

# *Elementary*

## **Student Code of Conduct**

**(including Technology Handbook)**



(Revised 7/1/16)

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It is the policy of the Bay City Public Schools not to discriminate on the basis of religion, race, color, national origin, sex, age, or handicap in educational programs, activities or services and to comply with all requirements and regulations of the U.S. Department of Education.

Inquiries or complaints regarding discrimination for Title VI (race, color, or National Origin), Title IX (Sex) and Section 504 (Handicap) are to be directed to Ms. Carla Derocher, 910 N. Walnut Street, Bay City, Michigan 48706, Phone: (989) 671-8121.

**Elementary School  
INTRODUCTION**

***Preamble***

The educational process of the schools of the Bay City District must assure the development of youth as citizens who have self-respect, respect for others, and respect for the law—the essence of good citizenship.

Education must encourage responsible involvement in the resolution of the problems of our society. It must create within the school system an atmosphere of social justice and equality which will enable students to carry a positive attitude about human differences into their working and community relationships in later life.

Education must recognize and protect the individual rights of all students as citizens, regardless of age, sex, race, religion, national origin, pregnancy, parenthood, sexual orientation, marriage, economic status, or for any other reason not related to his/her individual capabilities. Together with these rights, students must accept responsibilities and disciplines essential to our society.

***Objectives***

The primary objective of student discipline and control is to produce a school environment in which complete attention may be concentrated on teaching-learning activities. The school system has an obligation to assist each individual pupil to assume more responsibility for his own actions as he matures and gains experience. Within the framework of established guidelines, discipline and control must apply to each individual pupil according to his age, maturity, experience, abilities, interests and values. School authorities must undertake to provide the child and his parents with knowledge of the behavioral expectations of the school.

All rules and regulations of the Board of Education, along with the rights of students as set forth herein, have been developed within the framework of the Constitution of the United States and the State of Michigan, court decisions, and the law of the State of Michigan as they apply to local school districts. It should be noted however that the information provided represents only a portion of the policies adopted by the district and should not be considered to the exclusion of said policies, state and federal laws or administrative procedures.

**Rights With Responsibilities In The School** J7310-P  
**District of The City of Bay City,**  
**Bay and Saginaw Counties, Michigan**

**DISCIPLINE POLICY OF THE SCHOOL DISTRICT OF THE CITY OF BAY CITY,  
BAY AND SAGINAW COUNTIES, MICHIGAN  
FOR ELEMENTARY STUDENTS**

**A. Sanctions**

On the basis of the present status of school law, a building administrator of any District school is delegated and vested by the Board with the authority to exclude a student from school and/or any activity under school sponsorship, and the Director of Transportation is delegated and vested by the Board with the authority to exclude a student from a school bus. In both cases, such exclusion is temporary; not to exceed ten (10) days as described under #1. *Suspension* below. Students going to or from school and at school-sponsored off-campus events shall be governed by School District rules and regulations and are subject to the authority of District officials. Exclusions from school for misconduct may vary in length depending upon the age of the student, the nature of the misconduct, the cumulative misconduct of the student, and the availability of alternative disciplinary measures. Disciplinary measures shall not be greatly disproportionate to the misconduct.

Every effort should be made by the staff to solve disciplinary problems within the school setting and without excluding a student from school. If this cannot be done, exclusions may be necessary for the purpose of discipline, to maintain immediate order, to protect persons or property. These exclusions shall fall within the following categories:

1. Suspension is defined as exclusion of a student from school and/or school-sponsored activities for a specific period of time not to exceed 10 days, terminating at the end of the specified period or upon the fulfillment of a specific set of conditions.

2. Expulsion is defined as the exclusion of a student from school and/or school-sponsored activities by the Board of Education for a specific period of time beyond 10 days; and may include a marking period, the balance of the semester, the remainder of the school year, or permanent expulsion (180 days or more), from the District's schools. A student may be suspended pending Board action on a recommended expulsion.

In the event of a suspension, the building administrator shall notify the Superintendent or his/her designee in writing of the separation and reasons for it. In the event of a recommended expulsion, the building administrator shall set forth the recommendation in writing to the Superintendent, including the conduct which led to the recommendation, efforts made to solve the disciplinary problem(s), and shall indicate the length of the recommended expulsion.

If any parent, teacher or administrator believes that any conduct which may be the subject of disciplinary action may be affected by a disability as defined by state or federal law, the Director of Special Education shall be contacted for review and/or evaluation.

## **B. Procedural Safeguards**

When it is necessary to consider the possibility of excluding a student from school or school activities for alleged misconduct, the building administrator or his designee shall first advise the student orally or in writing of what he/she is accused of doing and the basis for the accusation, and the student shall be given an opportunity to explain his/her version of the facts.

In the event that a student's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process, a student may be immediately excluded from school. Necessary notice and opportunity for a rudimentary hearing shall follow as soon as practicable.

Due process demands that procedures followed by school officials comport with fundamental fairness. Thus, should exclusion be deemed necessary, the following procedure shall be followed:

### **1. Suspension:**

- a. The administrator will ascertain that all reasonable means have been used in an effort to resolve the problem and to keep the student in school.
- b. The student will be informed of what he is accused of doing and the basis for the accusation, and the student will be given an opportunity to explain his version of the facts.
- c. If the student is excluded from school and/or school-sponsored activities, he/she shall be informed of the period of time of such exclusion and what must be done before he/she can return to school. The parent or legal guardian will be notified immediately by the building administrator if at all possible.
- d. Written notice will be mailed to the parent or guardian on the day of the exclusion stating why the exclusion was made and whom to contact if they wish a conference to review the circumstances that led to the decision to suspend the student from school.
- e. If discipline length exceeds the number of days left in the school year, the discipline will carry over into the next school year.
- f. If such a review is requested, the student and parent(s) will be provided an opportunity to discuss with the building administrator the student's conduct and reasons for the decision to suspend the student. At the end of this conference, the student and parent(s) shall be informed of the building administrator's decision. In addition, a written decision of the review conference will be sent by mail to the student and parent(s) within two school days of the conference.

- g. The student or parent(s) may appeal the building administrator's decision from the review conference by requesting that the decision be reviewed by the Superintendent or his/her designee. A written response will be provided within three school days.

## **2. Expulsion:**

Situations may arise whereby a building administrator or duly authorized school official may find that the problems of a student are of such nature that the student should be denied the privilege of attending school and/or school-sponsored activities for the balance of the semester, the remainder of the year, or permanently. In such cases, the building administrator will follow procedures leading to a recommendation to the Board through the Superintendent that the student be expelled.

- a. When such a situation arises, the building administrator or his/her designee shall gather facts, views, and information related to the situation. This will include discussions with the student and the student's parent(s) or guardian(s). In such discussions, student and parent(s) shall be informed of what the student is accused of doing and the basis for the accusation(s).
- b. Completion by the building administrator of the "Notification/Confirmation of Exclusion from School" form constitutes the decision to recommend expulsion.
- c. Upon the decision to recommend expulsion, the following notifications shall be made:
  - 1). The building administrator shall mail a written notice to the parent or guardian on the day of the decision to recommend the expulsion. This notification will include the reasons for the recommendation to expel and will inform them that they may request a hearing on the recommended expulsion through the Superintendent.
  - 2). Upon receipt of a copy of the "Notification/Confirmation of Exclusion from School," the Office of Student Support Services will send a certified letter to the parent or guardian on behalf of the Superintendent which shall include:
    - a). The date of the Board of Education meeting at which the Board will take action on the recommendation to expel the student.
    - b). The specific charge(s) against the student which will be presented to the Board.
    - c). Explanation of appeal process. (Note: Parent has 10 days from date of receipt of the recommendation of expulsion to request an appeal hearing.)
  - 3). Both notifications shall include the following:
    - a). That prior to any hearing, the student or parent(s) may request the names of all witnesses in support of the recommendation.
    - b). The right of the student to be represented by an attorney at the student's or parent's expense.
    - c). The opportunity to question the witnesses who will testify against him/her.
    - d). The opportunity for the student to call witnesses on his/her behalf and/or present written affidavits for that purpose.
- d. If an appeal hearing is requested, the Board authorizes the Superintendent or his/her designee to serve as hearing officer who shall conduct the hearing within five school days from receipt of the parent request. The written decision and record of the hearing shall be mailed to the student and parent(s) within two school days. If expulsion of the student continues to be recommended, the written notice shall inform the student and parent(s) of:
  - 1). The date of the Board of Education meeting at which the Board will take final action on the recommendation to expel the student.
  - 2). The specific findings of the hearing officer regarding the student which will be presented to the Board of Education.
  - 3). The right of the student to have a hearing before the Board of Education in open or closed session and the requirement that such request must be made in writing within 10 days of the date of the written notice.
- e. If the student requests a hearing before the Board, he/she will be informed of:
  - 1). The names of the witnesses who will testify at the hearing.
  - 2). His/her right to question those who will appear against the student.
  - 3). His/her right to call witnesses on behalf of the student and/or present written

affidavits for that purpose.

- 4). His/her right to be represented by an attorney at the student's or parents' expense.
- f. The Board shall review the request for expulsion, the reason for the request, conduct the hearing, and determine whether the student's conduct constituted a gross misdemeanor or persistent disobedience. If expulsion is ordered, the Board shall also set the term of expulsion.

Expulsion shall be provided automatically for those pupils who possess a weapon in a weapon-free school zone, commit arson in school building or on school grounds, or commit rape (sexual misconduct) in a school building or on school grounds as provided by Section 1311 of the Michigan School Code.

Alternative placement may be allowed as provided in the Revised School Code MCL 380.1311.

The Board shall consider petitions for reinstatement, in compliance with the procedures set forth in Section 1311(5) of the Michigan School Code, and shall follow the procedure established therein, as amended. The decision of the School Board on petitions of reinstatement shall be final.

- g. The Office of Student Support Services shall report violations of this section referring permanently expelled (180 days) students to appropriate Family Independent Agencies or county Community Health Agencies or as otherwise might be required by state or federal law or regulation.

### COMMUNICATION PROTOCOL

In order to facilitate questions or concerns by staff, students, parents and community members, the following protocol is recommended:

1. If a question or concern arises regarding a building personnel matter, the contact source for each building is the building principal. The building principal will take action or refer the issue to the appropriate building level.
2. If a question or concern arises regarding a classroom issue, the teacher in that classroom is the first contact source. Any initial discussion on an issue should be with the classroom teacher. If further discussion is needed, the following process should be followed.

**Elementary Buildings:** Contact the building **principal**

**Middle School Buildings:** Contact an **assistant principal**. If further consideration is needed, the assistant principal will contact the **principal**.

**High School Buildings:** Contact the appropriate **counselor**. The counselor may refer the issue to an **assistant principal**. If further consideration is needed, the assistant principal will contact the **principal**.

3. In the event that the issue cannot be resolved at the building level, the building principal will contact the Director of Student Services for further discussion or action. The Director of Student Services will also be the contact source for the Superintendent of Schools.
4. If a classroom or building issue from a parent or community member is initiated outside the building level, it should be referred to the building principal for resolution or for appropriate referral either within the building or to Central Administration.
5. As a general rule, the principal is the primary contact source for building issues, and the **Director of Student Services** is the primary contact source for district issues. Appropriate referrals to other personnel can be made through these sources.

## **SURVEILLANCE POLICY**

The Board of Education authorizes the use of video cameras on district property to ensure the health, welfare, and safety of all staff, students, and visitors on district property, and to safeguard district facilities and equipment. Video cameras may be used in locations, as deemed appropriate by the Superintendent. The district shall notify staff and students through student/parent and staff handbooks that video surveillance may occur on district property. Students or staff in violation of board policies, administrative regulations, building rules, or law shall be subject to appropriate disciplinary action. Others may be referred to law-enforcement agencies. Video recordings may become a part of a student's educational record or a staff member's personnel record. The district shall comply with all applicable state and federal laws related to record maintenance and retention.

### **Bay City Public Schools** **Emergency Action and Response Notification System** **School Messenger**

In the event of an emergency at any Bay City Public School facility during school hours, district staff will take all actions necessary to ensure student safety. All buildings have a specific plan that outlines actions to be taken during both natural disasters and other emergencies. The senior building administrator, usually the principal, is responsible for directing the execution of the plan in the event of an emergency. The staff and students will practice these procedures several times a year. Parents and guardians will be contacted in the event of an emergency via a rapid automated calling system and local broadcast news services. It is important that the phone numbers in this system remain up to date. Parents and guardians should notify the school that their child attends regarding any change in phone number. If the district makes an emergency call, we will provide information to parents and guardians concerning the nature of the emergency, and the actions that district is taking to keep the students safe. Details of the emergency action plans themselves will not be published. We ask that parents and guardians remain clear of the school district buildings during an emergency, so that police, fire, and other emergency response professionals may have unrestricted access to the scene of the event. If a situation develops where students need to be moved to a different location, parents will be notified by all available means where the students may be picked up following an event. Parental cooperation is vital in the event of an emergency. Please contact the district if you have any questions or comments.

Carla Derocher  
Director of Student Services and District Safety  
Bay City Public Schools  
989 671-8121

### **Definitions of Misconduct Which Will Result in Disciplinary Action** **Shall Include but Not Be Limited to the Following:**

**Academic Misconduct (Plagiarism and Cheating)** - Academic Misconduct includes but is not limited to plagiarism and cheating.

- Plagiarism is using or representing the information of another individual or source and passing it off as your own.
- Cheating is a violation of the rules established by a teacher for any assignment or test.

**Arson** - The willful or malicious burning of, or attempt to burn, any building or part of any building structure, or property of the District, staff or student.

**Assault, Physical** - Intentionally causing or attempting to cause physical harm to another through force or violence. (MCLA 380.1311a(12)(B) and MCL 380.1310(3)(B))

**Assault, Verbal** - Any willful verbal, either oral or written, threat to inflict injury upon another person, under such circumstances which create a reasonable fear of imminent injury, coupled

with an apparent ability to inflict injury. Any bomb threat or similar threat directed at a school building, other school property, or a related event is included in this definition.

**Battery** - An unlawful physical attack upon another by beating, wounding, or touching in an offensive manner without his/her consent.

**Body Conditions** - The condition under which any pupil is suspected of having a communicable disease, or who has persistent and neglected body odors.

**Bomb Threat** - See Assault, Verbal.

**Bullying, Cyber Bullying, Intimidation, Harassment, Hazing** - Infliction of physical, verbal, written, electronically transmitted or emotional abuse, or physical, verbal or emotional attacks upon the person or property of another which could include: verbal taunts, name-calling, and put downs, Religious, ethnically, gender based or sexual orientation put downs, extortion, threats or similar conduct.

**Bus Violation** - The failure to respond or carry out a reasonable request by a bus driver to remain seated when the bus is moving, to cross at least ten feet in front of the bus when the bus is stopped, to keep all parts of the body inside the bus, not to block the aisles of the bus, or any other misconduct while being transported to or from school or school-sponsored activities.

**Drugs, Alcoholic Beverages, Performance Enhancing Substances, etc.** - Possession, use or evidence of substance abuse such as Huffing, or transfer of drugs including synthetic marijuana, bath salts, alcoholic beverages or other illegal substances, including performance enhancing substances as defined by the Department of Community Health, in a Drug Free School Zone.

**Drug Free School Zone** is defined as: in, on or within 1,000 feet of real property comprising a building, playing field, or property used for school purposes to impart instruction to children in grades kindergarten through 12, when provided by a public, private, denominational or parochial school, except those buildings used primarily for adult education or college extension courses. M.C.L. 333.7410.

**Ethnic/Racial Harassment** - Behavior directed toward another person's racial or ethnic background that makes that person feel uncomfortable, threatened, unsafe, angry, powerless or demeaned.

**Explosives, Fireworks, and Foul Substances** - Carrying or possessing or placing in, upon, against or near any District property any article containing an explosive or combustible substance—including fireworks—or foul, offensive, or injurious substance or compound.

**Extortion** - The use of threats of physical harm, or accusation of crime or other offense, to wrongfully take money, property, or things of value from any other person.

**Failure to Provide Records (to include birth certificate, immunization, vision screening, and any other records required by law) - (1) Birth Certificate:** The failure to produce for inspection a certified record of birth of those entering kindergarten or enrolling in school in this state for the first time. **If the person enrolling the student for the first time does not produce either a certified copy of the student's birth certificate or other reliable proof of the student's identity and age along with an affidavit explaining the inability to produce a copy of the birth certificate within 30 days, the local law enforcement agency will be notified.** **(2) Immunization:** The failure of a child enrolling in school in this state for the first time to submit one of the following: (a) a statement signed by a physician that the child has been immunized or protected against diphtheria, measles, mumps, pertussis, polio, rubella, tetanus, and hepatitis B (effective 2000/2001), and varicella (or history of the disease); or (b) a written statement that this requirement cannot be met because of religious convictions or other objection to immunization, or (c) a certifying statement from a physician that a specific immunization is or may be detrimental to a child's health or is not appropriate. State law permits a building administrator to admit new entrants to school with a record of having received at least one dose of each vaccine. For the student to remain in school, parents must provide the school a record showing that the student has received all of the immunizations as required by Act 368 of P.A. 1978 as amended. **(3) Vision Screening:** The failure to submit a statement signed by a District, county, or city health department director stating that the child has passed the Department of Health preschool vision screening test, or a statement signed by a licensed medical or osteopathic physician or a licensed optometrist indicating that the child has had his eyes examined during the preschool years after age three and prior to initial entrance in school, or a statement signed by the parent or guardian to the effect that the



child cannot be submitted to such tests because of religious convictions.

**False Fire Alarm** - Unauthorized activation of fire alarm by student.

**Fighting** - Participating in an altercation with another person.

**Forgery** - The act of making a false statement in writing using the name of another person falsifying documents or information, including but not limited to School District forms or records.

**Gambling** - Direct or indirect taking, receiving or accepting from any person any money or valuable thing contingent upon the result of an uncertain event.

**Gang Activity** - Gang activity includes but is not limited to such things as apparel, signs, writings or related activity. Gangs are groups that pose a threat to public safety and order through violence, intimidation or other illegal activities. Gang activity will not be tolerated in the Bay City Public School District.

**Gross Misconduct** - The act of deliberate or willful conduct, verbal and/or physical, detrimental or disruptive to normal functions of the program or activity under school sponsorship; the act of threats or physical violence to staff members or to other pupils; acts that pose a continuing danger to persons or property; or acts, physical or verbal, that threaten to disrupt the academic process.

**Hazing** - The abuse, annoyance, or harassment of another by means of banter, ridicule, or criticism.

**Improper Clothing** - Any attire promoting offensive messages such as obscenity, profanity, drugs, sex, alcohol, tobacco, or gang activity will be prohibited.

**Indecent Exposure** - The act of knowingly making any open or indecent exposure of his or her person.

**Insubordination** - The failure to respond or carry out a reasonable request by a staff member, including failure to abide by reasonable school and/or classroom rules.

**Littering** - The dumping, depositing, placing, throwing, or leaving of litter in and upon school property other than in receptacles set aside for such purposes.

**Nuisance Devices** - Anything that disrupts the learning process.

**Obscenity/Profanity** - Use of obscene, vulgar or profane language by pupils, in verbal or written form, in gestures, or in pictures or caricatures in or on any school property.

**Persistent Disobedience** - Repetition of the same misconduct or accumulation of instances of varied misconduct.

**Public Display of Affection** - Caressing, petting, fondling, cuddling, kissing.

**Rape** - Rape shall be defined as criminal sexual conduct as defined in the Michigan School Code Section 1311, or Michigan Criminal Code.

**Sexual Harassment** - Sexual harassment shall be as defined in *A0400 - Sexual Harassment*: "Any unwelcome communication or conduct of a sexual nature where submission to the conduct is explicitly or implicitly made a term or condition of the individual's employment or educational opportunity and/or submission to or rejection of the conduct is a factor in any decision effecting the individual's employment, and/or education opportunities, or the conduct unreasonably interferes with the individual's work performance, or educational performance, or creates a hostile or offensive environment on the basis of sex."

**Technology Violations** - The purpose for technology in the Bay City Public Schools is to enhance learning, to improve communication, and to improve productivity. Any other use of Bay City Public Schools computer technology is not authorized. (Please see Technology Policy in the back of this book for specific guidelines and procedures.)

**Throwing Snowballs, Stones, or Other Missiles** - The act of possessing, throwing or threatening to throw any snowball, ice ball, stone or other missile, in or upon school property, or while going to or from school, including any activity under school sponsorship, at the person or property of another.

**Theft** - The act of acquiring and/or knowingly and willfully having in one's possession the property of another without consent; stealing, receiving, or concealing stolen property.

**Tobacco Use Prohibited H524** - In the interest of providing a safe, clean and healthy environment for employees, students and visitors, the use of tobacco and non-tobacco nicotine products on school property is prohibited at all times. Examples include, but are not limited to:

cigarettes, cigars, spit tobacco, snus, tobacco strips & sticks, dissolvable tobacco products and e-cigarettes.

**Trespass** - The willful entering upon the lands, premises or areas of the facilities of the School District without authority, or willfully being in areas of the facilities or grounds at times when such presence is unauthorized.

**Truancy** - Unauthorized absence from school or any required school activity for any period of time. Chronic tardiness may be considered truancy.

**Vandalism** - The act of willful or malicious destruction of school property or property belonging to another.

**Violation of Law** - Violation of any federal, state or local law.

**Weapons (Dangerous)** - Possession or use of dangerous weapons as defined in Sections 1311 and 1313 of the Michigan School Code as amended, meaning “a firearm, dagger, dirk, stiletto, knife with a blade over three inches in length, pocket knife opened by a mechanical device, iron bar, or brass knuckles.”

**Weapons (Other)** - Possession or use of weapons here defined as objects used as weapons but not meeting description of “dangerous weapons” identified in Sections 1311 and 1313, e.g., knife with blade less than three inches in length, etc.

## **DISCIPLINARY ACTIONS**

### **A Summary of Disciplinary and Attendance Guidelines**

Rules are only a means of providing logical minimum standards of conduct which are necessary for the preservation of a wholesome and workable educational atmosphere for learning. During the school year, violations of these standards at the schools or during events sponsored by the schools will be dealt with through discipline that takes into consideration:

1. The nature of the misconduct involved, and
2. The age of the student, and
3. The cumulative misconduct of the student, and
4. Available alternative disciplinary measures.

While the following list identifies types of misconduct and explains the standard discipline for the violations, the school reserves the right and discretion to deviate from this and impose any other available disciplinary measure, and in addition, may refer a particular incident of misconduct to the appropriate law enforcement agency or the school attorney.

### **DISCIPLINARY STEPS FOR ELEMENTARY STUDENTS**

NOTE: Steps listed and defined below represent a range of options. It is not to be construed that these steps will be sequential or that all steps will be incorporated with each offense.

Placement and movement on the step system will be proportionate to the severity of the misconduct. The elementary administration reserves the right to deal with each offense on an individual review basis which may result in disciplinary action being less or more severe than outlined.

In addition to the steps provided for possession of prohibited articles, the School District may confiscate any such article and return same to the student, parent, guardian and/or law enforcement authority as the circumstances require.

**Step 1 – Warnings: Verbal.** The infraction will result in warnings by the adult in charge.

**Step 2 – Conference:** Conference with the student that will include reviewing the disciplinary policy and procedures by the adult in charge.

**Step 3 – Teacher/Student Conference.** Conference with the student and possible parent contact.

**Step 4 – Notify the Parent.** Notification by the adult in charge. Example: Classroom teacher would make the parent contact.

**Step 5 – Lunch and/or After-school Detention.**

**Step 6 – In-school (1-3 days) Time-out.** Student will be isolated from the class and expected to complete required assignments.

**Step 7 – 1 to 3 day Out-of-school Suspension.**

**Step 8 – 4 to 10 day Out-of-school Suspension.**

**Step 9 – Expulsion from School.** Board of Education action required.

**ELEMENTARY STUDENT MISCONDUCT THAT WILL RESULT  
IN DISCIPLINARY ACTION AND THE RECOMMENDED PENALTY  
INCLUDES BUT IS NOT LIMITED TO THE FOLLOWING:**

(The recommended beginning step follows the listed offense.)

<u>Misconduct</u>	<u>Beginning Step</u>
<b>ACADEMIC MISCONDUCT (Plagiarism and Cheating)</b>	Step 4
<b>ARSON</b> (State law sets certain mandatory penalties. Consult existing law.)	Rec. Expulsion
<b>ASSAULT, Physical</b>	Step 1 to 9
<b>ASSAULT, Verbal</b>	Step 1 to 9
<b>BATTERY</b>	Step 4 to 9
<b>BOMB THREAT</b>	Step 1 to 9
<b>BULLYING, CYBER BULLYING, HAZING, INTIMIDATION, HARASSMENT, HAZING</b>	Step 1 to 9
<b>BUS DISCIPLINE</b>	Step 1 to 9
<b>DRUGS, INCLUDING SYNTHETIC MARIJUANA, BATH SALTS, PERFORMANCE ENHANCING SUBSTANCES, TOBBACO --</b> (Using/Selling/Delivery/Distribution Including Look-Alike Drugs)	Step 4 to 9
<b>ETHNIC HARASSMENT</b>	Step 4 to 9
<b>EXPLOSIVES, FIREWORKS, AND FOUL SUBSTANCES</b>	Step 4 to 8
<b>FAILURE TO PROVIDE RECORDS</b>	Step 1 to 8
<b>FALSE FIRE ALARM</b>	Step 1 to 9
<b>FIGHTING</b>	Step 3 to 8
<b>GANG</b> (apparel, signs, writings or related activities)	Step 4 to 9
<b>GROSS MISCONDUCT</b>	Step 6 to 9
<b>IMPROPER CLOTHING</b>	Step 1 to 4
<b>INSUBORDINATION</b>	Step 2 to 9
<b>NUISANCE DEVICE:</b> Confiscate. See Special Notes #3 below.	
<b>PAGERS, PHONES</b> (See nuisance devices)	Step 4 to 9
<b>PERSISTENT DISOBEDIENCE</b>	Step 5 to 9
<b>SEXUAL HARASSMENT</b>	Step 4 to 9
<b>SWEARING / PROFANITY</b>	Step 3 to 7
<b>TECHNOLOGY VIOLATIONS</b>	Step 1 to 9
<b>THEFT</b>	Step 4 to 9
<b>THROWING SNOWBALLS, STONES OR OTHER MISSILES</b>	Step 1 to 5
<b>TRESPASS</b>	Step 3 to 8
<b>VANDALISM</b>	Step 4 to 9
<b>WEAPONS (Other)</b> (See earlier definitions.)	Step 4 to 9
<b>WEAPONS (Dangerous)</b> (See earlier definitions.)	Rec. Expulsion

**Special Notes Regarding Elementary Schools:**

1. Except where required by law, such as for possession or use of dangerous weapon, arson or rape, the schools reserve the option of contacting authorities and/or pressing charges in situations where laws have been violated. Per section 1308 of the Michigan School Code, all incidents of crime and expulsions will be reported to the Michigan Department of Education.
2. More detailed information regarding due process expectations and appeal procedures, is available through the individual school offices or the Student Support Services Office.
3. First Offense: Confiscate and have parent pick up cell phone.  
Second Offense: Confiscate and have parent pick up cell phone.  
Third Offense: Confiscate and have parent pick up cell phone. Student will be suspended one day in house.

4. Fourth Offense: Confiscate and have parent pick up cell phone. Student will be suspended three days out of school.

## **LAW ENFORCEMENT**

### **A. Investigation**

Law enforcement officers may be allowed access to students during school hours, in and upon school property, for purposes of investigation of crimes. Juveniles and children are, however entitled to procedural safeguards determined by the requirements of each situation. What constitutes due process of law must be determined by the facts and circumstances of each case. Such access to students shall include, but not be limited to, the following procedures:

1. Law enforcement officers shall advise, upon request of administration, the duly authorized building administrator of the student or students to whom they desire to have access and the general purpose of the investigation. Law enforcement officers should advise whether the student is a "suspect" or merely a "witness." If in the course of the investigation a "witness" becomes a "suspect," the building administrator shall be so notified and if at all possible, he/she will notify and so advise the parent or legal guardian.
2. If at all possible, prior to custodial interrogation (questioning of a student considered to be a suspect) or upon arrest of a minor student, the parent or legal guardian of the student will be notified immediately by telephone by the building administrator or his/her designee. If phone contact is not possible, written notice will be mailed by the building administrator or his/her designee on the day of the investigation.
3. Access to students shall be limited so as not to disrupt the educational process, interrupt classes or embarrass or unreasonably draw attention to students.
4. Questioning of a student, within a school, by law enforcement officers, shall ordinarily take place privately, outside the presence of any other students. Any questioning at the request of law enforcement officers, must take place in accordance with Board policy.

### **B. Student Arrest**

In the event that a student arrest becomes necessary during the school day and on school property, the following guidelines are to be followed:

1. The police shall notify the building administrator of the impending arrest.
2. The Superintendent, or designee, shall be immediately notified by phone of the student arrest.
3. The building administrator shall make an attempt to notify the parent(s)/guardian of the pending arrest. (See A-2 above.)
4. An administrator shall accompany the arresting officer to the classroom and request the student to come into the hallway to be turned over to the arresting officer.

## **RESPONSIBILITIES AND LIMITATIONS**

### **A. Search and Seizure**

The right of inspection of students' lockers, desks, or articles carried upon their person or in personal property either in or on school premises, is inherent in the authority granted boards of education and school administrators in order to safeguard the health and safety of all students, to promote the safety and security of all persons and their property, to enforce reasonable rules and regulations approved by the Board, and to maintain an atmosphere conducive to enhancing the educational process.

It is the goal of the Bay City Public Schools to provide a safe learning environment for students. Students are advised that it may be necessary for the administration or staff to search a student or vehicle on school property if there is reasonable suspicion or cause to believe that a student is in possession of an illegal object or substance, including but not limited to weapons, controlled substances (drugs), counterfeit substances or drugs or property not belonging to the student. Search of a student or vehicle will ordinarily be limited to that necessary under the circumstances to respond to the information available and the least intrusive possible to confirm or disprove the belief. Students are also advised that administration may utilize outside resources to ensure safety and check for regulated substances or objects including such resources as metal detectors, trained scent dogs or similar resources.

Illegal controlled substances, drugs or look alike drugs, or illegal objects will be turned over

to the appropriate authorities. Students will be disciplined in accordance with the District policy, regulations and handbook. Such policies and procedures are subject to review and revision by administration and the Board of Education. Disruptive, unruly or uncooperative students when appropriate will be referred to the appropriate law enforcement agency.

Although school authorities will respect the rights of the student in his/her locker and property, it should be made clear to all students that lockers are the property of the School District. At no time does the District relinquish its exclusive control of lockers provided for the convenience of students. Periodic general inspections of lockers may be conducted by school authorities for any reason at any time, without notice, without student consent, and without a search warrant. Lockers are assigned to students for purposes of storing supplies, clothing, coats or other items essential to the formal educational process and their physical well-being.

The following rules shall apply to the search of school property assigned to a specific student (locker, desk, etc.) and the seizure of items in his/her possession:

1. Searches of school property, such as lockers, desks, physical education lockers, athletic lockers, etc., may be conducted at any time.
2. Illegal items (firearms, weapons, controlled substances, stolen property, etc.), or other possessions reasonably determined to be a threat to the safety or security of the school or of others may be seized by school authorities.
3. Locker inspections may be carried on by administrators for the purpose of ensuring cleanliness, return of library books and other school-owned materials.
4. Vehicles parked upon school property are subject to this policy, and administrative regulation regarding search and inspection.
5. The school retains the right to conduct searches in emergency situations, such as bomb threats or a belief that there are weapons or dangerous materials on the premises.
6. Items seized or confiscated may be returned to the student at the end of the school day at the discretion of the building administrator if in his/her judgment such items do not impose danger to the student or others who may come in contact with him/her.

The Superintendent shall be responsible to establish guidelines for inspections and searches.

#### **B. Freedom to Publish**

1. 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.
2. 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.
3. Libel, obscenity and profanity are prohibited in all publications.
4. Unauthorized commercial solicitations 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 students of the District at times in places as designated by the school authorities.
5. The distribution by students in school buildings or on school grounds of material the content of which reflects the special interest of an organization is prohibited unless it has prior approval of the building administrator.

#### **C. Freedom of Speech and Assembly**

1. Students are entitled to verbally express their personal opinions. Such verbal opinions shall not interfere with the freedom of others to express themselves. Obscenities and profanity are prohibited.
2. All student meetings in school buildings or on school grounds may function only as a part of the formal educational process or as authorized by the building administrator.
3. Students have the freedom to assemble peacefully. Conducting demonstrations which interfere with the operation of the school or classroom is prohibited.

#### **D. Dress and Appearance**

The District believes that decorum in student dress and appearance is the responsibility of the parent. It is assumed, therefore, that the way a student appears in school has the sanction and approval of the parent. The following minimum standards are established:

1. Reasonable cleanliness of person and wearing apparel is expected. This is a matter of health and consideration of the students and staff.
2. To avoid injury to feet and to curtail the possibility of disease, footwear shall be worn.
3. Students shall not wear clothing or hair styles that can be hazardous to school property, themselves, or other students in school activities such as shop, lab work, physical education, swimming, art, etc.
4. Personal dress and grooming practices shall not create a disruption of the learning process.
5. There may be cases where individual sponsors, directors, or coaches may require, because of certain activities, a more rigid dress and grooming policy.
6. When wearing shorts or skirts the length should be no shorter than the tips of the child's fingers extended down to the side of their body. Tank tops worn must have straps the width of 3 kid fingers. No halter-tops or midriffs are allowed.
7. The student handbook will explain the specific dress attire.

#### **School-Owned Textbooks and Other**

##### **School Supplies and Materials**

Students and parents of an unmarried student who has not reached 18 years of age, not having been declared emancipated by a court of law, living with his/her parents, will be held responsible for and charged for damage to books and other school supplies and materials, over and above ordinary wear and tear, and for the loss of such books, supplies, and materials loaned to students for their use.

#### **Critical Incident Response Team**

The District Critical Incident Response Team may meet with students following a crisis during the course of a school year.

#### **Access and Maintenance of Student Records**

The Family Educational Rights and Privacy Act (FERPA) of 1974, as amended, provides for and governs the access to student education records by parents and legal guardians of students who have not reached 18 years of age and are not attending an institution of post secondary education, students who have reached 18 years of age or are attending institutions of post secondary education (adult students), and certain other persons. In order for a parent or legal guardian or an adult student to gain access to education records, they must first obtain written consent from the adult student. **According to the Revised School Code, (380.1137a of 2000), if the district has received a personal protection order prohibiting a parent from having access to information concerning the pupil, the district shall not release student information to the parent who is subject to the personal protection order.**

Education records which are available for examination include all records, files, documents, including disciplinary records, and other materials which contain information directly related to the student. However, such education records do not include the following: observations or notes made by a teacher, counselor, or administrator which are in the possession of the maker and not communicated to other persons except a substitute; employee personnel records; certain medical records; and law enforcement records created and maintained by a law enforcement unit working in the schools.

Education records will not be made available to anyone other than the parent, legal guardian (both parents, custodial and non custodial, are guaranteed equal access to student information unless the school has evidence of a court order revoking these rights), or adult student without the express written consent of the parent, legal guardian or adult student, except: (1) to teachers or school officials of this School District who have a legitimate educational interest in examining such records; (2) to school officials of other school systems in which the student intends to enroll; (3) to certain federal and state agencies and officials thereof; (4) in connection with a student's application for financial aid; (5) in cases where the school district is bringing legal action against

a parent or student and the records are relevant to the action being pursued; and (6) in cases where a parent or student is suing the district and the records are relevant to the district's defense.

Information which includes but is not limited to a particular student's name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, photos of students, and the most recent educational institution attended by the student are designated as directory information and may be made public unless the parent, legal guardian or adult student informs the Director of Student Support Services, Bay City Public Schools, 910 N. Walnut, Bay City, MI 48706, telephone 671-8121, in writing, which directory information is not to be made public. Individuals requesting directory information must present a written request to the Director of Student Services listing a reason for the request. A response to the request will be made within 3 days. The district must provide at least the same access to the high school campus and to pupil directory information as is provided to other entities offering educational or employment opportunities (unless parent/guardian or 18 year old student denies access as stated above) to official recruiting representatives of the armed forces of the United States, and the service academies of the armed forces of the United States for the purpose of informing pupils of educational and career opportunities available. Medical information may be shared with staff who have direct contact with students on an as-needed basis.

According to FERPA law as amended, student records may disclose information from education records without the consent of parents in response to subpoenas or court orders. A school official must make a reasonable effort to notify the parent before complying with the subpoena is issued to enforce a law and specifies not to notify the parent. In emergencies, school officials can provide information from education records to protect the health or safety of the student or others. Parents have the right to review the education records of their children. In order to examine the student's education records, a written or verbal request must be directed to the administrator of the school. The building administrator will then provide the parent, legal guardian or adult student access to the student's education records within 45 days of such request.

Should the parent, legal guardian or adult student wish to challenge the content of the student's education records, an appeal to this effect shall be directed to the building administrator. Informal means to settle disputes regarding the contents of the student's education records should be pursued. (This provision does not apply to grades and educational decisions about children that school personnel make.) However, in the event such informal proceedings are unsatisfactory to either party, then a request for a formal hearing shall be directed to the Director of Student Support Services, Bay City Public Schools, 910 N. Walnut St., Bay City, Michigan 48706, telephone 671-8121. School officials conducting proceedings challenging the contents of the student's education records shall be guided by the principle that students' education records should not include false, incorrect, or otherwise harmful entries found not to be factual. In the event the school official conducting the hearing cannot resolve the complaint, the parent, legal guardian or adult student has the privilege to make a written statement for placement in the student's education records objecting to or clarifying the alleged inaccuracy. Such a written statement shall be signed and dated by the party making the statement.

Should a parent, legal guardian or adult student desire copies of the student's education records, there will be a twenty-five cent per page reproduction charge; in case of a transcript of credits, they will be provided for a reasonable fee.

The Family Educational Rights and Privacy Act may be modified or amended, and this policy is expressly subject to such changes, and the District is committed to full compliance with such Act.

Inquiries relating to student records should be directed to the building administrator or the Superintendent or his/her designee, 910 N. Walnut St., Bay City, Michigan 48706, telephone 671-8121. (See also H5030 - *Freedom of Information Act - Policies for Implementation and J7900 - Cumulative Student Records.*)



## ATTENDANCE POLICIES

The Board of Education believes that if students are to receive the best education possible, they must be in daily attendance. Attendance in the classroom helps to instill concepts of self-discipline and exposes students to group interactions with their teachers and other students. Participation in class instruction, discussion, and other related experiences are appropriate educational expectations.

The primary purpose of this attendance policy is to encourage students to be present in their classes in order to realize the maximum potential from classroom instruction. Absences and tardies will affect a student's achievement and may affect marks and class credit.

The District recognizes that education requires the cooperation of students, parents, teachers, and administration. To assure the cooperative and successful implementation of the policy, the following responsibilities are identified:

### **Student Responsibilities:**

1. Be prompt and regular in attendance.
2. Be aware of the importance of regular school attendance and understand that much of the classroom participation cannot be made up. Achievement may suffer, even to the point that the class requirements cannot be met, credit for classes is lost, and grade point average is reduced.
3. Return directly to class following any parent or school authorized absence. (An admit slip or office contact is needed only in the cases where there has been no parent contact.)
4. Secure and complete any missed assignments. It is the responsibility of the student, not the teacher, to see that missed work is made up and turned in promptly.
5. Realize that exemplary attendance will be recognized and rewarded.

### **Parent Responsibilities:**

1. Send the child to school each day on time and in good health.
2. Call the school when the child is absent. A call confirming and authorizing the absence should be made no later than 1:00 p.m. the same day of the absence. (If no phone call can be made, send a note verifying dates and reasons for absences upon the child's return to school.)
3. Schedule appointments, such as medical and dental, after school hours when possible.
4. Consult with the school staff when in doubt about school attendance procedures, or the child's attendance patterns.
5. Be aware of the child's attitudes and feelings about school that may adversely affect his/her attendance.
6. Understand that absences will affect achievement and may affect credit.
7. Understand that vacations which take students out of school are discouraged and will affect a student's attendance records.
8. Provide transportation for a student placed in a detention room to make up work or time missed through unauthorized absences.
9. Building Choice students with excessive absences (violation of Attendance Policy) will be returned back to their home attendance school.

### **Teacher Responsibilities:**

1. Keep daily record of attendance and tardiness and the reasons for absence of each child in an attendance book. (In the high schools, reasons are logged by the Attendance Office.)
2. When in doubt about the reason for student absence, request information from the office or the parent.
3. Identify patterns of absence and tardiness that may require counseling with the student and/or parents, and report same to the office.
4. Contact home and counsel with students and parents on attendance problems.
5. Refer attendance problems that are of a serious nature to counselor or building administrator.
6. Be aware of attitudes and feelings that may adversely affect the child's attendance.
7. Refer student with unauthorized absences to the school office for further action as outlined in procedures.



8. Request notes from students when there has been no parent contact following an absence. (At the high school and intermediate level, request admit slips from the office.)
9. Provide opportunities to students to complete missed assignments as outlined in grading policies and procedures. (*See I6385 - Grading, Reporting System and I6390-P - Grading, Reporting System Procedures.*)
10. Provide requested information to counselors and/or administrators.

#### **Counselor Responsibilities**

1. Inform parents and students of attendance expectations and procedures.
2. Provide counsel with parents and/or student upon referral from the child's teacher or counselor.
3. Utilize special services personnel when advised.
4. Refer to Building Administrator to assign suspension and/or detention to students as prescribed in procedures and policies.
5. Present awards and recognition for exemplary attendance.

### **ATTENDANCE - ADMINISTRATIVE PROCEDURES**

#### **Absence Definitions**

- 1) Extenuating Circumstance (E1-E6) – An absence as described below. All Extenuating Circumstances will not be used when implementing the attendance policy.
- 2) Parent Called (PC) – An absence from class in which a parent has called within 48 hours to notify the school of their child's absence. These absences will be used in the calculation and implementation of the attendance policy.
- 3) Absence (A) – Any other absence from class not covered by an E or PC. These absences will be used in the calculation and implementation of the attendance policy.

#### **Extenuating Circumstances (E)**

Regular school attendance is expected. However, it is recognized that students may not be able to attend class for a variety of reasons. These extenuating circumstances (E) will not be calculated when implementing the attendance policy procedures. In order to verify an extenuating circumstance, parents must call (report) and provide documentation for absences to the Records Office Associate. Failure to do so will result in the absence being calculated when implementing the attendance policy procedures. The following is a list of extenuating circumstances:

#### **Administrative Attendance Codes**

- E1 – Hospitalization, doctor's excuse, documented medical or dental appointments.
- E2 – School authorized absence (field trips, athletic events, school related appointments).
- E3 – Separations or suspension from class or school.
- E4 – Death in the immediate family.
- E5 – Religious observances.
- E6 – Other circumstances as approved by the building administrator.

#### **Elementary School Attendance / Tardy Procedures**

Attendance:

- First Step – 5 or more total absences (A & PC only) Written notification to parent.
- Second Step – 10 or more total absences (A & PC only) Written notification to parent and parent contacted by school.
- Third Step – 15 or more absences (A & PC only) Written notification to parent and referral to BCPS District Attendance Office. Parent contacted by BCPS District Attendance Office.
- Fourth Step – 20 or more absences (A & PC only) Written notification to parent. Referral to BCPS District Attendance Office. Parent contacted by BCPS District Attendance Office. Potential court referral.

**Tardiness:**

A student is considered tardy if he/she arrives 30 minutes or less after the school starting time. When a student is more than 30 minutes tardy in the morning or leaves school with more than 30 minutes left in the afternoon session, the student will be considered absent for half of a day. Leaving school early is discouraged. Parents are encouraged to schedule necessary appointments during non-school hours as much as possible. School district Office Associates will use the code T (LA – late arrival) for students who are less than 30 minutes late and T (LE – left early) for students who leave 30 minutes early or less at the end of the school day.

**Anti-Bullying Policy J-7315**

It is the policy of the District to provide a safe educational environment for all students. Bulling of a student at school is strictly prohibited. This policy shall be interpreted and enforced to protect all students and to equally prohibit bullying without regard to its subject matter or motivating animus.

**Prohibited Conduct**

1. **Bullying** Bullying of a student at school is strictly prohibited. For the purposes of this policy, “bullying” shall be 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 one or more students either directly or indirectly by doing the following:
  - a. Substantially interfering with educational opportunities, benefits, or programs of one or more students;
  - b. Adversely affecting a student’s ability to participate in or benefit from the District’s educational programs or activities by placing the student in responsible fear of physical harm or by causing substantial detrimental effect on a student’s physical or mental health; or
  - c. Having an actual and substantial detrimental effect on a student’s physical or mental health; or
  - d. Causing substantial disruption in, or substantial interference with, the orderly operation of the school.
2. **Retaliation/False Accusation.** Retaliation or false accusation against a target of bullying, anyone reporting bullying, a witness, or another person with reliable information about an act of bullying is strictly prohibited.

**Suspension by Teacher from Class, Subject, or Activity J7350**

In accordance with Michigan Revised School Code (MCLA 380.1309), a teacher is authorized to immediately remove and suspend a student from a class, subject or activity when the student’s behavior is so unruly, disruptive, or abusive that it materially interferes with the teacher’s ability to effectively teach the class, subject or activity, or the student’s behavior interferes with the ability of other students to learn.

Any student suspended pursuant to this policy shall not be allowed to return to the class, subject or activity from which he/she was suspended until the passage of one full school day from the time of the student’s infraction unless otherwise permitted by the teacher who ordered the suspension. Students attending separate class periods throughout the school day shall be permitted during the term of the suspension to attend other classes taught by other teachers so long as the student’s conduct does not rise to the level of requiring a multiple-day suspension or expulsion in accordance with Board of Education policy. (See J7310-P – *Rights with Responsibilities in the School District.*)

Teachers shall immediately contact parents to advise of such suspension and to request a parent/teacher conference. Teachers shall document such suspension and prepare an appropriate written

report of same, which shall be available for administration and the student and/or his/her parent or guardian. Whenever practicable, a school counselor, school psychologist, or school social worker shall attend the conference. A school administrator shall attend the conference if the teacher or the parent or guardian so requests.

#### **Due Process Rights** J7480

The Board protects the constitutional rights of the individual through due process of law and will follow legally sound procedures in the administration of discipline. *(See also J7310-P - Rights with Responsibilities in the School District of the City of Bay City.)*

#### **Drug Abuse** J7500

##### **Substance Abuse Policy**

There are three different identifiable drug abuse problems in the school, and these will be dealt with in three separate procedure statements:

1. The student who is using drugs and refers himself to a staff member for help.
2. The student who is using drugs in the school, but does not recognize their use as a problem to himself or the school.
3. The student who is selling or providing drugs to others.

It is conceivable a single student could fall into all three categories. This often is not the case, and the procedure for dealing with each situation should be different. In all cases it is imperative the professional adhere to the following appended administrative guidelines.

The primary responsibility of the school is to counsel and to educate the youth who are its clients. With the power of the school to compel and influence attendance goes a strong obligation to protect the young, who are under its control, from danger. Any flow of illicit drugs in the school poses a threat to safety of the students under its care. Because of this danger, the schools must make every reasonable effort to interdict drugs in the school setting while at the same time maintaining the trusting atmosphere necessary for students to learn and teachers to teach. Undue emphasis on apprehending offenders may well destroy what we set out to preserve. The effort to prevent the flow of drugs at school is for the protection of the students and not primarily for the apprehension of offenders.

##### A. Criteria for determining the user.

1. Student refers himself to a staff member for assistance.
2. The student is under the influence of some substance in the school as evidenced by some deviation from his normal behavior.
3. The student possesses a drug such as a pill in such small amount indicating it is for his own use.

##### B. Criteria for determining the student distributor of illicit drugs.

1. The student has in his possession a quantity of substance beyond what could be expected for his own use.
2. Evidence is submitted that an exchange has taken place.

#### J7520-P **Drug Abuse Procedures**

##### A. Procedures for dealing with the **self-referred user**.

1. The secondary school student's parents should not be contacted without the student's consent unless the administrator feels the student's health is in immediate danger. The counselor (the professional who is working with the student), however, should encourage the student to either allow him to involve the parents, or the student himself tell the parents of the problem.
2. The counselor (the professional who is working with the student) will notify the building administrator that he is working with the student.
3. No contact with the police to be made unless required by law.

4. Confidential records shall be kept for the purpose of counseling and referral. These records shall be kept separate from the student's CA 39 file.

M.C.L.A. 333.6121 - The student may be treated for this problem in complete confidence as spelled out in Article 6 (Substance Abuse) of the Public Health Code of 1995 as follows: Minors' consent to care and treatment; disclosure; liability for services provided:

- (1) The consent to the provision of substance abuse related medical or surgical care, treatment, or service by a hospital, clinic or health professional authorized by law executed by a minor who is or professes to be a substance abuser is valid and binding as if the minor had achieved the age of majority. The consent is not subject to later disaffirmance by reason of minority. The consent of any other person, including a spouse, parent, guardian, or person in *loco parentis*, is not necessary to authorize these services to be provided to a minor.
- (2) For medical reasons the treating physician and on the advice and direction of the treating physician, a member of the medical staff, or a hospital or clinic or other health professional may, but is not obligated to, inform the spouse, parent, guardian, or person in loco parents as to the treatment given or needed. The information may be given to or withheld from these persons without consent of the minor and notwithstanding the express refusal of the minor to the providing of the information.
- (3) A spouse, parent, guardian, or person in loco parents of a minor is not legally responsible for service provided under this section. The act further defines a "minor" as "an individual 14 or more years of age and less than 18 years of age."

B. Procedure for dealing with the user, i.e. in possession of drugs or under the influence.

1. If the student's life is in danger, as may be the case under No. 1 above, parents should be contacted immediately and the student taken to the appropriate health care facility.
2. If the student's health is not a concern, and the student is found to be in possession of drugs or under the influence the administrator shall:
  - (a) contact the appropriate law enforcement agency to make a formal report, and
  - (b) give a three (3) day suspension, and
  - (c) contact the student's parents by phone.

C. Procedure for dealing with the distributor of drugs.

1. The appropriate law enforcement agency shall be notified.
2. Parents are notified.
3. Administrators may confer with the student, with his/her parents, and/or adult advisor.
4. The appropriate director shall be notified.
5. If it is determined by the school administrator that the student has sold, exchanged, distributed, or given away any illicit substance on school property, the administrator will follow procedures in *J7310P - Rights with Responsibilities*.
6. Expulsion proceedings may be initiated if the offense was serious and/or egregious enough to merit same.

D. In all cases, it is imperative that school personnel adhere to the following guidelines:

1. Keep accurate, objective records of all proceedings.
2. Keep all information in strictest confidence.
3. Make judgments which are in the best interest of the student.
4. When an administrator feels that a student's health is in immediate danger, the student's parents should be notified and he should be taken to an appropriate medical facility.

#### J7610 **Corporal Punishment**

Corporal punishment is defined as the intentional use of physical force upon a student for any alleged offense or behavior, or the use of physical force in an attempt to modify the behavior, thoughts, or attitudes of a student.

The use of corporal punishment in any form is strictly prohibited in the public schools. No student will be subject to the infliction of corporal punishment by any teacher, other student, administrator, or other school personnel. Permission to administer corporal punishment will not be sought or accepted by any parent, guardian, or school official.

School personnel may, however, use physical force against a student when it is essential for self-defense, the protection of the other persons, the safeguarding of public school property, or the preservation of order.

#### J7750 **Communicable Diseases**

The Board authorizes the building administrator to temporarily suspend pupils from school when a contagious disease threatens the health and well-being of other children or staff.

#### J7760-G **Head Lice - Administrative Guidelines**

A head lice infestation can pose a problem for a student or staff member regardless of socio-economic status, hair length, or personal hygiene. Head lice should not be considered as a medical or public health hazard. Head lice are not known to spread disease.

#### **Procedures for Dealing with Specific Cases of Head Lice**

When a student is suspected of having head lice, the following procedures will be applied:

- Head inspections will be done by the building administrator or his/her designee.
- If evidence of infestation is found, the child should be restricted from activities involving close contact with other students (i.e. hugging, sharing of personal items such as combs, hats). Head lice are most commonly spread by direct contact with the hair of an infected person.
- A student with lice does not need to be sent home during the school day. Not only is this detrimental to their self esteem, the loss of educational time is a concern, as well. Prompt removal can lead to ridicule and embarrassment for the student.
- Students shall be allowed to ride the school bus home. The biology of lice transmission via school bus seats is highly unlikely.
- It is preferred that the school notifies the parent/guardian verbally.
- The school will provide the parent/guardian with written notification and suggested guidelines for treatment of head lice.
- When head lice is a concern for a particular classroom, a note will be sent home to the students in the class notifying parents/guardians to be observant at home.
- The student may return to school the next day, provided they have been treated and no lice or nits exist in the child's hair.
- A re-check of the student's hair may be performed before the student is admitted back to the classroom at the discretion of the school administrator.

## Michigan Sports Concussion Law



A concussion is a brain injury, caused by a blow, bump or jolt to the head that can have serious consequences. It can occur in any sport or recreational activity.

Michigan was the 39th U.S. state to enact a law that regulates sports concussions and return to athletic activity. [The law](#) goes into full effect on June 30th, 2013.

The sports concussion legislation requires all coaches, employees, volunteers, and other adults involved with a youth athletic activity to complete a concussion awareness on-line training program.

The organizing entity must provide educational materials on the signs/symptoms and consequences of concussions to each youth athlete and their parents/guardians and obtain a [signed statement](#) acknowledging receipt of the information for the organizing entity to keep on record.

The law also requires immediate removal of an athlete from physical participation in an athletic activity who is suspected of sustaining a concussion. The student athlete must then receive [written clearance](#) from an appropriate health professional before he or she can return to physical activity.

*Parents/guardians of students who are participating in a competitive sport/activity will receive this form to sign and return to the school.*

### Educational Material for Parents and Students (Content Meets MDCH Requirements)

Sources: Michigan Department of Community Health, CDC and the National Operating Committee on Standards for Athletic Equipment (NOCSAE)

## UNDERSTANDING CONCUSSION

### Some Common Symptoms

Headache	Balance Problems	Sensitive to Noise	Poor Concentration	Not "Feeling Right"
Pressure in the Head	Double Vision	Sluggishness	Memory Problems	Feeling Irritable
Nausea/Vomiting	Blurry Vision	Haziness	Confusion	Slow Reaction Time
Dizziness	Sensitive to Light	Fogginess	"Feeling Down"	Sleep Problems
		Grogginess		

### WHAT IS A CONCUSSION?

A **concussion is a type of traumatic brain injury** that changes the way the brain normally works. A concussion is caused by a fall, bump, blow, or jolt to the head or body that causes the head and brain to move quickly back and forth. A concussion can be caused by a shaking, spinning or a sudden stopping and starting of the head. Even a "ding," "getting your bell rung," or what seems to be a mild bump or blow to the head can be serious. A concussion can happen even if you haven't been knocked out.

You can't see a concussion. Signs and symptoms of concussions can show up right after the injury or may not appear or be noticed until days or weeks after the injury. If the student reports any symptoms of a concussion, or if you notice symptoms yourself, seek medical attention right away. A student who may have had a concussion should not return to play on the day of the injury and until a health care professional says they are okay to return to play.

### IF YOU SUSPECT A CONCUSSION:

1. **SEEK MEDICAL ATTENTION RIGHT AWAY** – A health care professional will be able to decide how serious the concussion is and when it is safe for the student to return to regular activities, including sports. Don't hide it, report it. Ignoring symptoms and trying to "tough it out" often makes it worse.
2. **KEEP YOUR STUDENT OUT OF PLAY** – Concussions take time to heal. Don't let the student return to play the day of injury and until a health care professional says it's okay. A student who

returns to play too soon, while the brain is still healing, risks a greater chance of having a second concussion. Young children and teens are more likely to get a concussion and take longer to recover than adults. Repeat or second concussions increase the time it takes to recover and can be very serious. They can cause permanent brain damage, affecting the student for a lifetime. They can be fatal. It is better to miss one game than the whole season.

- 3. TELL THE SCHOOL ABOUT ANY PREVIOUS CONCUSSION** – Schools should know if a student had a previous concussion. A student's school may not know about a concussion received in another sport or activity unless you notify them.

**SIGNS OBSERVED BY PARENTS:**

- Appears dazed or stunned
- Is confused about assignment or position
- Forgets an instruction
- Can't recall events prior to or after a hit or fall
- Is unsure of game, score, or opponent
- Moves clumsily
- Answers questions slowly
- Loses consciousness (even briefly)
- Shows mood, behavior, or personality changes

**CONCUSSION DANGER SIGNS:**

In rare cases, a dangerous blood clot may form on the brain in a person with a concussion and crowd the brain against the skull. A student should receive immediate medical attention if after a bump, blow, or jolt to the head or body s/he exhibits any of the following danger signs:

- One pupil larger than the other
- Is drowsy or cannot be awakened
- A headache that gets worse
- Weakness, numbness, or decreased coordination
- Repeated vomiting or nausea
- Slurred speech
- Convulsions or seizures
- Cannot recognize people/places
- Becomes increasingly confused, restless or agitated
- Has unusual behavior
- Loses consciousness (even a brief loss of consciousness should be taken seriously.)

**HOW TO RESPOND TO A REPORT OF A CONCUSSION:**

If a student reports one or more symptoms of a concussion after a bump, blow, or jolt to the head or body, s/he should be kept out of athletic play the day of the injury. The student should only return to play with permission from a health care professional experienced in evaluating for concussion. During recovery, rest is key. Exercising or activities that involve a lot of concentration (such as studying, working on the computer, or playing video games) may cause concussion symptoms to reappear or get worse. Students who return to school after a concussion may need to spend fewer hours at school, take rests breaks, be given extra help and time, spend less time reading, writing or on a computer. After a concussion, returning to sports and school is a gradual process that should be monitored by a health care professional.

Remember: Concussion affects people differently. While most students with a concussion recover quickly and fully, some will have symptoms that last for days, or even weeks. A more serious concussion can last for months or longer.

To learn more, go to [www.cdc.gov/concussion](http://www.cdc.gov/concussion).

**Parents and Students Must Sign and Return the Educational Material Acknowledgement Form**

See Board Policy.

**Conduct on School Buses** E3185

While the School District provides transportation, it does not relieve parents of students from the responsibility of supervision until such time as the child boards the bus in the morning and after the child leaves the bus at the end of the school day. Once a child boards the bus—and only at that time—does he/she become the responsibility of the school district. Such responsibility shall end when the child is delivered to the regular bus stop at the close of the school day.

In view of the fact that a bus is an extension of the classroom, the Board of Education shall require children to conduct themselves on the bus in a manner consistent with established standards for classroom behavior.

Children who become a serious disciplinary problem on the school bus may have their riding privileges suspended. (*See also J7310 – Rights with Responsibilities.*)

**Conduct on School Buses – Rules of Behavior:** E3187-R

1. Pupils shall obey the bus driver at all times.
2. Pupils shall remain well back from the roadway while awaiting the arrival of the bus and refrain from throwing things or playing at a bus stop.
3. Pupils shall enter the bus in an orderly fashion and go directly to an assigned seat and remain seated until the destination is reached.
4. Younger pupils should be permitted to enter first.
5. Pupils shall wait until the bus has come to a complete stop before they attempt to enter or leave. They should remain seated until the bus stops.
6. Pupils shall keep their hands, arms, and heads, inside the bus.
7. There shall be no shouting, roughhousing or throwing things on the bus.
8. All articles such as athletic equipment, books, musical instruments, etc., must be kept out of the aisles.
9. Pupils shall be expected to help keep the bus clean, sanitary and orderly. Containers for refuse are provided.
10. The emergency door must be used for emergency exit only. Children shall not touch safety equipment on the bus.
11. Pupils who must cross the street at a bus stop shall not do so until they receive a signal from the bus driver. When crossing a street is necessary, it shall always be done in front of the bus far enough ahead of the bus so that the driver may adequately observe them. This means that the child should be able to see the face of the bus driver. The driver shall hold his/her bus with warning lights flashing until crossing has been completed.
12. There shall be no profanity or obscene language used at any time on school buses.
13. There shall be no possession or use of tobacco products at any time on school buses.
14. No usage of cell phones is allowed on the bus at any time which includes emergencies.

There are some additional expectations, not subject to penalty, which should be noted:

1. Older pupils should help set an example of orderly and reasonable behavior.
2. Pupils should report to the driver any damage and unsafe or unclean situations on the bus.
3. Pupils should be on time at the designated stop. The bus will not wait.
4. Pupils should inform the driver when they expect to be absent from school.

Penalties shall be applied as defined and explained in *J7310-P – Rights with Responsibilities*

E3188-R **Conduct at Bus Stops – Parent Responsibility**

The primary responsibility for the application of the following rules rests with the parent. The



schools will assist parents in any way possible.

1. Pupils will leave home in time to arrive at the bus stop about 5 minutes before the bus is due. (Unless there are unusual weather conditions or the bus has an emergency problem, the established schedule should be very accurate on a daily basis.)
2. Pupils should walk to the bus stop on the left shoulder off the road facing traffic.
3. Pupils should wait for their bus off the traveled portion of the roadway.
4. Pupils should conduct themselves with courtesy and consideration for others and others' property while waiting for the bus. DO NOT: fight or bully other students, throw snowballs or other objects at vehicles, destroy any property, trespass on private property, obstruct the road, tailgate (run after or slide behind) a moving vehicle.
5. Pupils shall cross the road in front of the bus, not behind it.
6. Pupils will board the bus from a single file line. DO NOT: push, shove, cut in line, approach a moving bus.
7. Pupils should be considerate of smaller children who are waiting.
8. Pupils, when returning home, shall leave the bus in an orderly manner and proceed from the bus stop with the same kind of conduct that is expected at the boarding.

#### J7030 **Compulsory Attendance Ages**

All children between the ages 6 and 16 shall be required to attend school. A child becoming 6 years of age on or before December 1 shall be enrolled on the first day of the school year which his sixth birthday occurs. A child becoming 6 years of age after December 1 shall be enrolled on the first school day of the year following the school year in which his sixth birthday occurs.

Upon recommendation of the school psychologist, special exceptions may be made for underage pupils, including those who transfer from first grade and kindergarten programs of other school districts.

*(Revised School Code, Section 1561.)*

#### **APPENDIX A.**

##### **Rule 380.1313 Dangerous weapon found in possession of pupil; report; confiscation by school official; determination of legal owner; "dangerous weapon" defined.**

Sec. 1313. (1) If a dangerous weapon is found in the possession of a pupil while the pupil is in attendance at school or a school activity or while the pupil is enroute to or from school on a school bus, the superintendent of the school district or intermediate school district, or his or her designee, immediately shall report that finding to the pupil's parent or legal guardian and the local law enforcement agency.

(2) If a school official finds that a dangerous weapon is in the possession of a pupil as described in subsection (1), the school official may confiscate the dangerous weapon or shall request a law enforcement agency to respond as soon as possible and to confiscate the dangerous weapon. If a school official confiscates a dangerous weapon under this subsection, the school official shall give the dangerous weapon to a law enforcement agency and shall not release the dangerous weapon to any other person, including the legal owner of the dangerous weapon. A school official who complies in good faith with this section is not civilly or criminally liable for that compliance.

(3) A law enforcement agency that takes possession of a dangerous weapon under subsection (2) shall check all available local and state stolen weapon and stolen property files and the national crime information center stolen gun and property files to determine the legal owner of the dangerous weapon. If the dangerous weapon is a pistol, the law enforcement agency also shall check the state pistol registration records to determine the legal owner. If the law enforcement agency is able to determine the legal owner of the dangerous weapon, and if the legal owner did not knowingly provide the dangerous weapon to the pupil or lawfully provided the dangerous weapon to the pupil but did not know or have reason to know that the pupil would possess the dangerous weapon while in attendance at school or a school activity or while enroute to or from

school on a school bus, the law enforcement agency shall send by certified mail to the legal owner a notice that the agency is in possession of the dangerous weapon and that the legal owner has 90 days from receipt of the notice to claim the dangerous weapon.

(4) As used in this section, “dangerous weapon” means a firearm, dagger, dirk, stiletto, knife with a blade over 3 inches in length, pocketknife opened by a mechanical device, iron bar, or brass knuckles.

#### **APPENDIX B.**

##### **PELLET GUNS**

ACT 189, P.A. 1959

M.S.A. 2.212 (20) (MCL 8.3t, 1979) Statutes; definition: firearm

The word “firearm” except as otherwise specifically defined in the statutes, shall be construed to include any weapon from which a dangerous projectile may be propelled by using explosives, gas or air as a means of propulsion, except any smooth bore rifle or handgun designed and manufactured exclusively for propelling BB’s not exceeding .177 caliber by means of spring, gas or air. The above definition causes pellet pistols to come within the statutory definition of firearms and it is therefore necessary that a person must obtain a permit to purchase and present them to proper authorities for safety inspection certificates. A permit must also be obtained from a concealed weapons licensing board to carry such pistols concealed on the person or in a vehicle.

In the event any of these pistols fail to have a serial number stamped on them it will be necessary that the owner or seller submit the pistol to their local law enforcement agency who will contact the Michigan State Police Firearms Records Section to have a serial number stamped on the gun, at no cost to the owner.

#### **APPENDIX C.**

##### **DANGEROUS WEAPONS: Excerpts from Section 1311 (2)**

###### **Responsibilities of Local Districts**

According to Section 1311 (2) of the Revised School Code, a pupil who is in possession of a dangerous weapon, commits arson in a school building or on school grounds, or commits criminal sexual conduct in a school building or on school grounds, **shall** be expelled from the school district permanently, subject to possible reinstatement after a specified time period has passed. The expelling district must enter on the pupil’s permanent record that he or she has been expelled pursuant to Section 1311. *A pupil who is expelled under this section is considered to be expelled from all public schools in the state.*

A school district is not required to expel a pupil for possessing a weapon if at least one of the following is established in a clear and convincing manner:

1. The object or instrument was not possessed by the pupil for use as a weapon.
2. The weapon was not knowingly possessed by the pupil
3. The weapon was possessed by the pupil at the request or direction of school or police authorities.

Within 3 days after the expulsion of a pupil under this section, an official of the school district shall refer the individual to the appropriate county department of social services or county community mental health agency and must notify the pupil’s parent or legal guardian or, if the pupil is at least age 18 or is an emancipated minor, must notify the individual of the referral.

###### **Reinstatement Process**

The parent or legal guardian or, if the individual is at least age 18 or is an emancipated minor, the expelled pupil may petition the expelling school board for reinstatement to public education in the school district in which he or she was expelled. If that school board denies a petition for reinstatement, the parent or legal guardian or, if the individual is at least age 18 or is an emancipated minor,

the individual may petition another school board for reinstatement in that other school district. The reinstatement process must be in accordance with all of the following:

For an individual who was enrolled **in grade 5 or below** at the time of expulsion:

-If the individual was expelled for possessing a firearm or threatening another person, The individual's parents or legal guardians may petition for reinstatement after 60 school days after the date of expulsion, but may not be reinstated before the expiration of 90 school days after the date of expulsion.

-If the individual was expelled for a reason other than possessing a firearm or threatening another person with a dangerous weapon,

The individual's parents or legal guardians may petition for the pupil's reinstatement at any time, but the pupil may not be reinstated before the expiration of 10 school days after the date of expulsion.

For an individual who was **in grade 6 or above** at the time of expulsion:

-The individual's parents or legal guardians or, if the individual is at least age 18 or is an emancipated minor, the individual may petition for reinstatement after 150 school days after the date of expulsion, but may not be reinstated before the expiration of 180 school days after the date of expulsion.

For further information on the reinstatement process, refer to Section 1311 of the Revised School Code.

-MDE – 1996

## **APPENDIX D**

**Rule 380.1312 “Corporal punishment” defined; infliction of corporal punishment by employee, volunteer, or contractor; exercise of necessary reasonable physical force; liability; violation; deference given to reasonable good-faith judgments; development, implementation, and enforcement of code of student conduct; model list of alternatives to use of corporal punishment; authority permitting corporal punishment void.**

Sec. 1312. (1) As used in this section, “corporal punishment” means the deliberate infliction of physical pain by hitting, paddling, spanking, slapping, or any other physical force as a means of discipline.

(2) Corporal punishment does not include physical pain caused by reasonable physical activities associated with athletic training.

(3) A person employed by or engaged as a volunteer or contractor by a local or intermediate school board or public school academy shall not inflict or cause to be inflicted corporal punishment upon any pupil under any circumstance.

(4) A person employed by or engaged as a volunteer or contractor by a local or intermediate school board or public school academy may use reasonable physical force upon a pupil as necessary to maintain order and control in a school or school-related setting for the purpose of providing an environment conducive to safety and learning. In maintaining that order and control, the person may use physical force upon a pupil as may be necessary.

- (a) To restrain or remove a pupil whose behavior is interfering with the orderly exercise and performance of school district or public school academy functions within a school or at a school-related activity, if that pupil has refused to comply with a request to refrain from further disruptive acts.
- (b) For self-defense or the defense of another.
- (c) To prevent a pupil from inflicting harm on himself or herself.
- (d) To quell a disturbance that threatens physical injury to any person.
- (e) To obtain possession of a weapon or other dangerous object upon or within the control of a pupil.
- (f) To protect property.

(5) A person employed by or engaged as a volunteer or contractor by a local or intermediate school board or public school academy who exercises necessary reasonable physical force upon a pupil, or upon another person of school age in a school-related setting, as described in subsection (4) is not liable in a civil action for damages arising from the use of that physical force as provided in Act No. 170 of the Public Acts of 1964, being sections 691.1401 to 691.1415 of the Michigan Compiled Laws.

(6) A person who violates subsection (3) or (4) may be appropriately disciplined by his or her school board or public school academy.

(7) In determining whether an employee, volunteer, or contractor has acted in accordance with subsection (4), deference shall be given to reasonable good-faith judgments made by that person.

(8) A local or intermediate school district or public school academy shall develop and implement a code of student conduct and shall enforce its provisions with regard to pupil misconduct in a classroom, elsewhere on school premises, on a school bus or other school-related vehicle, or at a school sponsored activity or event whether or not it is held on school premises.

(9) The department shall develop a model list of alternatives to the use of corporal punishment. This model list shall be developed in consultation with organizations that represent the interests of teachers, school employees, school boards, school administrators, pupils, parents, and child advocates, plus any other organization that the state board of education may wish to consult. The department shall send this model list to each school district, public school academy, and intermediate school district in the state and to each nonpublic school in the state that requests it. A local or intermediate school board or public school academy shall approve and cause to be distributed to each employee, volunteer, and contractor a list of alternatives to the use of corporal punishment. Upon request, the department of education shall provide assistance to schools in the development of programs and materials to implement this section.

(10) Any resolution, bylaw, policy, ordinance or other authority permitting corporal punishment is void.

History: 1970, Act 451, Imd. Eff. Jan. 13, 1977;—Am. 1988, Act 521, Eff. Mar.30, 1989; Am. 1992, Act 6, Imd. Eff. Mar. 10, 1992; —Am. 1995, Act 289, Eff. July 1, 1996.

# Bay City Public Schools



## Technology Handbook

Policies and Procedures  
For All Users of Technology  
In the Bay City Public Schools

**Revision 13.0**

## Bay City Public Schools Technology Vision/Goals

The vision of technology in the Bay City Public School District is (1) To enhance and enrich curriculum, (2) To improve communications, and (3) To improve productivity. Bay City Public Schools will provide an environment where students will use technology as a tool to enhance success in the following ways:

- Integrate technology into school curriculum.
- Provide connectivity between classrooms, buildings, home and the community.
- Provide student, parent, staff, teacher and community access to the Internet within district facilities.
- Provide continuous and comprehensive professional development training for district staff and parents.
- Collaborate with building administration and teaching staff on integrating technology as part of our school district improvement plans.

# Bay City Public Schools

## Technology Handbook

Web Site: [www.bcschools.net](http://www.bcschools.net)

E-mail contact: [technology@bcschools.net](mailto:technology@bcschools.net)

This policy was developed by the District Technology Team; a committee consisting of over 50 people including instructional staff, community members, board members, administrators, support staff and technicians.

For questions or comments, contact:

Adair Aumock

Technology Department

(989) 667-0831

It is intended that this policy handbook will be reviewed regularly and updated, as needed.

### **Bay City Public Schools Acceptable Use and Internet Safety Policy**

It is the policy of the District's Board of Education to provide students, staff, volunteers, and other authorized users access to the District's technology resources, including its computers and network resources, in a manner that encourages responsible use. It is also the policy of the Board to comply with the Children's Internet Protection Act ("CIPA"). As required by the CIPA, the Board directs the District's administration to:

- Monitor minors' online activities and use technology protection measures on the District's computers with internet access to block minors' access to visual depictions that are obscene, that constitute child pornography, or that are "harmful to minors." The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that (1) taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; (2) depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and (3) taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.
- Use technology protection measures on the District's computers with internet access to block all access to visual depictions that are obscene or that constitute child pornography. The technology protection measures may be disabled by an authorized staff member, during adult use, to enable access to bona fide research or for other lawful purposes. The Board designates the following person to determine which staff members are authorized to disable the protection measures: Director of Technology.
- Educate minors about appropriate online behavior, including interacting with other people on social networking websites and in chat rooms and cyberbullying awareness and response.
- Prohibit access by minors to inappropriate matter on the Internet.

- Prohibit unauthorized access, including so-called “hacking,” and other unlawful activities by minors online;
- Prohibit the unauthorized disclosure, use, and dissemination of personal identification information regarding minors;
- Restrict minors’ access to materials that are “inappropriate for minors.” The Board defines materials that are inappropriate for minors to include:
  - obscene, pornography, and websites that are harmful to minors and staff (such as hacking and/or intentional virus distribution). Finally any additional websites that are not authorized by the district’s internet filtering and are blocked.**
- Encourage the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communication.

The Board designates and directs the following person to take all steps necessary to implement this policy and to otherwise comply with the CIPA: Director of Technology.

The Board directs the Director of Technology to develop, review, and revise as necessary an acceptable use agreement that must be signed by all users of the District’s technology resources before the user will be allowed to use the technology resources. Different acceptable use agreements may be developed based on the user’s status. At a minimum, the Director of Technology will develop (1) an acceptable use agreement to be signed by adult users, including employees, volunteers, and board members; (2) an acceptable use agreement to be signed by students in grades (K and above) and their parents; and (3) an acceptable use agreement to be signed by students in grades (12 and below) and their parents. The acceptable use agreements must be consistent with this Board policy and must include, at a minimum:

- A statement that the use of the technology resources is a privilege that may be revoked at any time.
- A statement that a user has no expectation of privacy when using the technology resources.
- Provisions to protect the integrity of the technology resources, including a requirement that each user only access the technology resources by using his or her assigned user name and password.
- A statement that the technology resources may not be used to bully other people.
- A statement that misuse of the technology resources may result in loss of access to the technology resources and potential disciplinary action.
- A list of what constitutes “misuse” of the technology resources.
- A statement that the District does not guarantee that the technology resources will be error free or uninterrupted.
- A requirement that users report any material that makes them feel threatened, harassed, or bullied.
- A release of all claims and liabilities against the District for use of the technology resources.

Pursuant to section 6 of the Michigan Library Privacy Act, each school library offering public access to the Internet or a computer, computer program, computer network, or computer system shall limit minors to only use or view those terminals that do not receive obscene material or sexually explicit material that is harmful to minors. Individuals age 18 or older, or a minor accompanied by his or her parent/guardian, may access a school library terminal that is not restricted from receiving such material. Each qualifying school library must designate at least one terminal that is not restricted from receiving such material. Library staff must take steps to ensure that minors not accompanied by a parent or guardian do not access the unrestricted terminal.

The Board directs the following person to determine which staff members will implement this paragraph in each qualifying school building library: Director of Technology.

**Bay City Public Schools**  
**Acceptable Use of Technology Resources**  
**Students Grades K and Above**

The purpose of this Agreement is to grant access to and define acceptable use of the District's technology resources ("Technology Resources"). Technology Resources are any type of instrument, device, machine, equipment, technology, or software that is capable of transmitting, acquiring, or intercepting, any telephone, electronic, data, internet, audio, video, or radio transmissions, signals, telecommunications, or services, and include without limitation (1) internal and external network infrastructure, (2) Internet and network access, (3) computers, (4) servers, (5) storage devices, (6) peripherals, (7) software, and (8) messaging or communication systems.

In exchange for the use of the District's Technology Resources either at school or away from school, you understand and agree to the following:

- A. Your use of the District's Technology Resources is a privilege that may be revoked by the District at any time and for any reason.
- B. You have no expectation of privacy when using the District's Technology Resources. The District reserves the right to monitor and inspect all use of its Technology Resources, including, without limitation, personal e-mail and voice-mail communications, computer files, data bases, web logs, audit trails, or any other electronic transmissions accessed, distributed, or used through the Technology Resources. The District also reserves the right to remove any material from the Technology Resources that the District, at its sole discretion, chooses to, including, without limitation, any information that the District determines to be unlawful, obscene, pornographic, harassing, intimidating, disruptive, or that otherwise violates this Agreement.
- C. The Technology Resources do not provide you a "public forum." You may not use the Technology Resources for commercial purposes or to support or oppose political positions or candidates unless expressly authorized in advance by a teacher or administrator as part of a class project or activity. You may, however, use the Technology Resources to contact or communicate with public officials.
- D. The District's Technology Resources are intended for use only by registered users. You are responsible for your account/password and any access to the Technology Resources made using your account/password. Any damage or liability arising from the use of your account/password is your responsibility. Use of your account by someone other than you is prohibited and may be grounds for suspension from the Technology Resources and other disciplinary consequences for both you and the person(s) using your account/password.
- E. You may not use the Technology Resources to engage in bullying, which 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 one or more pupils either directly or indirectly by doing any of the following:
  - a) Substantially interfering with educational opportunities, benefits, or programs of one or more pupils;
  - b) Adversely affecting the ability of a pupil to participate in or benefit from the educational programs or activities by placing the pupil in reasonable fear of physical harm or by causing substantial emotional distress;
  - c) Having an actual and substantial detrimental effect on a pupil's physical or mental health; or
  - d) Causing substantial disruption in, or substantial interference with, the orderly operation of the school.

Use of other communication/messaging devices (including devices not owned by the



District) to engage in bullying may be grounds for discipline under the District's Code of Conduct/Handbook.

- F. If you misuse the Technology Resources, your access to the Technology Resources may be suspended and you may be subject to other disciplinary action, up to and including expulsion. Misuse includes, but is not limited to:
1. Accessing or attempting to access material that is "harmful to minors." Material that is "harmful to minors" includes any picture, image, graphic image file, or other visual depiction that (1) taken as a whole and with respect to minors, appeals to a prurient interest in nudity, nsex, or excretion; (2) depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and (3) taken as a whole lacks serious literary, artistic, political, or scientific value as to minors.
  2. Accessing or attempting to access material that is unlawful, obscene, pornographic, profane, or vulgar.
  3. Accessing or attempting to access material that is inappropriate for minors. Material that is inappropriate for minors is defined as: **obscene, pornography, and websites that are harmful to minors and staff (such as hacking and/or intentional virus distribution). Finally any additional websites that are not authorized by the district's internet filtering and are blocked.**
  4. Bullying (as defined in paragraph E).
  5. Sexting, which includes, without limitation, possessing, sending, or distributing nude, sexually explicit, or sexually suggestive photographs, videos, or other visual depictions of yourself or another person.
  6. Vandalism, which includes, without limitation, any malicious or intentional attempt to harm, steal, destroy, or disrupt user data, school material, or school hardware or software.
  7. Hacking, which includes, without limitation, gaining or attempting to gain access to, modifying, or obtaining copies of, information belonging to others or information you are not authorized to access.
  8. Unauthorized copying or use of licenses or copyrighted software.
  9. Plagiarizing, which includes the unauthorized distributing, copying, using, or holding out as your own, material that was written or created by someone else, without permission of, and attribution to, the author/creator.
  10. Posting or distributing confidential or inappropriate information meant to harass, intimidate, or embarrass others.
  11. Allowing someone else to use your account or password or not preventing unauthorized access to Technology Resources when leaving them unattended.
  12. Using or soliciting the use of, or attempting to use or discover the account information or password of, another user.
  13. Attempting to or successfully disabling security features, including technology protection measures required under the Children's Internet Protection Act ("CIPA").
  14. Misusing equipment or altering system software without permission.
  15. Commercial for-profit activities, advertising, political lobbying, or sending mass mailings or spam. However, you may contact a public official to express an opinion on a topic of interest.
  16. Using the Technology Resources in any way that violates any federal, state, or local law or rule, or the District's Code of Conduct/Handbook.
- G. You must promptly disclose to your teacher or other school employee any content you view or receive over the Technology Resources that is inappropriate or that makes you feel uncomfortable, harassed, threatened, or bullied, or that contains sexually explicit content. You should not delete such content until instructed to do so by a staff member.

- H. It is the policy of the District, as a recipient of certain federal funds, to monitor the online activities of its minor students and provide technology protection measures on its computers with Internet access designed to prevent minors from accessing visual depictions that are (1) obscene, (2) child pornography, or (3) harmful to minors.
- I. It is the policy of the District to prohibit its minor students from (1) accessing inappropriate matter on the Internet; (2) engaging in hacking or other unlawful online activities; and (3) accessing materials that are harmful to minors. It is also the policy of the District to educate students about cyberbullying awareness and response and about appropriate online behavior, including disclosing, disseminating, or using personal information and safely and appropriately interacting with other individuals in social networking websites, chat rooms, by e-mail, and other forms of direct electronic communications.
- J. The District does not guarantee that measures described in paragraphs H and I will provide any level of safety or security or that they will successfully block all inappropriate material from the District's students. You agree that you will not intentionally engage in any behavior that was intended to be prevented by paragraphs H and I.
- K. The District does not warrant or guarantee that its Technology Resources will meet any specific requirement, or that they will be error free or uninterrupted; nor will the District be liable for any damages (including lost data, information, or time) sustained or incurred in connection with the use, operation, or inability to use the Technology Resources.
- L. You are responsible for the proper use of the Technology Resources and will be held accountable for any damage to or replacement of the Technology Resources caused by your inappropriate use.

I agree to follow this Agreement and all rules and regulations that may be added from time to time by the District or its Internet Service Provider.

I also agree to follow all rules in the District's Code of Conduct/Handbook.

Any additional rules, regulations, and policies are available in the Board Policies.

As a condition of using the Technology Resources, I agree to release the District and its board members, agents, and employees, including its Internet Service Provider, from all liability related to my use or inability to use the Technology Resources.

I understand that data I send or receive over the Technology Resources is not private. I consent to having the District monitor and inspect my use of the Technology Resources, including any electronic communications that I send or receive through the Technology Resources.

I have read this Acceptable Use Agreement and agree to its terms.

#### **Parents/Guardians**

I have read this Agreement and agree that as a condition of my child's use of the Technology Resources, I release the District and its board members, agents, and employees, including its Internet Service Provider, from all liability related to my child's use or inability to use the Technology Resources. I also indemnify the District and its board members, agents, and employees, including its Internet Service Provider, for any fees, expenses, or damages incurred as a result of my child's use, or misuse, of the District's Technology Resources.

I authorize the District to consent to the sharing of information about my child to website operators as necessary to enable my child to participate in any program, course, or assignment requiring such consent under the Children's Online Privacy Protection Act.

I understand that data my child sends or receives over the Technology Resources is not private. I consent to having the District monitor and inspect my child's use of the Technology Resources,

including any electronic communications that my child sends or receives through the Technology Resources.

I understand and agree that my child will not be able to use the District's Technology Resources until this Agreement has been signed by both my child and me.

I have read this Agreement and agree to its terms.

**Bay City Public Schools  
Student Agreement  
Students Grades K-12**

I understand that I may sometimes be permitted to use the District's computers, electronic devices, and Internet at school and at home. To use computers, electronic devices, or the Internet, I understand that I must follow school rules for computer and Internet use. I promise that:

- I will only use the computers, electronic devices, and Internet for school work.
- I will only use the computers, electronic devices, and Internet when my teacher or other school employee tells me that I am allowed to use the computers, electronic devices, and Internet.
- I will not use the Internet to try to look at websites that I know are for adults only or that I know I shouldn't access.
- If I accidentally access a website that I know I shouldn't look at, I will tell my teacher or other school employee right away.
- If someone sends me something on the Internet that I know is inappropriate, I will tell my teacher or other school employee right away.
- I will not use the computers, electronic devices, or Internet to bully or harm any other person.
- If someone else uses the computers, electronic devices, or Internet to bully or harm me, I will tell my teacher or other school employee right away.
- I will not damage the computers, electronic devices, or cause problems with the computers, electronic devices, or Internet on purpose.
- I will not use the computers, electronic devices, or Internet to cheat on my schoolwork.
- I will not copy anything that I see on the computers or Internet and pretend that it is my own work.
- I will keep my password secret from all other students.
- I understand that the school can see everything that I do on the computers, electronic devices, and Internet.
- I understand that the school has filters on the computers, electronic devices, and Internet, which means I might not be able to see some information. I will not try to interfere with those filters.
- I will follow all of these rules. I will also follow any directions that my teacher or other school employee gives me about my use of the computers, electronic devices, or the Internet.

I understand that if I break any of these rules, I may be disciplined, and I may also lose my computer, electronic device, and Internet privileges.

**Parents/Guardians**

I have read this Agreement and agree that as a condition of my child's use of the District's technology resources, which include (1) internal and external network infrastructure, (2) Internet and

network access, (3) computers, (4) servers, (5) storage devices, (6) peripherals, (7) software, and (8) messaging or communication systems, I release the District and its board members, agents, and employees, including its Internet Service Provider, from all liability related to my child's use or inability to use the technology resources. I also indemnify the District and its board members, agents, and employees, including its Internet Service Provider, for any fees, expenses, or damages incurred as a result of my child's use, or misuse, of the District's technology resources.

I have explained the rules listed above to my child.

I authorize the District to consent to the sharing of information about my child to website operators as necessary to enable my child to participate in any program, course, or assignment requiring such consent under the Children's Online Privacy Protection Act.

I understand that data my child sends or receives over the District's technology resources is not private. I consent to having the District monitor and inspect my child's use of the technology resources, including any electronic communications that my child sends or receives through the technology resources.

I understand and agree that my child will not be able to use the District's technology resources until this Agreement has been signed by both my child and me.

I have read this Agreement and agree to its terms.

**Bay City Public Schools**  
**Elementary School**  
**Student Code of Conduct Including Technology Handbook**

My signature indicates that I have received a copy of the following:

- Student Code of Conduct
- Technology Handbook – (please see page 27 of Student Code of Conduct)

**and that I will review and discuss same with my child.**

\_\_\_\_\_  
Student Name (please print) \_\_\_\_\_ Parent/Guardian Name (please print)

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

\_\_\_\_\_  
Grade \_\_\_\_\_ Teacher \_\_\_\_\_ Phone Number \_\_\_\_\_ Date \_\_\_\_\_

*Our Elementary School has a wonderful website that features group pictures of children and families at work and play. Local papers occasionally visit our school to write a story or take large group pictures about the great activities we do at our school. On the rare occasion in which names are used, the policy is for first names ONLY. Parents wishing to exclude their child's pictures or name from the website or any publication should sign below*

I **Do Not** give my consent for my child's photo and name to appear on the above websites, as well as other district communication.

\_\_\_\_\_  
*Parent Signature* \_\_\_\_\_ *Date*

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