

Academy of Warren

2016-17 Student Code of Conduct

Individual freedom and independence are necessarily limited when large numbers of students attend school in a limited space. Therefore, each individual must exercise self-control and self-discipline for the common good of the surrounding environment. Students must assume responsibility for their own actions and for the actions of others. By using common sense, by taking pride in one's conduct, and by adopting an enthusiastic outlook on life, students will enjoy their time at the Academy all the more. Violations of any of the infractions listed in this Student Code of Conduct may result in disciplinary action including, but not limited to, short-term suspension, long-term suspension, or expulsion.

All Academy rules will be enforced while students are on Academy property, in any Academy vehicle, and at any Academy sponsored event or activity. Additionally, the Academy reserves the right to discipline students for off-campus behavior that has a nexus to and/or directly impacts the operation, discipline, or general welfare of the school. The Academy will comply with the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act of 1973 when disciplining students with disabilities.

The Academy will take swift and appropriate disciplinary action for a violation of any of the infractions listed in this Student Code of Conduct.

Progressive Discipline

The Academy employs progressive discipline in determining the severity of the consequence for a student's behavior. Progressive discipline involves increasing the severity of the penalty each time the student displays inappropriate conduct in an effort to correct the student's behavior, not to punish the student.

The School Leader will take into account the circumstances surrounding inappropriate conduct, including, but not limited to the nature, severity and frequency of the misconduct, the age of the student, the development and maturity of the student(s) involved, and the context in which the alleged incident(s) occurred.

The Academy will comply with the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act of 1973 when disciplining students. Students with disabilities under IDEA or Section 504 shall be disciplined only in accordance with Board Policy 2461 and Federal due process rights appropriate to students with disabilities.

A student who has been expelled under this policy may apply for reinstatement in accordance with Board Policy 5610.01 (and MCL §380.1311) which is available in the School Leader's office.

Suspensions/Expulsions

Due Process Rights

Before a student may be suspended or expelled from school, there are specific procedures the Academy follows in accordance with due process regulations. Nothing in this Policy shall diminish or be in derogation of the due process rights accorded to students who have been determined to be eligible for special education services under federal and State laws.

“Snap” Suspension

A teacher may suspend a student from class or an activity for conduct that disrupts the educational process. Physical removal of a student in this situation requires adherence to all seclusion and restraint guidelines.

The student may be suspended for up to one (1) full school day.

The teacher must report the suspension and the reason for the suspension to the School Leader.

The student will be removed from the classroom or activity and will return to the classroom only with the concurrence of the teacher and the School leader. If the student needs to remain in the Academy, the student will be under appropriate supervision.

As soon as possible after the suspension, the teacher will meet with the parents/guardians. If practicable, a school counselor, psychologist or social worker also will attend the conference. The School Leader will attend if the teacher or parents/guardians request it.

Formal Discipline

Formal discipline removes the student from school. It includes emergency removal, short-term suspensions for up to ten (10) school days, long-term suspensions for more than ten (10) school days, and expulsion from school. Suspensions and expulsions may carry over into the next school year. Suspensions and expulsions can be appealed in accordance with the procedure described in this Student Code of Conduct and Board Policy 5611.

Students being considered for short-term suspensions are entitled to an informal hearing with the School Leader prior to their removal from school, at which time the

student will be notified of the charges against him/her and will be given an opportunity to provide a defense to the charges.

When a student is being considered for a long-term suspension and/or an expulsion, a formal hearing is scheduled with the Academy's Disciplinary Panel, and the student's parent(s) and/or guardian(s) will be given written notice of the time and place of the hearing, the charges against the student, and that the student may bring a representative of his or her choosing. The student's parent(s) or guardian(s) are expected to attend the hearing in front of the disciplinary panel.

Students involved in co-curricular and extracurricular activities such as athletics or other student groups can lose their eligibility if they are suspended or expelled in accordance with the Student Code of Conduct.

Students who commit crimes while on Academy property, in any Academy vehicle, or at an Academy sponsored event or activity may be subject to disciplinary action from the Academy as well as subject to disciplinary action from the surrounding community's legal system.

Emergency Removal

A student may be removed or excluded from a classroom when the student poses a continuing danger to persons or property or represents an on-going threat of disrupting the educational process taking place in the classroom or the school premises. Such removal must be for a period of less than twenty-four (24) hours without being subject to suspension and expulsion procedures. If a short-term suspension, long-term suspension, or expulsion is sought following the emergency removal, the appropriate procedures pertaining to notice and hearing shall be adhered to.

Short-Term Suspensions

When students are being considered for a suspension of ten (10) days or less, the School Leader will notify the student and the student's parent(s) or guardian(s) of the charges against him/her. Unless a clear and present danger exists or it is otherwise impossible or unreasonably difficult to hold a hearing, the student will be given an opportunity to explain their side, and the School Leader will then provide the student with the evidence supporting the charges. After an informal hearing, the School Leader will make a decision whether or not to suspend the student. If the student is suspended, the student and his/her parent(s) or guardian(s) will be notified in writing within one (1) day of the reason for and the length of the suspension.

Suspension of more than one (1) school day, but not more than ten (10) school days, may be appealed in writing to the School Leader within two (2) school days of the

parents' receipt of the written suspension notice. The written appeal must contain the reason(s) that the suspension is being appealed. The School Leader will reach a decision within ten (10) school days and inform the parents in writing of his/her decision.

Any learning that cannot be made up such as labs, field trips, skill-practices, or any learning that the student chooses not to make up may be reflected in the grades earned.

A student being considered for suspension of more than ten (10) days will be provided as described in the long-term suspension and expulsion section below.

Long-Term Suspension and/or Expulsion from School

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

- The rule(s) the student allegedly violated
- The charge(s) against the student
- The approximate date of the violation
- The time and place of the hearing
- A statement that the student may bring a representative of his/her choosing

Students being considered for a long-term suspension or expulsion may be removed from school immediately for up to ten (10) days in accordance with the short-term suspension procedure. A formal hearing is then scheduled with the Academy's Disciplinary Panel. The Disciplinary Panel must conduct the hearing in compliance with the Open Meetings Act. At the representative's request, the hearing can be held in closed session but the Disciplinary Panel must act publicly.

Within three (3) days after the Disciplinary Panel suspends or expels a student, the long-term suspension or expulsion may be appealed, in writing, to the full Board only for alleged due process violations. The appeal will also be formal in nature with testimony before official(s) designated by the Board of Education. The appeal will be heard in an open session unless the student or the student's parent or guardian requests a closed session. Again, student may bring a representative of his/her choosing. The Board may conduct a hearing or respond with its decision in writing within ten (10) days after it receives the appeal. If the Board of Education overturns a student's expulsion, the expulsion shall be removed from the student's permanent records. All opportunity to earn grades or credit ends when a student is expelled.

The Academy of Warren makes a sincere effort to have disciplinary actions take place that will allow the student to remain in school. If a disciplinary action does not result in removal from school, it cannot be appealed. Should a student, parent, or guardian have

questions regarding the propriety of an in-school disciplinary action, they should contact the School Leader.

Implementation

The Educational Service Provider shall develop administrative guidelines for dealing with disciplining students as authorized by this policy. The regulations shall include procedures for reporting violations of this policy to the student's parents(s)/guardian(s), the Academy Board, and the Academy's disciplinary panel as well as the procedures for referring permanently expelled students to appropriate Family Independence Agencies or County Community Health Agencies, specifics of the appeals process and the process for the reinstatement of students. Please see the School Leader for a copy of these guidelines.

Offenses

Class 1 Violations

Students may be referred to the School Leader, a counselor, the dean of students, or be assigned a before or after school detention for an infraction of a classroom or school rule that is not serious enough to warrant a suspension or expulsion. Written documentation of the violation will be provided to the parent or guardian, AND in addition, the parent or guardian will be notified by the classroom teacher or administrator in charge. A decision will be made by the classroom teacher or administrator if the violation should have the progressive consequences:

1. Written reflection
2. Student Plan with signed documentation by the offending student and parent/guardian
3. Detention
4. Conference involving the student, parent/guardian, and the teacher and/ or administrator.

Depending on severity or repetition, a Class 1 violation may be reclassified as a Class 2 or Class 3 violation. Such behaviors include but are not limited to the following:

1-A. Contraband

In addition to all illegal items (see 3-F and 3-G), contraband items that are not to be brought to school include: water pistols, toys, beepers, smoke bombs or stink bombs and other items that may be added to this list by the Academy. Bringing any of the above mentioned items to school is a violation of the contraband policy.

1-B. Disruptive Conduct

Students shall not engage in any conduct that causes or has the potential to cause disruption or obstruction of any function, process or activity of the school.

1-C. Disorderly Conduct

A student will not behave in a manner that causes a disruption or obstruction to the educational process.

1-D. Appropriate Dress Code

A student will not dress in a manner that disrupts the educational process or is detrimental to the health, safety, or welfare of others. Please see Academy Dress Code/Uniform Policy.

Class 2 Violations

Any or all of the following disciplinary actions may be used for students who commit a Class 2 violation:

- Any school response to a Class 1 violation listed above;
- Out of school suspension (short-term) for one (1) school day, up to and including ten (10) school days;
- Recommendation to the disciplinary panel for a long-term suspension or expulsion
- Law enforcement agency notification.

Other methods of addressing misconduct may be more appropriate, depending on the circumstances. Depending on severity or repetition, a Class 2 violation may be reclassified as a Class 3 violation. Class 2 violations include, but are not limited to, the following:

2-A. Gross Misdemeanors or Persistent Disobedience

Students guilty of gross misdemeanors or persistent disobedience may be suspended or expelled. (MCL §380.1311(1)). Examples of this conduct include, but are not limited to, aggressive behavior, inappropriate language, inappropriate physical contact, insubordination, theft, failure to cooperate with school personnel, academic dishonesty, disruption of educational environment, or any violation of school policies or procedures.

2-B. Damage or Destruction of Property

Vandalism and/or disregard of Academy property will not be tolerated. The removal of school property from its assigned location without permission will be considered stealing and also subject to disciplinary action.

2-C. Academic Dishonesty

Academic dishonesty is considered a grave offense. This includes cheating on and/or plagiarizing class assignments or assessments (tests). Academic dishonesty is willingly and knowingly copying or using the work of others and representing such work as one's own without proper citation. It is also considered cheating when one obtains copy of an assessment and/or assessment answers prior to taking an assessment with the intention or anticipation of using the information gained on the assessment. Consequences of academic dishonesty include, but are not limited to, the receipt of a zero grade on the assignment or assessment in question without the possibility of completing a make-up assignment or assessment, in addition to other Class 2 consequences.

2-D. Physical Assault against School Personnel, Physical Assault Against Students

Physical assault means intentionally causing or attempting to cause physical harm to another through force or violence. The Academy maintains a zero tolerance policy for violence. Zero tolerance means there will be a consequence for every act of physical fighting/physical assault with another individual on Academy property, in any Academy vehicle or at an Academy sponsored event or activity. The length of the suspension will depend upon the severity of the act, the age and maturity of the student committing the act, and the number of times such an act has been committed. Self-defense or defense of others may be taken into account in determining whether this provision has been violated.

2-E. Unauthorized Use of Material/Equipment

Students may not carry or use at school, devices such as radios and other devices in violation of the wireless communication devices policy, that may be classified as "contraband" (see 1-A), or any equipment or materials (such as, but not limited to, headphones and ear buds) that interfere with the instructional program during instructional hours. Any student using these items will have the item confiscated by school staff and returned ONLY to the student's parent(s)/guardian(s) in addition to Class 2 consequences.

2-F. Bullying

It is the policy of the Academy to provide a safe educational environment for all of its students in compliance with the law. Bullying is strictly prohibited on Academy property, while in any Academy vehicle, and at an Academy sponsored event or activity.

Under state law, bullying is defined as any written, verbal or physical act or any electronic communication, including but not limited to cyberbullying, that is

intended or that a reasonable person would know is likely to harm one (1) or more students either directly or indirectly by doing any of the following:

- Substantially interfering with educational opportunities, benefits or programs of one (1) or more students.
- Adversely affecting the ability of a student to participate in or benefit from the Academy's educational programs or activities by placing the student in reasonable fear of physical harm or by causing substantial emotional distress.
- Having an actual and substantial detrimental effect on a student's physical or mental health.
- Causing substantial disruption in, or substantial interference with, the orderly operation of the Academy.

Bullying is equally prohibited without regard to its subject matter or motivating animus.

The School Leader is responsible for establishing procedures for the effective implementation of the Board's Bullying policy (Board Policy 5517.01).

All students are protected under this policy while on Academy property, in any Academy vehicle, at any Academy sponsored event or activity, and while using an Academy owned and/or operated telecommunications service provider or Academy owned and/or operated telecommunication access devices.

Any student who believes he/she has been or is the victim of bullying shall immediately report the incident to the School Leader or may report the situation to a teacher or counselor who will then notify the School Leader. Any complaints against the School Leader should be filed directly with CS Partners. All complaints are to follow established complaint reporting procedures.

Each complaint of bullying will be investigated by the School Leader in a prompt, thorough, and impartial manner. The School Leader will look at the totality of the circumstances and evaluate facts, including but not limited to:

- The description of the incident, nature of the behavior, and the context of the alleged incident
- The frequency of the conduct
- Any past incidents or continuing pattern of behavior
- The relationship between the parties
- Characteristics of the parties involved, i.e. religion, race, color, national origin, age, sex, sexual orientation, disability, height, weight,

socioeconomic status, age, grade, or by any other distinguishing characteristic

The School Leader will report the occurrence of a bullying incident to the parent(s) or legal guardian(s) of all students involved in the incident

The Academy prohibits retaliation or false accusations against a target of bullying, a witness to bullying, or another person with reliable information regarding an act of bullying. The highest level of confidentiality shall be maintained for an individual who reports an act of bullying.

2-G. Harassment

The Academy prohibits any type of harassment. Harassment includes, but is not limited to, any threatening, insulting, or dehumanizing gesture, use of technology, or written, verbal, or physical conduct directed against an individual that places an individual in reasonable fear of harm to his/her person or damage to his/her property, has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or an employee's work performance, or has the effect of substantially disrupting the orderly operation of the Academy. Harassment may be based on an individual's race, color, national origin, sex (including sexual orientation and transgender identity or expression), pregnancy, mental or physical disability, age (except as authorized by law), religion, height, weight, marital or family status, military status, ancestry, or genetic information that are protected by Federal civil rights laws. Harassing conduct is not limited to in-person activity; it may include the use of cell phones or the Internet. Such behavior may take many forms, including, but not limited to, stalking, name-calling, taunting, cyberbullying, and other disruptive behaviors.

Harassment does not have to include the intent to harm another individual, be directed at a specific target, or involve repeated incidents. Harassment creates a hostile environment when the conduct is sufficiently severe, pervasive or persistent as to interfere with or limit a student's ability to participate in or benefit from the services, activities or opportunities offered by the Academy.

All administrators, staff, parents, volunteers, and students are expected not to tolerate harassment and to demonstrate behavior that is respectful and civil towards all other individuals associated with the Academy.

Complaints alleging discrimination or harassment based on a student's actual or perceived gender identity or expression are to be taken seriously and handled in the same manner as other discrimination, bullying or harassment complaints.

Since bystander support of harassment can encourage these behaviors, the Academy prohibits both active and passive support for acts of harassment. Such active and passive support can result in disciplinary action.

2-H. Sexual Harassment

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other visual, verbal or physical conduct or communication of a sexual nature when

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or advancement of a student's education or participation in school programs or activities;
- Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual; or

Such conduct or communication has the purpose or effect of substantially interfering with an individual's academic excellence, employment or creating an intimidating, hostile or offensive educational or employment environment.

Sexual harassment includes, but is not limited to, the following:

- Physical assaults (e.g., intentional physical conduct that is sexual in nature, such as touching, pinching, or brushing against another individual's body);
- Unwelcome sexual advances, comments, requests for sex, sexual activities concerning one's employment, advancement, or academic performance, regardless of whether they are accompanied by promises or threats concerning one's grades, safety, job or performance of duties;
- Sexual displays or publications such as calendars, screen savers, sexual jokes, posters, cartoons, verbal or written harassment or abuse, or graffiti; and/or
- Other verbal or physical conduct of a sexual nature which has the purpose or effect of interfering with an individual's work or academic performance, or creates an intimidating, hostile or offensive work environment.

Sexual harassment may involve the behavior of a person of either gender against a person of the same or opposite gender.

No staff member or student at the Academy shall be subjected to any form of harassment, including sexual harassment, on Academy premises, in any

Academy vehicle or at any Academy sponsored event or activity. Violation of this provision will result in disciplinary action.

2-I. Verbal Assaults

Verbal assault is prohibited on Academy property, in any Academy vehicle, or at a school sponsored activity or event. Verbal assault may be against an Academy staff member, person engaged as a volunteer or contractor for the Academy, or another student.

“Verbal assault” means a threat of an immediate harmful or offensive touching coupled with an apparent immediate ability to commit same, and which puts a person in a reasonable apprehension of such touching; the use of offensive language directed at a person, when such language is likely to provoke a reasonable person; a bomb threat (or similar threat) directed at an Academy building, other Academy property, or an Academy event. For purposes of this policy, the definition of assault also includes written threats.

2-J. Smoking

The Academy prohibits the use of any tobacco products on Academy property, in any Academy vehicle, or at any Academy sponsored event or activity, by any person, at any time, in any location, and at any event. In addition, any tobacco advertising or promotion is strictly prohibited.

This prohibition includes the smoking of electronic, “vapor” or other substitute form of cigarettes, clove cigarettes or other lighted smoking devices for burning tobacco or any other substance.

2-K. Swearing/Profanity

Swearing, obscene language, and obscene gestures are forbidden at all times on Academy premises, in any Academy vehicle, or at an Academy sponsored events and activities.

2-L. Failure to Cooperate with School Personnel

The professional and support staff at the academy have the authority to direct students while on Academy property, in any Academy vehicle, and at Academy sponsored events and activities. Students are required to follow all directives given by personnel at the Academy.

2-M. Gambling

Gambling includes casual betting, betting pools, organized-sports betting, and any other form of wagering. Students who bet on an activity in which they are involved may also be banned from that activity. Gambling or possession of gambling paraphernalia (dice, cards, betting slips, etc.) on Academy property, in any Academy vehicle, or in any Academy sponsored activity or event is strictly prohibited.

2-N. Unauthorized 911 Calls

Students may only call 911 when an actual emergency exists. Students who call 911 when the student knows there is not an actual emergency will be subject to discipline.

2-O. Gangs

Gang activity is prohibited at all times on Academy premises, in any Academy vehicle or at any Academy sponsored event or activity.

“Gang” is defined as an organized group of individuals who engage in activities that threaten the safety of the general populace, compromise the general community order, and/or interfere with the Academy’s educational mission. A Gang may identify itself by:

- a unifying mark, manner, protocol, or method of expressing membership, including a common name, sign or symbol, means of recognition, geographical or territorial sites, or boundary or location
- an established leadership or command structure
- defined membership criteria

Gang activity includes, but is not limited to:

- Wearing or displaying any clothing, jewelry, colors, or insignia that intentionally identifies the student as a member of a gang, or otherwise symbolizes support of a gang
- Using any word, phrase, written symbol, or gesture that intentionally identifies a student as a member of a gang, or otherwise symbolizes support of a gang
- Gathering two or more persons for purposes of engaging in activities or discussions promoting gangs
- Recruiting other student(s) for gangs.

2-P. Other Prohibited Acts

Students who have received repeated referrals or detentions, skipping detention, or for other infractions of classroom and school rules and policies may be punished with the consequences being those of a Class 2 violation.

Class 3 Violations

Any or all of the following disciplinary actions may be used for students who commit a Class 3 violation:

- Any Academy response to a Class 1 or Class 2 violation, listed above, including reporting an action to local law enforcement;
- Recommendation to the Academy's disciplinary panel for a long-term suspension or expulsion.

Class 3 violations include, but are not limited to, the following:

3-A. Physical Assault

Physical assault is defined as intentionally causing or attempting to cause physical harm to another through force or violence. Under the Revised School Code, any student in grade 6 or above who commits a physical assault against an Academy employee or against a person engaged as a volunteer or contractor for the Academy on Academy property, in any Academy vehicle, or at an Academy sponsored event or activity shall be permanently expelled subject to reinstatement.

3-B Physical Assaults Against Students

Under the Revised School Code, any student in grade 6 or above who commits a physical assault (as defined in Section 3-A) against another student on Academy property, in any Academy vehicle, or at an Academy sponsored event or activity shall be suspended or expelled for 180 days.

3-C. Alcohol and Drugs

The Academy is a "Drug-Free School Zone" that extends 1000 feet from the boundary of any school property. In accordance with the Academy's Drug Prevention Policy (Board Policy 5530), it is the belief of the Academy that drug and alcohol abuse in any school is a threat to the safety and health of students, staff, and the school community as a whole. It is the policy of the Academy to take positive action through education, counseling, parental involvement, medical referral, and police referral in the handling of incidents violating this policy. Disciplinary action includes, but is not limited to substance abuse assessment, participation in a substance abuse rehabilitation program, drug and alcohol prevention activities, and consequences listed as Class 3 violations.

The term "drugs" includes:

- All dangerous controlled substances as so designated and prohibited by the state of Michigan;
- All chemicals which release toxic vapors;
- All alcoholic beverages;
- Mind altering substances;
- Any prescription or patent drug, except those for which permission to use in school has been granted pursuant to board policy;
- “look-alikes”;
- Performance-enhancing drugs as determined annually by the Department of Community Health; and
- Any other illegal substance so designated and prohibited by law.

The Academy prohibits the use, possession, concealment, delivery, or distribution of any drug, drug-related paraphernalia, or alcohol at any time on Academy property, in any Academy vehicle, within the Drug-Free School Zone, or at any Academy event or activity. When handling violations of this policy, the School Leader will take into account all of the circumstances surrounding the incident, including, but not limited to the nature, severity, and frequency of the misconduct, the type of substance, the context in which the alleged incident occurred, and the past incident or continuing pattern of behavior. The School Leader shall notify the appropriate authorities if the School Leader suspects that a student is under the influence of drugs.

Medical Marihuana & Prescription Drug Policy

A student legally in possession of prescribed medication will not be in violation of this section so long as his/her use and possession of the prescribed medication is authorized by the Academy.

The Michigan Medical Marihuana Act states that a person shall not sell or possess marihuana or otherwise engage in the use of marihuana, even if for medical use, on Academy property, in any Academy vehicle, or at an Academy sponsored event or activity.

3-D. Hazing

Hazing is defined as an intentional, knowing, or reckless act by a student acting alone or acting with others that is directed against another student, employee, volunteer, or contractor and that the student knew or should have known endangers the physical health or safety of the victim, and that is done for the purpose of pledging, being initiated into, affiliating with, participating in, holding office in, or maintaining membership in any organization. The term “organization” includes, but is not limited to, a fraternity, sorority, association, corporation, order, society, corps, cooperative, club, service group, social group, athletic team, or similar group whose members are primarily students at an educational institution.

Hazing includes the following:

- Physical brutality, such as whipping, beating, striking, randing, electronic shocking, placing of a harmful substance on the body, or similar activity;
- Physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, or calisthenics, that subjects the other person to an unreasonable risk of harm or that adversely affects the physical health or safety of an individual;
- Activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance that subjects the individual to an unreasonable risk of harm or that adversely affects the physical health or safety of the individual; and/or
- Activity that induces, causes, or requires an individual to perform a duty or task that involves the commission of a crime or an act of hazing.

Permission, consent, or assumption of risk by an individual subjected to hazing does not lessen the prohibition. Students who commit hazing on Academy property, in any Academy vehicle, or at an Academy sponsored event or activity will be subject to disciplinary action.

3-E. False Fire Alarms

Students shall not cause a false fire alarm to occur within the school building, in any Academy vehicle, or at an Academy sponsored event or activity.

3-F. Weapons, Arson or Criminal Sexual Conduct

Any student in possession of a dangerous weapon, as defined by law, in a weapon free school zone or who commits arson in the school building or on school grounds, or commits criminal sexual conduct in a school building or on school grounds, shall be permanently expelled subject to reinstatement.

If a student is expelled pursuant to one of the above stated reasons, the School Leader must enter that fact on the student's permanent record. Within 3 school days of expelling a student, an official of the school must refer the student to the appropriate Family Independence Agency or Department of Community Health, and the student's parent(s) or guardian(s) must be informed of the referral. The School Leader shall also notify the Juvenile Division of the Probate Court for students who are expelled and are under the age of sixteen (16).

A dangerous weapon is defined as a firearm, dagger, dirk, stilettos, knife with a blade over 3 inches in length, a pocket knife opened by a mechanical device, iron bars and brass knuckles.

The definition of “firearm” includes any weapon(including a starter gun) which will or is designed or may readily be converted to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, any firearm muffler or firearm silencer, or any destructive device.

Expulsion is not required, but may still be pursued, if at least one of the following can be established in a clear and convincing manner:

- The object or instrument possessed by the student was not possessed for use as a weapon, or for direct or indirect delivery to another person for use as a weapon.
- The weapon was not knowingly possessed by the student.
- The student did not know or have reason to know that that the object or instrument possessed by the student constituted a dangerous weapon.

The weapon was possessed by the student at the suggestion, request or direction of, or with the express permission of school or police authorities.

3-G. Threatening the Use of a Weapon or Dangerous Item

A student threatening the use of a legitimate tool (not included in the legal definition above) as a weapon to harm another individual may be suspended or expelled. Examples of these tools include, but are not limited to, pens, pencils, compasses, or combs.

A dangerous item is any object capable of inflicting bodily harm as determined within the sole discretion of the Academy administrator including but not limited to knives, bullets, fireworks, smoke bombs, any parts of a weapon, or toy weapons.

3-H. Bomb Threat

A student enrolled in grade 6 or above makes a bomb threat or similar threat directed at a school building, an Academy vehicle, or an Academy related event or activity shall be suspended or expelled.

3-I. Sexual Activity

Students shall not engage in any sexual activity on Academy property, in any Academy vehicle, or at any school sponsored event or activity.

3-J. Other Prohibited and Illegal Conduct

Students shall not engage in any conduct at the Academy, in any Academy vehicle, or at any Academy sponsored event or activity that constitutes an offense under city, state or federal law.

Corporal Punishment

Corporal punishment against a pupil by an employee, volunteer or contractor of a local or intermediate school district, or public school academy is prohibited by section 380.1312 of the Revised School Code. Corporal punishment against a pupil by any individual is prohibited on Academy property, in any Academy vehicle, or at any Academy sponsored event or activity. Corporal punishment is defined as “the deliberate infliction of physical pain by hitting, paddling, spanking, slapping, or any other physical force used as a means of discipline.” It does not include physical pain caused by reasonable physical activities associated with athletic training. Although the use of corporal punishment is prohibited, the use of **reasonable** physical force upon a student if **necessary** to maintain order and control for the purpose of providing an environment conducive to safety and learning is permitted in the following situations:

- To restrain or remove a pupil whose behavior is interfering with the orderly exercise of a 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;
- For self-defense or the defense of another;
- To prevent a pupil from inflicting harm on himself or herself;
- To quell a disturbance that threatens physical injury to any person;
- To obtain possession of a weapon or other dangerous object upon or within the control of a pupil; and/or
- To protect property.

LEGAL NOTICES

Equal Education Opportunity/Civil Rights Designee

It is the policy of the Academy to provide an equal education opportunity for all students.

Any person who believes that s/he has been discriminated against on the basis of his/her, race, color, ethnicity, national origin, sex, (including sexual orientation or transgender identity), pregnancy, mental or physical disability, age, religion, height, weight, marital or family status, military status, ancestry, genetic information, while at the Academy, or an Academy activity, should immediately contact the Academy Administrator or designee below.

Complaints will be investigated in accordance with the administrations guidelines, established by the Academy. Any student making a complaint or participating in an academy investigation will be protected from any threat or retaliation. The Academy Administrator or designee can provide additional information concerning equal access to educational opportunity.

Parents or students who wish to file a complaint or believe any of their Federal or State rights have been violated (including nondiscrimination under Title II, Title IV, Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, Americans with Disability Act, and Section 504 of the Rehabilitation Act of 1973) should contact:

Civil Rights Representative/Compliance Officers: Richard Guerra and DeLisa Jones

Title IX Coordinator: Richard Guerra or the Office for Civil Rights 1350 Euclid Avenue, Suite 325, Cleveland, OH 44115-1812 , 216-522-4970, Email: OCR.Cleveland@ed.gov.