mean an Individualized Education Plan to support a student with disabilities who requires specifically designed instruction and related services.

*Manifestation Determination* shall mean a review of the special education student's program and disability to determine if misconduct is related to the disability.

*Possession* shall mean physical control over property (whether lost, found, or stolen), such as clothing or bags and the contents contained therein.

*Suspension* shall mean the involuntary removal of a student from class attendance or school attendance for 10 days or less.

*Weapon* shall mean any tool or instrument used to inflict serious bodily injury of another person.

## Rights and Responsibilities for Students and Parents

### Responsibilities and Rights of Students:

All students share with the administration and staff a responsibility to develop a safe learning environment within school. Students shall have the responsibilities and rights to do the following:

- be on time and attend school daily;
- put forth a conscientious effort in all school assignments;
- have knowledge of and conform to the school rules and regulations and applicable laws;
- use appropriate speech refraining from indecent, obscene or foul language
- report incidents or activities that may threaten or disrupt the school to a staff member
- a public school education up to 21 years of age;
- not be excluded from public schools or from school privileges because the students is married, pregnant, has a disability, is eligible for special education services and programs or because of race, gender, color religion, sexual orientation (known or perceived), or national origin;
- not be subject of corporal punishment;

- be afforded discipline procedures as outlined in this document
- request and receive interpretation and translation assistance for school-related matters if English is not their primary language

#### Responsibilities and Rights of Parents/Guardians:

Parents/Guardians shall have the responsibilities and rights to do the following:

- ensure that their children between the ages of 5 and 21 enrolled in Michigan Great Lakes Virtual Academy attend school regularly in accordance with the laws of the State of Michigan.
- enroll their child in another school if he/she withdraws from Michigan Great Lakes Virtual Academy;
- present to the school administration any concern or complaint in a calm, reasoned manner;
- work with their child daily to ensure that student is completing assignments
- know the rule set forth in this code and review the contents with their child(ren)
- ensure that their child complies with all required testing and assessments, including but not limited to required state tests (MEAP, MME, MI- Access) and Scantron, scheduled by Michigan Great Lakes Virtual Academy;
- ensure that their child receives the periodic health examinations required by law.
- receive regular official reports of their child's academic progress;
- inspect, copy, and challenge according to the appropriate guidelines any and all information contained in their child's records;
- receive an explanation for the basis of any grade given by the teacher;
- request a conference with the teacher and/or the principal;
- receive translations and/or interpretations of any written or verbal communications regarding their child and their child's education;
- appeal disciplinary actions;
- receive reasonable accommodations for any disability to have access to participate in their child's education, to the extent all parents are permitted to participate, upon request for such accommodation and proof of medical necessity.

#### Student Infractions and Consequences

Disciplinary procedures shall be consistent with applicable requirements of the Michigan Code and IDEA. Student offenses dictate the severity of the consequence Michigan Great Lakes Virtual Academy will impose. In addition to the specific offenses set forth below, Michigan Great Lakes Virtual Academy has the right to discipline any student who engages in conduct that threatens the health, safety, or welfare of others or disrupts the learning environment. The appropriate consequence will be determined at the sole discretion of Michigan Great Lakes Virtual Academy in accordance with the law. A student has the right to certain discipline procedures as outlined in final section of this code.

<b>Rule</b>	<b>Possible Consequence or Intervention for Infraction</b>
<p><b>Prohibition of Disruption of School</b></p> <p>Students shall act in a courteous manner toward all members of the school and shall not disrupt any education or school-related program:</p> <p>If a student fails to obey directions; uses beepers, cell phones, or telephonic devices during school function or in class; or fails to attend class without a valid excuse.</p>	<p>Discuss incident with student.</p> <p>Hold a disciplinary meeting with parents/guardians, student, and staff members.</p> <p>Suspend student from school privileges.</p> <p>Suspend from school if above interventions are not effective.</p> <p>Failure to attend school without a valid excuse also holds student to truancy violations. These are outlined in the Attendance Policy.</p>
<p><b>Compliance with Dress Code</b></p> <p>Students shall dress in accordance with the standards described below:</p> <ul style="list-style-type: none"> <li>-pants must be worn on the waist so no undergarments are showing</li> <li>-no halter tops, strapless garments, or garments revealing midriff may be worn to a school event</li> <li>-no garments that reveal undergarments or that are see through may be worn to a school event</li> <li>-no hats, stocking caps, doo rags, bandanas may be worn inside buildings at school events</li> <li>-no clothing that has profanity, drug or offensive slogans may be worn to school events</li> </ul> <p><b>Note:</b> This section is enforced for students when attending a school function such as testing, Michigan Great Lakes Virtual Academy Days Out, orientations, or other face-to-face event.</p>	<p>Discuss incident with student.</p> <p>Hold a disciplinary meeting with parents/guardians, student, and staff members.</p> <p>Suspend student from school privileges.</p> <p>Suspend from school if above interventions are not effective.</p>
<p><b>Prohibition of Offensive Language</b></p> <p>Students shall not use offensive language. Violation of this includes but is not limited to:</p> <ul style="list-style-type: none"> <li>-curses, uses vulgar obscene language</li> </ul>	<p>Discuss incident with student.</p> <p>Hold a disciplinary meeting with parents/guardians, student, and staff members.</p> <p>Suspend student from school privileges.</p>

<p>-sending, forwarding offensive, sexually-oriented, or threatening messages, pictures or symbols of offensive nature.</p>	<p>Suspend from school if above interventions are not effective.</p>
<p><b>Mandate of Academic Honesty</b></p> <p>Students are expected to maintain the highest standards of honesty in their work. Violation of this includes but is not limited to:</p> <ul style="list-style-type: none"> <li>-copying work from another person</li> <li>-plagiarizes work of another</li> <li>-using answer keys provided for learning coach</li> <li>-copies work from internet sources without proper citations</li> <li>-forges notes</li> <li>-shares test questions with others</li> </ul>	<p>First Incident Express concerns and provide concrete examples of dishonesty. (K-8) Allow students to redo assignment and resubmit for a grade. (9-12) Citation submissions can be resubmitted. Any others receive a grade of zero (0).</p> <p>Second Incident Hold a disciplinary meeting with parents/guardians, student and staff members. All second incident assignments receive a zero (0) with no opportunity to make up.</p> <p>Third Incident Hold a face-to-face disciplinary meeting to discuss ways to eliminate academic dishonest behaviors.</p>
<p><b>Abuse of Computer or Internet Privileges</b></p> <p>Students shall respect the computer privileges granted to them. Violations include:</p> <ul style="list-style-type: none"> <li>-gives his/her password to another individual or uses another individual's account</li> <li>-illegally downloads copyrighted materials from the internet</li> <li>-visits sites on the internet which contain sexually explicit material</li> <li>-harms or destroys data of another student or person, the internet or other networks</li> <li>-creates, downloads, or uploads computer viruses; or</li> <li>-violates any rule outlined in the Acceptable Use Policy</li> </ul>	<p>Discuss incident with student. Hold a disciplinary meeting with parents/guardians, student, and staff members.</p> <p>Suspend student from school privileges.</p> <p>Suspend from school if above interventions are not effective.</p> <p>In addition to above measures students will be required to pay full restitution for acts of deliberate damage or graffiti. Costs for damage to school district property will include labor, materials, consulting fees and other costs associated with replacing or restoring the damaged property.</p>
<p><b>Prohibition of Threats</b></p> <p>A student shall not communicate, directly or indirectly, any threat to another member of the school community that places him/her in fear of injury, pain, or ridicule. Serious threats to life or safety are included in the Bully Policy and will result in zero tolerance.</p>	<p>Discuss incident with student.</p> <p>Hold a disciplinary meeting with parents/guardians, student, and staff members.</p> <p>Suspend student from school privileges.</p> <p>Suspend from school if above interventions are not effective.</p> <p>If the threat is serious to an individual's life or safety, a student could be presented to the board for expulsion.</p>
<p><b>Prohibition of Fighting</b></p>	<p>Discuss incident with student.</p>

<p>Students shall refrain from mutual confrontations involving physical contact with any members of the school community.</p>	<p>Hold a disciplinary meeting with parents/guardians, student, and staff members.</p> <p>Suspend student from school privileges.</p> <p>Suspend from school if above interventions are not effective.</p>
<p><b>Prohibition of Tobacco Products and Paraphernalia</b></p> <p>A student may not possess or use any tobacco product, cigarette lighters, matches, rolling papers, pipes, or other such paraphernalia.</p>	<p>Discuss incident with student.</p> <p>Hold a disciplinary meeting with parents/guardians, student, and staff members.</p> <p>Suspend student from school privileges.</p> <p>Suspend from school if above interventions are not effective.</p>
<p><b>Prohibition of Drugs or Alcohol for Personal Use</b></p> <p>Students shall not have, use or be under the influence of any alcohol, drugs, or unauthorized prescription or non-prescription medication.</p>	<p>Hold a disciplinary meeting with parents/guardians, student, and staff members.</p> <p>Refer to Student Assistance Team.</p> <p>Suspend student from school privileges.</p> <p>Suspend from school if above interventions are not effective.</p> <p>Follow up with the SAP team to get invention measures in place.</p>
<p><b>Prohibition of Bullying and Serious Threats</b></p> <p>Bullying of a pupil, whether by other students, staff, visitors, parents, guests, contractors, or volunteers, is prohibited. All students are protected under this policy, and bullying is prohibited without regard to its subject matter or motivating animus.</p> <p>Bullying is defined as any written, verbal, or physical act, or any electronic communication, that is intended or that a reasonable person would know is likely to harm 1 or more pupils either directly or indirectly by doing any of the following:</p> <ol style="list-style-type: none"> <li>1. Substantially interfering with educational opportunities, benefits, or programs of 1 or more pupils.</li> </ol>	<p>Discuss incident with student.</p> <p>Hold a disciplinary meeting with parents/guardians, student, and staff members.</p> <p>Suspend student from school privileges.</p> <p>Suspend from school if above interventions are not effective.</p> <p>Expulsion is also possible when the nature of the incident is serious or repeated.</p>

<p>2. Adversely affecting the ability of a pupil to participate in or benefit from the Michigan Great Lakes Virtual Academy's educational programs or activities by placing the pupil in reasonable fear of physical harm or by causing substantial emotional distress.</p> <p>3. Having an actual and substantial detrimental effect on a pupil's physical or mental health.</p> <p>4. Causing substantial disruption in, or substantial interference with, the orderly operation of the school.</p>	
<p><b>Prohibition of Harassment</b></p> <p>Students shall not harass members of the school community. A student violates this by demanding sexual favors, threatens, intimidates or creates a hostile environment because of someone's gender, age, race, color, sexual orientation (known or perceived), national origin, religion, disability, socioeconomic status and/or political beliefs.</p>	<p>Discuss incident with student.</p> <p>Hold a disciplinary meeting with parents/guardians, student, and staff members.</p> <p>Suspend student from school privileges.</p> <p>Suspend from school if above interventions are not effective.</p>
<p><b>Prohibition of Possession of a Weapon</b></p> <p>Students shall not possess any weapon as defined in this code's glossary. A student violates this rule even if he/she did not intend to use such thing as a weapon.</p>	<p>Michigan Great Lakes Virtual Academy has a zero tolerance policy on weapons violations.</p> <p>Students in possession of a weapon will go to an expulsion hearing.</p>

### Search and Seizure Policy

To maintain order and discipline at school functions and protect the safety and welfare of students and school personnel, school authorities may search a student, student's backpack or student automobiles in certain circumstances and may seize any illegal or unauthorized materials discovered during the search.

### Flag Salute

A student may refuse to recite the Pledge of Allegiance or salute the flag based on the student's religious conviction or personal belief. A student who declines to participate in this exercise shall stand quietly and respect the rights and interests of classmates who do wish to participate.

## Disciplinary Meetings and Action

Discipline referrals to the administration are reviewed individually, consistent with the Code of Student Conduct. Discipline problems are best resolved expediently and closest to their source by the parties most directly involved. Most discipline issues are resolved with minimal administrative intervention. In the best interests of the student and the school, several disciplinary options are available.

## Procedures for Suspensions of 3 Days or Less

Students who are suspended shall be afforded a conference with the administrator of the department before being suspended. During the conference, the student shall be:

- informed of the alleged violation and any of the surrounding circumstances examined;
- given an opportunity to respond to the accusations if he/she has not already done so;
- informed of the recommended remedial measure; and
- informed of the consequences of future infractions.

After the conference with the student, the administrator shall implement the recommended remedial measure and send the parent a disciplinary letter to inform them of the student's violation, the length of the suspension, and the day on which the student and parent/guardian are permitted to return to class.

## Procedure for Suspensions of More than 3 Days

Students who are suspended for more than 3 days shall be afforded an informal hearing. Parents of the students must be notified in writing when the suspension is between 3 and 10 days. The notification must afford the parent time to attend the hearing. When the suspension is in regards to health, safety and welfare the student may be suspended immediately. The hearing allows the students to meet with appropriate official to explain why he/she should not be suspended. During the hearing the student will be:

- informed of the alleged violation and any of the surrounding circumstances examined;
- given an opportunity to respond to the accusations if he/she has not already done so;
- informed of the recommended remedial measure; and
- informed of the consequences of future infractions.

## Expulsion

By definition, expulsion is the any exclusion from school for a period of more than 10 days. Written notice describing the misconduct containing specific reference to the rules and the setting the times and place of the hearing must be sent to the student's parent or guardian. A formal hearing must be held and should be private unless requested by the parent or guardian to be public. The student:

- may be represented by an attorney;
- has the right to have the information on the prosecution's witnesses;
- has the right to testify and present witnesses on his own behalf; and
- has the right to appeal to the appropriate judicial authority

## Discipline of Students with Disabilities

If a student violates the Code of Student Conduct, before consequences or punishment are imposed, it must be considered whether the student has a disability evidenced by evaluation documents current or pending. While all students may be disciplined, it is unjust to punish a child when the offense is directly related to his disability or when the IEP is not implemented. Disciplinary actions give students with disabilities extra legal protections when the discipline constitutes a change in placement.

A "change in placement" is a legal term that applies to the following situations:

- the removal is for more than 10 consecutive days
- the student has been subjected to a series of suspensions that constitute a pattern

If the offense and subsequent suspensions do not exceed 10 consecutive days nor constitute a pattern or suspensions using the Documentation of Pattern planning form, then it is not a change in placement and the student may be subject to the same consequence that school applies to all students who violate the Code of Student Conduct.

If the offense is a change in placement, the school team (including the parent or guardian) must hold a Manifestation Determination Review meeting within 10 days of the decision to remove the student to determine two issues:

- was the student's misconduct caused by or directly and substantially related to the student's disability; or
- was the student's misconduct directly result of the school's failure to follow the child's IEP?

The parent/guardian must be provided a copy of the Special Education Procedural safeguards. If the team answers yes to either question, then the student's behavior is a manifestation of his or her disability. The student may not be suspended, expelled or transferred to a remedial disciplinary school as a punishment for misbehavior. The team must conduct a functional behavioral assessment and create a behavior plan addressing ways that the school can help a student with the conduct at issue. If the student already has a behavior plan, the plan must be reviewed and modified to address how the school can better assist the student with the conduct at issue.

If all team members agree that the student's conduct was not a manifestation of his disability, then the student may be subject to the same consequences as all students. However, during the period of expulsion or transfer to an alternative placement or remedial disciplinary setting, the student must continue to receive special education

services prescribed by his IEP and a Behavior Plan must be created or revised to address the offending conduct. If a student:

- possesses illegal drugs;
- is selling prescription drugs;
- carries a weapon; or
- causes serious bodily injury to another

either at school or during a school related activity, the school may immediately remove the student for up to forty-five (45) school days to an alternative or remedial disciplinary setting. Because drugs, weapons, and serious bodily injury are so dangerous to a safe school regardless of whether a child has a disability or even if the team believes that the behavior is a manifestation of the student's disability.

To comply with the law, a 45 school day emergency removal for serious bodily injury must be serious, i.e. requiring medical treatment, During the forty-five (45) school day period, the school must convene a manifestation determination meeting. If the school determines that the conduct is a manifestation, the school may have the child re-evaluated, create or revise an existing behavior plan, or hold an IEP meeting to consider a more intensive special education placement upon the expiration of the 45 day alternative placement or sooner. If all team members determine that the conduct was not a manifestation of the student's disability, then the 45 school day emergency placement may proceed to a disciplinary proceeding afforded to all students.

If the parent disagrees with the team's decision that the behavior was not a manifestation of the student's disability, the parent may request a due process hearing to challenge this finding. If the hearing officer agrees with the parent, the students will remain in the school where the offence was committed unless the parent and the school agree otherwise.

### Emergency Hearing for Dangerousness

If a school has solid reasons to believe that keeping the student in his current school is "substantially likely to result in injury to the child or others", the school consult with the Special Programs Director who may request an emergency hearing to ask a Hearing Officer to transfer the student to an alternative setting for up to 45 school days. Dangerousness may exist even if there is no Code of Conduct violation. It is a consideration based on serious safety concerns for the student and/or the school community.