

# **Helen C. Shumate Middle School**

## **Home of the Seahawks**

2016-17

### **GIBRALTAR SCHOOL DISTRICT'S MISSION AND BELIEFS**

The mission of the Gibraltar Schools, in partnership with students, parents and community, is to develop each student's skills, competencies and understandings necessary to think independently and make sound decisions, to realize self-worth, to adapt to the challenges of the future, and to foster the process of lifelong learning. Each student will develop and possess the skills necessary to be a functioning and contributing member of our society.

We in the Gibraltar School District believe that:

- All children can learn.
- Varied learning opportunities meet these needs.
- Students have different needs.
- All people have a need to feel important and appreciated.

**SHUMATE VISION STATEMENT:** Creating valuable learning opportunities where students *SOAR* to lifelong success!

**SHUMATE MISSION STATEMENT:** Listen, Educate, Achieve, Respect, Nurture, **LEARN!**

As prudent stewards of the District's resources, the Gibraltar Board of Education has enacted for the 2014-2015 school year, a onetime activity fee of \$100.00 for all SMS students who participate in sports, clubs, or extra-curricular activities.

### **Note from the Staff**

Dear Seahawk Family:

Welcome to the 2016-17 school year. The staff of Shumate Middle School shares a commitment to create a learning environment where everyone can excel to their highest potential.

The goal cannot take root without collaboration and cooperation from you, the parent. Begin by reading and discussing this Student Code of Conduct with your child.

With your assistance and cooperation, we will be able to teach your student to attain the skills, objectives and goals that will nurture life-long learning.

In doing this, we encourage and expect the values of hard work, respect for self/others, and service to school and community.

Educationally Yours,

Els Ferguson  
Principal  
[ferguse@gibdist.net](mailto:ferguse@gibdist.net)

Tracy Richardson  
Assistant Principal/Athletic Director  
[richart@gibdist.net](mailto:richart@gibdist.net)

<b>Table of Contents</b>	
Accidents	5
Assemblies	5
Athletics	5
Attendance Policy	5-7
Cell Phone Policy/Wireless Communication Devices	16-17
Bell Schedule	5
Closed Campus	7
Collection of Debts	7
Contagious Illness or Unidentified Rash	7
Counseling Center Procedures	7
District and School Information	3
Dance/Activity Nights	7
Discipline Interventions	22
Discipline Procedures	21-25
Discipline Categories	16-21
Dress Code	18
Emergency Procedures	7-8
Fundraisers	8
General Guidelines and Procedures	5-21
Grading Scale	8
Grievance Procedure	26-27
Guest Teacher	8
Harassment, Bullying and Other Aggressive Behaviors	8-11
Homework	11
Honor Roll	12
I.D. Cards	12
Junior National Honor Society	12
Library/Media Center Usage	12
Lockers	13
Lost and Found	13
Medication	13
Personal Deliveries	13
Positive Action	13
Records - Students	13-14
Report Cards	14
Schedule Changes	14
School Rules and Regulations	16
Search and Seizure	15
Shumate Parent Group - SPG	14
Staff Directory	4-5
Student Emergency Forms	14
Student Rights	14-15
Tardy Policy	6
Telephone	15
Textbooks	15
Transportation Code of Conduct	21
Visitors	15

## **GIBRALTAR SCHOOL DISTRICT**

### **SUPERINTENDENT**

Mrs. Amy Conway

### **GIBRALTAR SCHOOL DISTRICT**

19370 Vreeland Road  
Woodhaven, MI 48183

Phone: (734) 379 - 6350

Fax: (734) 379 - 6353

## **HELEN C. SHUMATE MIDDLE SCHOOL**

30448 West Jefferson Ave.  
Gibraltar, MI 48173

Phone: (734) 379-7600

Fax: (734) 379-2370

\*Attendance Call-in-line: (734) 379 -7600, Option 1 for attendance

<http://www.gibdist.net/gibdist/schools/Shumate>

<http://www.zangleweb.resa.net/Gibraltar/ParentConnect>

### **ADMINISTRATION**

**Principal –Mrs. Els Ferguson**

**Assistant Principal/Athletic Director – Mr.-Tracy Richardson**

**Principal's Secretary - Twyla Krupsky**

**Attendance Secretary- Mrs. Betty Jo Martin**

<b>HELEN C. SHUMATE MS SCHOOL STAFF</b>		<b>Department</b>
Ms. Antosiewicz	<a href="mailto:antosij@gibdist.net">antosij@gibdist.net</a>	Counselor A-K
Mr. Bailey	<a href="mailto:bailevm@gibdist.net">bailevm@gibdist.net</a>	Social Studies
Ms. Bielawski	<a href="mailto:bielawk@gibdist.net">bielawk@gibdist.net</a>	Social Studies
Mr. Boller	<a href="mailto:bollerc@gibdist.net">bollerc@gibdist.net</a>	Physical Education
Mr. Bouwman	<a href="mailto:bouwmaij@gibdist.net">bouwmaij@gibdist.net</a>	Science
Mr. Brockington	<a href="mailto:brockid@gibdist.net">brockid@gibdist.net</a>	Band
Ms. Brown	<a href="mailto:brownm@gibdist.net">brownm@gibdist.net</a>	Spanish
Ms. Cislo	<a href="mailto:cislor@gibdist.net">cislor@gibdist.net</a>	Mathematics
Ms. Crews	<a href="mailto:crewsk@gibdist.net">crewsk@gibdist.net</a>	Mathematics
Mr. DeAngelo	<a href="mailto:deanges@gibdist.net">deanges@gibdist.net</a>	Science
Mr. Dolson	<a href="mailto:dolsong@gibdist.net">dolsong@gibdist.net</a>	Social Studies
Mr. Dunwoody	<a href="mailto:dunwook@gibdist.net">dunwook@gibdist.net</a>	Social Studies
Mr. Falwell	<a href="mailto:falwels@gibdist.net">falwels@gibdist.net</a>	Physical Education
Ms. Gardner	<a href="mailto:gardnem@gibdist.net">gardnem@gibdist.net</a>	Language Arts
Ms. Gregorich-Filkins	<a href="mailto:gregork@gibdist.net">gregork@gibdist.net</a>	Mathematics
Ms. Gresham	<a href="mailto:greshaj@gibdist.net">greshaj@gibdist.net</a>	Language Arts
Ms. Harhold-Warren	<a href="mailto:harholj@gibdist.net">harholj@gibdist.net</a>	Language Arts
Mr. Hoover	<a href="mailto:hooverm@gibdist.net">hooverm@gibdist.net</a>	Mathematics
Ms. Hoover	<a href="mailto:hooverr@gibdist.net">hooverr@gibdist.net</a>	Language Arts
Ms. Hulderman	<a href="mailto:huldera@gibdist.net">huldera@gibdist.net</a>	Language Arts
Ms. Iott	<a href="mailto:iotte@gibdist.net">iotte@gibdist.net</a>	Computers
Mr. Irwin	<a href="mailto:irwins@gibdist.net">irwins@gibdist.net</a>	Social Studies
Mr. Kay	<a href="mailto:kavj@gibdist.net">kavj@gibdist.net</a>	Science
Ms. Kuppe	<a href="mailto:kuppec@gibdist.net">kuppec@gibdist.net</a>	Language Arts
Ms. Lee	<a href="mailto:lees@gibdist.net">lees@gibdist.net</a>	Special Education
Mr. Liptow	<a href="mailto:liptowc@gibdist.net">liptowc@gibdist.net</a>	Social Studies
Mr. McBride	<a href="mailto:mcbriidd@gibdist.net">mcbriidd@gibdist.net</a>	Math
Ms. Miller	<a href="mailto:millerc@gibdist.net">millerc@gibdist.net</a>	Social Studies
Ms. Wright	<a href="mailto:wrightth@gibdist.net">wrightth@gibdist.net</a>	Language Arts
Ms. O'Neill	<a href="mailto:oneille@gibdist.net">oneille@gibdist.net</a>	Science
		Social Worker
Mr. Gendron	<a href="mailto:gendroj@gibdist.net">gendroj@gibdist.net</a>	Special Education
Mr. Roman	<a href="mailto:romanj@gibdist.net">romanj@gibdist.net</a>	Counselor L-Z
Ms. Scheffler	<a href="mailto:scheffa@gibdist.net">scheffa@gibdist.net</a>	Special Ed
Mr. Sikora	<a href="mailto:sikorak@gibdist.net">sikorak@gibdist.net</a>	Science
Ms. Small	<a href="mailto:smallr@gibdist.net">smallr@gibdist.net</a>	Social Studies
Ms. Smith	<a href="mailto:smitha@gibdist.net">smitha@gibdist.net</a>	Special Education

Ms. Stoney	<a href="mailto:stoneyb@gibdist.net">stoneyb@gibdist.net</a>	Math
Ms. Turley	<a href="mailto:turleyd@gibdist.net">turleyd@gibdist.net</a>	Special Education
Ms. Tyler	<a href="mailto:tylerc@gibdist.net">tylerc@gibdist.net</a>	Vocal Music
Ms. Walchak	<a href="mailto:walcham@gibdist.net">walcham@gibdist.net</a>	Art
Ms. Warner	<a href="mailto:warnerk@gibdist.net">warnerk@gibdist.net</a>	Art
Ms. Wellman	<a href="mailto:wellmas@gibdist.net">wellmas@gibdist.net</a>	Physical Education
Ms. Witte	<a href="mailto:wittel@gibdist.net">wittel@gibdist.net</a>	Special Education

## **Daily Schedule 2016-17**

### Full Day Schedule

Advisory	8:18	8:40	22				
			5				
1st Hour	8:45	9:40	55				
			5				
2nd Hour	9:45	10:40	55				
			5				
3rd Hour	10:45	11:40	55				
			5				
4th Hour	7th	12:15	1:16	61	Lunch	11:45	12:10 25
	8th	11:45	12:15	30	Lunch	12:18	12:43 25
		12:46	1:16	30			
	6th	11:45	12:46	61	Lunch	12:51	1:16 25
			5				
5th Hour	1:21	2:16	55				
			5				
6th Hour	2:21	3:18	57				

### Late Start Day Schedule

Advisory	9:18	9:25	7
			5
1st Hour	9:30	10:17	47
			5
2nd Hour	10:22	11:07	47
			5
3rd Hour	11:12	11:57	47
			5

4th Hour	7th	12:32	1:27	55	Lunch	12:02	12:27	25
	8th	12:02	12:32	30	Lunch	12:32	12:57	25
		1:02	1:27	25				
	6th	12:02	12:57	55	Lunch	1:02	1:27	25
				5				
5th Hour		1:32	2:21	49				
				5				
6th Hour		2:26	3:18	52				

### Half Day Schedule

Advisory	8:18	8:25	7
			5
1st Hour	8:30	8:55	25
			5
2nd Hour	9:00	9:25	25
			5
3rd Hour	9:30	9:55	25
			5
4th Hour	10:00	10:25	25
			5
5th Hour	10:30	10:55	25
			5
6th Hour	11:00	11:35	35

## GENERAL GUIDELINES AND PROCEDURES

### ACCIDENTS

Every accident in the school building, on the school grounds, at practice sessions, at any athletic event, or field trip sponsored by the school must be reported immediately to the principal, assistant principal/athletic director, teacher in charge, or to the school office/health office.

### ASSEMBLIES

Attendance is mandatory at assemblies when it is part of the scheduled school day. Failure to attend is considered skipping. Students are allowed to sign out if they have been pre-approved by the principal or assistant principal and parent(s) have notified the school at least two hours in advance of the assembly.

### ATHLETICS

Shumate Middle School follows the rules and guidelines of the Gibraltar School District Athletic Code, as well as the Michigan High School Athletic Association, a copy of the code is available in the CHS Athletic Office.

### ATTENDANCE POLICY

The primary purpose of our attendance policy is to encourage students to be physically present in their classes in order to attain the maximum from the classroom activities, demonstrations, discussions, etc. Furthermore, according to the laws set forth by the State of Michigan, the Gibraltar School District is bound to educate all students up to the age of sixteen (16). Since education is a total process based on continual communication and shared responsibilities among the students, parents, teachers, and the school, the Gibraltar School District believes:

1. Parents have a responsibility to ensure their son(s) and/or daughter(s) attends school on a daily basis.
2. Students have a responsibility to explain all absences to each of their teachers upon request.

**The Gibraltar Board of Education and the administration of Shumate Middle School strongly feel that if students are to receive the very best education possible they must be in attendance daily. In order for this to occur the following attendance rules are in effect:**

1. Students are required to attend all of their scheduled classes.
2. Students will be allowed seven (7) absences in each class period during a trimester term.
3. For excused absences, parents or guardians must call the SMS office at (734) 379-7600, choose Option 1 and follow prompts the day before or by noon, the day of the absence. This must be done in order to have the absence(s) considered to be excused. Failure to excuse an absence within 30 hours could result in disciplinary action. Parents are expected to notify the school.
4. Official documentation of doctor's appointments, court dates, funerals, or other absences must be turned in to the attendance office within five school days of the absences.
5. Students must initially present their medical excuses to the Attendance Office on the day of their return to school. Students will be excused for the length of time specifically indicated on the medical note by the doctor. It is the student's responsibility to present the medical note to the attendance office upon return.
6. An unexcused absence may result in a Detention to a ten (10) day Out-of-School Suspension.
7. Unexcused absences will be considered as truancy. Students will be expected to make up any work done in the affected classes.
8. Students should ask their teachers about their attendance status or check their Student-Connect account if they are concerned.
9. A student-parent-administrator conference may be requested in cases of excessive student absences and/or tardiness.
10. Absences resulting from long-term illness will be evaluated on an individual basis.
11. The school will contact the Truant Officer for those students who are younger than 16 and have attendance problems.
12. If parents/guardians choose to take their student out of scheduled school programs, they need to realize that they are placing the student at an academic disadvantage. These absences will count towards absence totals.
13. If at any time during the day, a student finds it is necessary to leave the building, the parent must enter the main office and sign his/her student out, parent must also have picture identification and be on the child's emergency contact list.
14. A student is still required to attend all classes including those in which failure is imminent. A student is subject to suspension for failure to attend all classes.

**Absences not calculated in the seven (7) absence procedure include:**

- School-related absences.
- Absences due to a death in the immediate family.
- Court/other legal procedures.
- Medically unable to attend school per doctor's order.

#### **Absences: Make-up work**

1. Students with absences that are not school-related or pre-approved have one (1) day for every day absent in which to turn in the work that was missed.
2. Work missed for school-related and pre-approved absences will be completed and turned in **prior to the absence or immediately upon return to class**. It will be the student's responsibility to seek clarification from each affected teacher before the school-related or pre-approved absence occurs.
3. It is the responsibility of the student to make arrangements with the teacher for make-up work.

#### **Absences: Pre-arranged medical**

Upon receipt of a written statement from a physician stating that the student will be out of school for two or more weeks due to medical reasons, a visiting teacher will be assigned. A medical excuse must be provided within two weeks of the medical absence.

#### **Absences: School-related**

School-related absences are defined as field trips, student council meetings, counseling office appointments, class meetings, Junior National Honor Society meetings, athletic events, and other school functions. If there is a class or student council meeting, the advisors will have the students sign in, and a list will be sent to the attendance office the next day requesting that the absences be school-related.

### **Absences: Tardy policy**

***A Little Late Is Too Late:*** All students have five minutes passing time to reach their next class. There will be a one (1) minute warning bell to help students get to class on time. Each student is expected to be in his/her seat ready for class when the bell rings. Any student tardy more than five (5) minutes is considered absent. The tardy discipline policy is stated as follows:

- 3<sup>rd</sup> tardy – Student receives written warning
- 4<sup>th</sup> tardy – After-School Detention

### **Absences: Thirteen rule**

Truant/excessive absences are defined as thirteen (13) absent days per trimester. A JCO1 Complaint Petition will be filed with the Wayne County Probate Court/Juvenile Division for students who are found to be in violation of this rule and under the age of 16 years old.

### **CLOSED CAMPUS**

Shumate Middle School is a closed campus. Students must stay on the school grounds from the time they arrive, even if the first period has not yet started, until dismissal or until the bus picks them up. Students may not leave the school premises for any reason without Office approval during the school day.

### **COLLECTION OF DEBTS**

Student debts are recorded in the office and/or Media Center as the student debt is incurred. Students are notified of their debt and informed it is their responsibility to repay their debt. If student does not make payment after a few reminders, the parent is notified through a telephone conversation, an email or a letter is sent home.

### **CONTAGIOUS ILLNESS OR UNIDENTIFIED RASH**

A student with a contagious illness or unidentified rash will be sent home. When a student is absent because of a contagious illness, the parent must obtain and produce written verification from a medical doctor in order to return to school.

### **COUNSELING CENTER PROCEDURES**

Counselors are primarily concerned with helping students help themselves. Students and parents are encouraged to contact a school counselor when problems arise which may affect school performance.

Furthermore, various guidance services are offered to students through the counselors. Each student is assigned a specific counselor for the purpose of curriculum and class scheduling. Counselors will see every student either individually or in groups as many times as possible to discuss academic progress, future plans, and develop their career pathways. For students, appointments are made before or after school, or between classes by the Counseling Center.

### **DANCE/ACTIVITY NIGHT REGULATIONS**

Attending Shumate Middle School dances is a privilege not a right. SMS students may attend regular dances unless they have been excluded because of a violation of the Student Code of Conduct. Identification must be supplied by all students upon arrival at the dance. Also, students are not allowed to leave a dance and return unless the student has special permission from a sponsor. ONLY Shumate students may attend.

### **EMERGENCY PROCEDURES**

#### **Fire Drills**

Be familiar with the fire drill regulations.

1. No talking. Listen for instructions from the teacher.
2. Walk **do not run**, to the exit designated by the teacher.
3. Don't gather around entrances – stay with assigned class and teacher and away from the building.
4. Return to class promptly on the all-clear signal.
5. All students must leave the building. Failure to do so will result in severe disciplinary action.

The signal for the fire drill is a continuous “buzz” on the loud speaker. The signal to return from a fire drill is the ringing of the school bells. Throughout all emergency procedures, students are expected to move out of classrooms in a quiet and orderly manner. Regular school bells will be used to call students back into classrooms at the completion of all drills.

#### **Lock Down / Shelter in Place Drills**

Be familiar with the Lock Down/Shelter in place drill regulations.

1. No talking or disruptions.
2. Listen for instructions from the teacher.
3. Stay with assigned class and teacher. If in the hallway without a teacher nearby, find the nearest open classroom and remain there until you hear the all clear from the Principal or Assistant Principal.



**Severe Weather Drills**The signal for a severe weather drill will be a distinctive alarm tone.

*Physical Education students* move to the locker rooms. *All other students* should follow the directions posted in their classroom.

### **Severe Weather Information**

In case of severe weather conditions, listen to the following radio/television stations for school closing listings: **WWJ, FOX 2 NEWS, WDIV (4), WXYZ (7)**. The school district will also notify you via Edulink phone message fan-out.

### **Emergency Numbers (Police)**

<b>Poison Control:</b>	(800) 764-7661	Brownstown	675-1300
Rockwood	379-5323	Woodhaven	676-7337
State	782-2434	Gibraltar	676-1022

### **FUNDRAISERS**

All school sponsored fundraisers or fundraisers performed on the SMS campus must be approved by the administration and be placed on a district-wide fundraising calendar. Also, the sponsor(s) of the fundraiser must have a Fundraiser Request Form on file. **Fundraising is not mandatory**; however, each student is encouraged to participate in any school-sanctioned fundraiser.

### **GRADING SCALE**

Letter Grade	Percent %	Letter Grade	Percent %
A	93-100	C	73-76
A-	90-92	C-	70-72
B+	87-89	D+	67-69
B	83-86	D	63-66
B-	80-82	D-	60-62
C+	77-79	E	0-59

Summative (Performance) Assessment is 70% of grade & Formative (Practice) Assessment is 30% of grade

### **GUEST TEACHERS**

Periodically, the regular classroom teacher will not be in attendance and will be replaced by a guest teacher. Students and staff are expected to show our guest teacher respect and cooperation. Respectful behavior is an expectation we possess of all our staff and students of Shumate Middle School.

### **HARASSMENT** Please see district policies 5516, 5517

Harassment of students is prohibited, and will not be tolerated. This includes inappropriate conduct by other students as well as any other person in the school environment, including employees, Board members, parents, guests, contractors, vendors and volunteers. It is the policy of the District to provide a safe and nurturing educational environment for all of its students. This policy applies to all activities on school property and to all school sponsored activities whether on or off school property.

Harassment is defined as inappropriate conduct that is repeated enough, or serious enough, to negatively impact a student's educational, physical or emotional well-being. This would include harassment based on any of the legally protected characteristics, such as sex, race, color, national origin, religion, height, weight, marital status, or disability. This policy, however, is not limited to these legal categories and includes any harassment that would negatively impact students. This would include such activities as stalking, name-calling, taunting, and other disruptive behaviors.

Harassment through any means, including electronically transmitted methods (e.g., internet, telephone or cell phone, personal digital assistant (PDA), computer or wireless hand held device), may be subject to District disciplinary procedures. Such behavior is considered harassment whether it takes place on or off school property, at any school-sponsored function, or in a school vehicle if it is considered to have a negative impact on the school environment.

Any student that believes s/he has been or is the victim of harassment should immediately report the situation to the teacher, the principal or assistant principal, or may report it directly to the Superintendent or designee at 734-379-6350. Complaints will be investigated in accordance with Administrative Guidelines 5517.

Every student should, and every staff member **must** report any situation that they believe to be improper harassment of a student. Reports may be made to those identified above.

If the investigation finds harassment occurred, it will result in prompt and appropriate remedial action. This may include up to expulsion for students, up to discharge for employees, exclusion for parents, guests, volunteers and contractors, and removal from any officer position and/or a request to resign for Board members.

Retaliation against any person for complaining about harassment, or participating in a harassment investigation, is prohibited. Suspected retaliation should be reported in the same manner as harassment. Intentionally false harassment reports, made to get someone in trouble, are also prohibited. Retaliation and intentionally false reports may result in disciplinary action as indicated above.

The following definitions are provided for guidance only. If a student or other individual believes there has been harassment, regardless of whether it fits a particular definition, s/he should report it and allow the administration to determine the appropriate course of action.

#### **Harassment**

- A. submission to such unwelcomed conduct or communication is made either an explicit or implicit condition of utilizing or benefiting from the services, activities, or programs of the School District;
- B. submission to, or rejection of, the unwelcomed conduct or communication is used as the basis for a decision to exclude, expel, or limit the harassed student in the terms, conditions, or privileges of the School District;
- C. the unwelcomed conduct or communication interferes with the student's education, creates an intimidating, hostile or offensive environment, or otherwise adversely affects the student's educational opportunities. This may include racial slurs, mocking behavior, or other demeaning comments.

**Sexual Harassment** may include, but is not limited to:

- A. verbal harassment or abuse;
- B. pressure for sexual activity;
- C. repeated remarks with sexual or demeaning implications;
- D. unwelcome touching;
- E. sexual jokes, posters, cartoons, etc.;
- F. suggesting or demanding sexual involvement, accompanied by implied or explicit threats concerning one's grades, safety, job, or performance of public duties.

#### **BULLYING AND OTHER AGGRESSIVE BEHAVIOR TOWARD STUDENTS**

It is the policy of the District to provide a safe and nurturing educational environment for all of its students.

This policy protects all students from bullying/aggressive behavior regardless of the subject matter or motivation for such impermissible behavior.

Bullying or other aggressive behavior toward a student, whether by other students, staff or third parties, including Board members, parents, guests, contractors, vendors and volunteers, is strictly prohibited. This prohibition includes written, physical, verbal and psychological abuse, including hazing, gestures, comments, threats or actions to a student, which cause or threaten to cause bodily harm, reasonable fear for personal safety or personal degradation.

Demonstration of appropriate behavior, treating others with civility and respect and refusing to tolerate harassment or bullying is expected of staff, third parties, including Board members, parents, guests, contractors, vendors and volunteers to provide positive examples for student behavior.

This policy applies to all "at school" activities in the District, including activities on school property, in a school vehicle and those occurring off school property if the student or employee is at any school-sponsored, school-approved or school-related activity or function, such as field trips or athletic events where students are under the school's control or where an employee is

engaged in school business. Misconduct occurring outside of school may also be disciplined if it interferes with the school environment.

### **Notification**

Notice of this policy will be **annually** circulated to and posted in conspicuous locations in all school buildings and departments within the District and discussed with students as well as incorporated into the teacher, student and parent/guardian handbooks. State and Federal rights posters on discrimination and harassment shall also be posted at each building. All employees will be required to annually review and sign off on this policy and the related complaint procedure.

Parents or legal guardians of the alleged victim(s), as well as of the alleged aggressor(s), shall be promptly notified of any complaint or investigation as well as the results of the investigation to the extent consistent with student confidentiality requirements. A record of the time and form of notice or attempts at notice shall be kept in the investigation file.

To the extent appropriate and/or legally permitted, **confidentiality** will be maintained during the investigation process. However, a proper investigation will, in some circumstances, require the disclosure of names and allegations. Further, the appropriate authorities may be notified, depending on the nature of the complaint and/or the results of the investigation.

### **Implementation**

The superintendent is responsible to implement this policy and may develop further guidelines, not inconsistent with this policy.

This policy is not intended to and should not be interpreted to interfere with legitimate free speech rights of any individual. However, the District reserves the right and responsibility to maintain a safe environment for students, conducive to learning and other legitimate objectives of the school program.

### **Procedure**

Any student who believes she/he has been or is the victim of bullying, hazing or other aggressive behavior should immediately report the situation to the teacher, principal, assistant principal or counselor. The student may also report concerns to any building staff member who will be responsible for notifying the appropriate administrator. Complaints against the building Principal should be filed with the Superintendent. Complaints against the Superintendent should be filed with the Board President.

Every student is encouraged and every staff member is required to report any situation that they believe to be aggressive behavior directed toward a student. Reports shall be made to those identified above. Reports may be made anonymously, but formal disciplinary action may not be taken solely on the basis of an anonymous report.

The principal or designee shall promptly investigate and document all complaints about bullying, aggressive or other behavior that may violate this policy. The investigation must be completed as promptly as the circumstances permit and should be completed within three (3) school days after a report or complaint is made.

If the investigation finds an instance of bullying or aggressive behavior has occurred, it will result in prompt and appropriate remedial action. This may include up to expulsion for students, up to discharge for employees, exclusion for parents, guests, volunteers, and contractors, and removal from any official position and/or a request to resign for board members. Individuals may also be referred to law enforcement or other appropriate officials.

The individual responsible for conducting the investigation shall document all reported incidents and report all verified incidents of bullying, aggressive or other prohibited behavior as well as any remedial action taken, including disciplinary actions and referrals to the Superintendent. The Superintendent shall submit a compiled report to the Board on an annual basis.

### **Non-Retaliation/False Reports**

Retaliation or false allegations against any person who reports, is thought to have reported, files a complaint, participates in an investigation or inquiry concerning allegation of bullying or aggressive behavior (as a witness or otherwise) or is the target of the bullying or aggressive behavior being investigated, is prohibited and will not be tolerated. Such retaliation shall be considered a

serious violation of Board policy, independent of whether a complaint of bullying is substantiated. Suspected retaliation should be reported in the same manner as bullying/aggressive behavior.

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

### **Prevention/Training**

The Superintendent shall establish a program or other initiatives involving school staff, students, clubs or other student groups, administrators, volunteers, parents, law enforcement, community members, and other stakeholders aimed at the prevention of bullying or other aggressive behavior.

### **Definitions**

The following definitions are provided for guidance only. If a student or other individual believes there has been bullying, hazing, harassment or other aggressive behavior, regardless of whether it fits a particular definition, she/he should report it immediately and allow the administration to determine the appropriate course of action.

**“Aggressive Behavior”** is defined as inappropriate conduct that is repeated enough or serious enough to negatively impact a student’s educational, physical or emotional well-being. Such behavior includes, for example, bullying, hazing, stalking, intimidation, menacing, coercion, name-calling, taunting, making threats and hitting, pushing or shoving.

**“At School”** is defined as 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. It also includes conduct using a telecommunications access device or telecommunications service provider that occurs off school premises if either owned by or under the control of the District.

**“Bullying”** is defined as any gesture or written, verbal, graphic or physical act (including electronically transmitted acts – i.e. internet, telephone or cell phone, personal digital assistant (PDA) or wireless hand held device) that, without regard to its subject matter or motivating animus, 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:

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

Bullying can be physical, verbal, psychological or a combination of all three. Some examples of bullying are:

- A. Physical – hitting, kicking, spitting, pushing, pulling, taking, and/or damaging personal belongings or extorting money, blocking or impeding student movement, unwelcome physical contact.
- B. Verbal – taunting, malicious teasing, insulting, name calling, making threats.
- C. Psychological – spreading rumors, manipulating social relationships, coercion or engaging in social exclusion/shunning, extortion, or intimidation. This may occur in a number of different ways, including but not limited to notes, emails, social media postings, and graffiti.

**“Harassment”** includes, but not limited to, any act which subjects an individual or group to unwanted, abusive behavior of a nonverbal, verbal, written or physical nature, often on the basis of age, race, religion, color, national origin, marital status or disability, but may also include sexual orientation, physical characteristics (e.g., height, weight, complexion), cultural background, socioeconomic status, or geographic location (e.g., from rival school, different state, rural area, city etc.)

**“Intimidation/Menacing”** includes, but not limited to any threat or act intended to: place a person in fear of physical injury or offensive physical contact; to substantially damage or interfere with a person’s property; or to intentionally interfere with or block a person’s movement without good reason.

**“Staff”** includes all school employees and Board members.

**“Third Parties”** includes, but not limited to coaches, school volunteers, parents, school visitors, service contractors, vendors or others engaged in district business, and others not directly subject to school control at inter-district or intra-district athletic competitions or other school events.

## **HOMEWORK**

Occasionally students will be expected to study and complete work outside of the classroom. Missing assignments are the responsibility of the student. Students are encouraged to communicate with their teachers regarding their academics and should be checking their progress on StudentConnect. Extended absence homework request shall be made to office staff.

## **HONOR ROLL/AWARDS**

The Honor Roll is determined each Trimester. Shumate grades are calculated on a 4.3 Grade Point Average. Students are recognized in an Awards Assembly for their efforts based on the cumulative GPA after the 2<sup>nd</sup> Trimester of the school year. Following criteria determine a student’s award:

<b>Gold</b>	Cumulative GPA of 3.9 – 4.0
<b>Silver</b>	Cumulative GPA of 3.5 – 3.89
<b>Bronze</b>	Cumulative GPA of 3.0 – 3.49

## **I.D. CARDS**

At the beginning of the school year, all students will be furnished an identification card at no cost. However, there is a \$3.00 replacement charge for lost cards. Each student is required to carry his or her I.D. at all times while on the school campus. The identification card is needed for the following: bus transportation, buying items in the cafeteria, checking out materials from the Media Center, voting in school elections, and admission to extracurricular activities such as dances and athletic activities. Identification cards must be presented to staff members upon request for identification purposes.

## **JUNIOR NATIONAL HONOR SOCIETY**

Students who have maintained a cumulative **3.5** grade point average or better at the end of five (5) trimesters or more are eligible for consideration for selection into the Junior National Honor Society. Character, leadership, and service are considered in addition to grade point average (scholarship).

**Character**, the product of daily striving to make the right choice, includes such qualities as reliability, honesty, and sincerity in all situations; as well as consideration and respect for self, others, school, community, and education.

**Leadership** must be in a positive direction, both in and out of the classroom.

**Service** is the willingness to render cheerfully any possible help to students, faculty, administrators, and community members. The student must be willing to sacrifice personal interests for the interests of others.

**Academic Attitude**, classroom behavior, and conduct or service outside the classroom are all thoroughly evaluated. Shumate Middle School seeks to honor the truly exceptional student.

### **Selection Process**

The JNHS faculty advisor receives a list of all 7<sup>th</sup> Grade students with a GPA of 3.5 or better cumulative average. Letters are given to each possible candidate informing him or her of the right to be considered for membership, outlining the procedures and including the necessary forms. In order to be considered for membership, a student must do the following: 1.) Complete all necessary forms. 2.) Return the forms by the due date. A list of candidates is given to the faculty for rating in the areas of scholarship, leadership, service, and character. The faculty returns forms to the advisor who numerically tabulates them. A committee of teachers then decides on the numerical factor necessary for membership, and any student at or above that benchmark is offered membership. All students chosen for membership will be notified in writing.

## **LIBRARY/MEDIA CENTER USAGE**

The Media Center at Shumate is available to all students during the school day except for lunch, unless permission has been granted by the Media Specialist. Students are encouraged to use these facilities to the fullest extent for classroom assignments as well as for individual interest. No food or drink is allowed in the Media Center.

### **Loan Periods and Procedures**

Regular books, pamphlets, clippings and back issues of magazines are loaned for a two (2) week period and may be renewed unless someone else has reserved the book. Reserve books and other reserve materials including some encyclopedias may be

borrowed for one (1) day. These materials are due before the end of the first hour the following day. Students must have picture I.D. to check out materials.

### **Fines**

Students will be fined \$0.10 per school day for any overdue Media Center materials or books.

### **Library/Media Center Regulations**

1. To be admitted to the Library/Media Center each student must have a pass.
2. No hall permits will be issued from the Media Center except in cases of emergency. Students must plan to remain the entire period unless the class teacher indicates otherwise.
3. Students should do their part in making the Media Center as orderly and quiet as possible.
4. Students are responsible for the care of the Media Center materials on loan from the Library/Media Center. The student must reimburse the school for a lost or damaged book.
5. When using Media Center computers, students are to abide by the rules of the Fair Use Agreement they have signed

### **LOCKERS**

The Office issues lockers with combination locks to students at the beginning of the year. Student lockers should be kept locked at all times. Students are cautioned against telling their combination to each other or they cannot expect their property to be safe. Each student is responsible for keeping his/her assigned locker clean both inside and outside. Damage caused by malfunction should be reported to the proper office. Students are cautioned not to keep money or other valuables in their lockers. Turn in such items to the office for safekeeping. The lockers belong to the Gibraltar School District. By law, school authorities may search lockers at any time for the purpose of seizing contraband. Drug dogs will be used to search lockers periodically. While searches of this nature are not common, students should not expect total privacy in school lockers. Lockers will be routinely examined by administrators and cleaned by students.

### **LOST AND FOUND**

Clothing, notebooks or personal items will be placed in the designated location in the cafeteria. Items of value (jewelry, phones, IPOD, etc) will be kept in the main office. All lost items should be turned in to our Hall Monitor or Office personnel.

### **MEDICATION**

Staff members are not permitted to dispense medication without the proper paperwork on file. Students needing medication during the school hours must have a **Medication Permission Request Form** on file. Medications will be dispensed under the supervision of the principal's designee. The school district retains the discretion to reject requests for administration of medications. It is the responsibility of the parent to inform the school of any **change** in the child's health or **change** in medication. Only approved medication will be allowed in a student's locker or locations other than the Health Office.

### **PERSONAL DELIVERIES**

Parents may leave items for their son/daughter in the main office. We will not make personal deliveries to the classroom. The purpose of this procedure is to minimize instructional interruption while maximizing learning, building security and student safety. Birthday or "special" occasion snacks are NOT permitted during the school day. Student lunches are placed in a bin and delivered to the lunch room, we ask that you identify the sack lunch with the student's NAME and GRADE.

### **POSITIVE ACTION PROGRAM**

Designed to recognize and reward students for positive behavior. A staff member will give a student a Positive Action ticket in recognition. Students then write their name on the ticket and place in the Positive Action ticket bin for a drawing of prizes provided by the Shumate Parent Group.-PBIS program is in full implementation

### **RECORDS - STUDENT**

General policy statement: In compliance with the Family Educational Rights and Privacy Act of 1974, a parent or guardian of a student under 18 years of age and a student 18 years of age or over may have access to the records, files, and data of the school district relating to the student. They also have the right to challenge any of the contents of said records to ensure their accuracy and fairness according to procedures established by the Board of Education.

Such procedures shall be made available on request and shall include the opportunity for a hearing upon request. No records, files, or data directly relating to an individual student will be made available to anyone without the express permission from the parent/guardian or 18-year old student except (1) to teachers and officials of the school district who have a legitimate educational interest in such information, (2) to officials of a school to which a student intends to enroll, in which case the student or parent/guardian shall be so notified, (3) to comply with a court ordered access to such records, in which case the student or parent/guardian shall be so notified, and (4) to honor a request from an Authorized Federal Administrative Agency when a

student applies for financial aid. Federal Agency requests not connected with financial aid may be honored but shall not include names of students or their parents/guardians or any means of identifying such students, parents or guardians.

#### **Procedures for Student or Parent or Guardian Access to Student Records:**

1. A request to examine student records shall be in writing using forms specified by the school.
2. A request to examine records shall be honored within 30 days of its receipt (cannot exceed 45 days according to the law).
3. Records may be examined in the Counseling Office during regular office hours at an agreed upon time, or at other times by special arrangement.
4. Records may be examined only in the presence of a counselor or a building administrator.
5. Assistance in interpreting the records shall be available to the student or parent or guardian.
6. The parent or guardian of a student under 18 years of age shall have the right to challenge the contents of the student's records as subsequently provided in these policies and procedures. Procedures for access of student records to parents or guardians of students under 18 years of age are those covered under the general exceptions listed in the preceding general policy statement.

#### **Records – Transfers**

Procedures for transferring records on request of another school to which a student intends to enroll or on request to comply with a judicial order or subpoena:

1. Request for records shall be in writing on forms provided by the school.
2. Records requested may be sent without consent, but parents/guardians of students under 18 years of age shall be notified of the request and to whom records have been sent.

#### **REPORT CARDS**

Report cards are issued at the end of each twelve (12) week trimester term. Included on the report card are the academic letter grade, a numerical citizenship evaluation, and comments of class performance. Also, listed is the student's current GPA, cumulative GPA, and attendance.

#### **SCHEDULE CHANGES**

Attempts will be made to provide all students with the best possible schedule. School officials may make changes as necessary for:

1. Class Size
2. Student Ability
3. Situations deemed necessary by Administration

#### **SHUMATE PARENT GROUP**

The Shumate Parent Group supports the students and staff of Shumate. They raise money to support student programs in the school. Members give their time and commitment to help each and every member of our learning community. If interested in assisting and being involved, feel free to attend the next SPG meeting. They meet the 2<sup>nd</sup> Tuesday of each month at 6pm in Shumate's Media Center. Please check the district calendar on GSD website for dates and times.

#### **STUDENT EMERGENCY FORMS – VERY IMPORTANT !!!**

Student Emergency Forms are required for ALL students. Rationale, if a student becomes ill or is injured while at school, we must have all updated information to contact a parent or other responsible adult listed on your student's emergency form. Parents are reminded to contact the school with address, and phone number changes

#### **STUDENT RIGHTS**

**Student Demonstration:** The Board of Education of GSD is the local entity responsible for elementary through high school education. That educational leadership rests with the Board, its administrators, the school principals and teachers. We recognize the right of students to dissent, peacefully, so long as the day-to-day educational process is not disrupted or hampered.

#### **Student Publications and Productions**

The Board of Education may allow student publications and productions, under adult direction, as a means for students to learn the rights and responsibilities of the press in a free society.

For purposes of this policy, "publications" shall include any audio, visual, or written materials such as tapes, banners, films, pamphlets, notices, newspapers, books, web pages (Policy 7540.02), internet productions (Policy 7540), or other like materials. "Productions" shall include theatrical performances as well as impromptu dramatic presentations, radio/television productions, and any electronic media presentations which represent the School District and the student's work within the District.

Such publications and productions also play a vital role in the school program by:

- A. interpreting students and the school to the community;
- B. serving as a public relations media;
- C. developing skills in communicating via the mass media;
- D. developing acceptable methods for preserving the constitutional provision of free speech.

In sponsoring a student publication or production, the Board is mindful of the fact that the publication could be available to any student attending this school, and must, therefore, generally be suitable for all students.

Issues on which opposing points of view have been promulgated by responsible opinion may be introduced in a school-sponsored publication or production provided equal opportunity is given to present each view and provided further that the material generally is acceptable to this community.

Advertising is permitted in school newspapers, yearbooks, programs, etc. which are published by student organizations. Permission to place advertising may only be given by the building principal or designee.

The Board reserves the right to designate and prohibit the distribution of publications and productions which are not protected by the right of free expression because they violate the rights of others. Such unprotected materials are those which:

- A. are grossly prejudicial to an ethnic, religious, racial, or other delineated group;
- B. libel any specific person or persons;
- C. seek to establish the supremacy of a particular religious denomination, sect, or point of view over any other religious denomination, sect, or point of view;
- D. advocate the use or advertise the availability of any substance or material which may reasonably be believed to:
  - 1. constitute a direct and substantial danger to the health of students;
  - 2. contain obscenity or material otherwise deemed to be harmful to impressionable students who may receive them;
  - 3. incite violence, advocate the use of force, or urge the violation of law or school regulations.

The Board also prohibits publications and productions which:

- A. fail to identify the student or organization responsible for distribution;
- B. solicit funds for nonschool organizations or institutions when such solicitations have not been approved by the Board;
- C. promote, favor, or oppose any candidate for election to the Board or the adoption of any bond issue, proposal, or question submitted at any election.

The decision to publish or produce something shall be made by the Advisor with appeal to the Principal and Superintendent.

### **Search and Seizure**

The right of privacy of the individual is one of the basic and most sacred rights of United States citizenship. The student is a citizen and consequently that right should be respected at all times by school authorities.

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

- 1. There should be reasonable suspicion for school authorities to believe that the possible possession constitutes a crime or rule violation.
- 2. Illegal items (firearms, weapons) or other weapons reasonably determined to be a threat to the safety or security of others school authorities may seize these items.
- 3. Administrative guidelines derived from New Jersey v. T.L.O. 469 U.S. 325 (1985)

### **TELEPHONE**

There is a courtesy phone for student use in the office. A student must have a phone pass from a classroom teacher. The office phone is for school business or extra-curricular needs.

If a parent is attempting to contact a teacher via telephone, the call will go immediately to voicemail. This process limits classroom interruption and allows for uninterrupted instruction. School staff members make a concerted effort to return any calls within 24-48 hours. Please keep in mind that a staff member may be out of the building due to professional development, illness or personal business; thus surpassing the timeframe. It is our practice to maintain an open and timely communication between school and home. Only the last four numbers from district phones show up on caller ID.



## **TEXTBOOKS**

Each student enrolling in grades 6-8 will be held responsible for the replacement value of the text which is lost, mutilated, damaged or stolen at the scale set forth. When no textbook is returned, the replacement cost of that text would be charged to the student. **Damaged or Mutilated Texts** A charge up to replacement costs (minimum \$10.00) may be made at the discretion of the school for texts which are abused. When students refuse to pay for the replacement of texts, the school shall not assume further responsibility to issue any text to that student until the matter is settled.

## **VISITORS**

The school policy is to accept only those visitors who have legitimate business to attend to at the school. Parents are always welcome. Visitors must sign in at the Main Office and will be given a visitor pass and are expected to leave promptly when their business is completed.

## **SCHOOL RULES AND REGULATIONS**

The Gibraltar School District has the high expectation that students, while attending their respective schools, will conduct themselves as responsible citizens of the school community in which they live.

The school district believes that the safety and security of its students and staff is a priority. Acts or threats of aggression and violence will not be tolerated. Violation will result in disciplinary action to possible expulsion. It is the responsibility of all students, staff, and parents to report verbal threats and acts of aggression and violence.

Teachers will establish rules concerning general student behavioral procedures that contribute to positive learning experiences. Violations of these classroom rules are handled by the individual teacher on a reasonable basis. Disciplinary referral to the administration shall be in writing stating causes for the referral and the classroom disciplinary action previously taken by the teacher. These rules will be in keeping with the school district policy.

## **DISCIPLINE CATEGORIES**

### **PUBLIC DISPLAYS OF AFFECTION**

Parents will be contacted if students show public display of affection, hugging, kissing, etc. that is deemed serious. There is a time and a place for everything, and school is not the place for public displays of affection.

### **ALCOHOL AND /OR DRUGS**

**Consequence:** Possession, under the influence, or distribution of alcohol and/or drugs as well as its paraphernalia will result in a nine (9) day suspension to possible expulsion. Look-alike drugs and over-the-counter-drugs, such as diet pills, caffeine pills, etc., are not permitted in school and will be treated the same as substance abuse. Prescription drugs should be cleared by the Attendance Office at the beginning of the school day. Sobriety or Breathalyzer tests will be used if necessary to determine whether a student is under the influence of drugs or alcohol.

### **CELL PHONES**

Cell phones can be a useful tool; however, many times these communication devices hinder the educational process. Cell phones are allowed in school. Cell phones may be used before and after school. They must be placed in the student locker before advisory class and must remain there until after 6<sup>th</sup> hour. Abusing the districts cell phone policy, may result in confiscation of the device. SMS and their staff members will **not be** responsible for the safekeeping of cell phones, and students assume all responsibility for any loss, damage, or theft that may occur.

### **PERSONAL COMMUNICATION DEVICES**

Students may use wireless communication devices (PCDs) before and after school. They must be placed in the student locker before advisory class and must remain there until after 6<sup>th</sup> hour .

Board Policy #5136 states, A "personal communication device" is a device that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor. The following devices are examples of PCDs: cellular and wireless telephones, pagers/beepers, personal digital assistants (PDAs), BlackBerrys /Smartphones, Wi-Fi-enabled or broadband access devices, two-way radios or video broadcasting devices, laptops, and other devices that allow a person to record

and/or transmit, on either a real time or delayed basis, sound, video or still images, text, or other information. Students may not use PCDs on school property or at a school-sponsored activity to access and/or view Internet websites that are otherwise blocked to students at school. "Students may use PCDs while riding to and from school on a school bus or other vehicle provided by the Board or on a school bus or Board-provided vehicle during school-sponsored activities, at the discretion of the bus driver, classroom teacher, and/or sponsor/advisor/coach. Distracting behavior that creates an unsafe environment will not be tolerated."

Also, during after school activities when directed by the administrator or sponsor, WCDs shall be powered completely off (not just placed into vibrate or silent mode) and stored out of sight.

The requirement that PCDs must be powered completely off will not apply in the following circumstances when the student obtains prior approval from the building principal:

- A. The student is a member of a volunteer fire company /department, ambulance or rescue squad.
- B. The student has a special health circumstance (e.g. an ill family member, or his/her own special health condition). Permission must be obtained from Administration.
- C. Prohibitions do not apply to Board-owned and issued laptops, PDAs or authorized assistive technology devices.

Students are prohibited from using PCDs to capture, record or transmit the words (i.e. audio) and/or images (i.e., pictures/video) of any student, staff member or other person in the school or while attending a school-related activity. Using a PCD to take or transmit audio and/or pictures/video of an individual without his/her consent is considered an invasion of privacy and is not permitted. Students who violate this provision and/or use a PCD to violate the privacy rights of another person may have their PCD confiscated and held until the end of the school year.

**The use of PCDs in locker rooms, classrooms, and/or bathrooms is prohibited.**

No expectation of confidentiality will exist in the use of PCDs on school premises/property.

**Students are prohibited from using a PCD in any way that might reasonably create in the mind of another person an impression of being threatened, humiliated, harassed, embarrassed, or intimidated. See Policy 5517.01 – Bullying and Other Forms of Aggressive Behavior.**

Students are also prohibited from using a PCD to capture and/or transmit test information or any other information in a manner constituting fraud, theft, cheating, or academic dishonesty. Likewise, students are prohibited from using their WCDs to receive such information.

Possession of a PCD by a student is a privilege that may be forfeited by any student who fails to abide by the terms of this policy, or otherwise engages in misuse of this privilege.

Violations of this policy may result in disciplinary action and/or confiscation of the PCD. The building principal may also refer the matter to law enforcement if the violation involves an illegal activity (e.g. child pornography). Discipline will be imposed on an escalating scale ranging from a warning to an expulsion based on the number of previous violations and/or the nature of or circumstances surrounding a particular violation. If the PCD is confiscated, it will be released/returned to the student's parent/guardian after the student complies with any other disciplinary consequences that are imposed. Any PCD confiscated by District staff will be marked in a removable manner with the student's name and held in a secure location in the building's central office until it is retrieved by the parent/guardian. PCDs in District custody will not be searched or otherwise tampered with unless school officials reasonably suspect that the search is required to discover evidence of a violation of the law or other school rules. Any search will be conducted in accordance with Policy 5771 – Search and Seizure. If multiple offenses occur, a student may lose his/her privilege to bring a PCD to school for a designated length of time or on a permanent basis.

A person who discovers a student in possession of or using a PCD in violation of this policy is required to report the violation to the building principal.

Students are personally and solely responsible for the care and security of their PCDs. The Board assumes no responsibility for theft, loss, damage, or vandalism to PCDs brought onto its property, or the unauthorized use of such devices.

**Parents/Guardians are advised that the best way to get in touch with their child during the school day is by calling the school office.**

Students may use school phones to contact parents/guardians during the school day with permission.

**Consequence:** Students found in violation of the policy will have their wireless communication device immediate confiscated and the following actions administered:

1. Capturing, Recording, Transmission, and Broadcasting of words or images will result in a three (3) day suspension to possible expulsion.
2. Using a PCD to harass, bully, embarrass, intimidate and threaten will result in a long term suspension to possible expulsion.
3. Common use and/or disruption of a classroom with a PCD will result in a:
  - First offense – Returned to student at end of day
  - Second offense –Returned to parent
  - Third offense –Parent meeting to discuss the rules and consequences

### **COMPUTER VIOLATIONS**

*(Every student must have an Acceptable Use Policy letter signed by parent on file.)* Tampering with computer equipment or data, copyright infringement, unauthorized use of passwords and disruption of other student's work will not be tolerated.

**Consequence:** Severe discipline as outlined in the *Acceptable Use Policy* authorization letter.

### **DEFACING SCHOOL PROPERTY**

**Consequence:** Disciplinary actions would include the responsibility of student(s) to remove offending material or full payment of having it repaired to previous condition if possible or having it replaced. Also, a one (1) day suspension to possible expulsion.

### **DRESS CODE**

Shumate Middle School is proud of its students, and is judged by their demeanor, their behavior, and their achievements. Students represent not only themselves, but their families, and the school at large. To this end, Shumate Middle School maintains high standards of student dress and decorum in ensuring a safe, orderly, and productive learning environment as well as preparing students for the world of work.

**Consequence:** Failure to abide by the Dress Code may result in the following actions:

- First offense – One (1) hour detention
  - Second offense – One (1) day out-of-school suspension
  - Third offense – Three (3) day out-of-school suspension
1. Appropriateness, cleanliness, and decency should be prime consideration.
  2. Dress should be such that is not distracting to the educational objectives of the school.
  3. The latest in fashion is not always appropriate for school.
  4. Parents are primarily responsible for what a student wears to school. Proper grooming and etiquette is the keynote to propriety. When a student goes so far with his or her clothing or hairstyle that it interferes with learning, the student will be asked to make appropriate changes.
  5. Bare midriffs, halter or tank tops, low cut shirts, capri pants shorter than six (6) inches above the ankle, tights, leggings, spandex (tight fitting clothing), and skirts shorter than three (3) inches above the knees are not allowed.
  6. Students who wear their pants below their waist (sagging) and students who have their midriff area exposed may be disciplined. Tears or holes in pants must be below the extended finger tip.
  7. Clothing with inappropriate or offensive logos/sayings (alcohol, drug, cigarettes, sexually demeaning, etc.) is not permitted.
  8. Students must wear shoes at all times. No flip-flops, slides, slippers, sandals, or shoes without a heel strap, etc...
  9. Students are not allowed to wear coats, outer-wear jackets, windbreakers, hats, head coverings, sunglasses, or headbands during the school day. These items need to be placed in the student's locker upon entering the building.
  10. Chains, excessive beads, thick necklaces with large pendants or spikes are not to be worn on one's body. They can be considered dangerous.

### **DISRESPECT AND GROSS DISRESPECT**

Students being disrespectful towards other students, visitors, guests, and staff members will be disciplined accordingly.

**Consequence:** A one (1) hour detention to a two (2) day suspension. Actions deemed to be serious or Gross Disrespect will consist of a minimum of a three (3) day out-of-school suspension to possible expulsion.

### **DISORDERLY CONDUCT / DISRUPTION**

**Classroom / Hallway / Cafeteria / School Wide**

Student engaging in practices that disrupt the educational process will be disciplined accordingly. **Consequence:** one (1) hour detention to possible expulsion. **Serious Disruptions** of the school will be prosecuted up to a ninety-three (93) day high misdemeanor.

### **ELECTRONIC DEVICE**

Shumate Middle School strongly recommends that students do not bring MP3 players (IPODS), radios, pagers, all game devices, tape/cd players, laptops, movie players, laser pointers, or any other electronic entertainment device to school. SMS and their staff members will **not be** responsible for their safekeeping. These devices are not allowed at school and students assume all responsibility for any loss, damage, or theft of these items that may occur at SMS. **Consequence:** Students found in possession of an electronic device, will have their device immediately confiscated and the following discipline administered:

- First offense – turned into the office and returned to student at the end of the day
- Second offense – turned into the office and returned to parent
- Third offense – turned into the office, placed in the office safe, returned to student on last day of school

### **EXTORTION**

Extortion is a serious violation of the Student Code of Conduct and will not be tolerated. **Consequence:** Long-term suspension to possible expulsion.

### **EXTRA-CURRICULAR EVENTS**

The Student Code of Conduct is in effect at any school activity for students whether the activity is on or off school's campus or on the bus.

### **FALSE FIRE ALARMS**

**Consequence:** Long-term suspension to possible expulsion.

### **FELONY**

Students involved in a felony, on or off school grounds, will be considered for disciplinary action which may include up to an expulsion from school. These situations will be considered on an individual basis by the school administration.

### **FIGHTING AND INSTIGATING A FIGHT**

**Consequence:** Fighting will result in a nine (9) day suspension. Fighting may result in expulsion according to state law, Public Act 102. Instigating a fight or near fight will result in a one (1) day to a five (5) day suspension.

### **GAMBLING**

Gambling of any nature by students is prohibited on school premises and will result in the school taking disciplinary action.

**Consequence:** A one (1) day suspension to possible expulsion.

### **GRAFFITI**

**Consequence:** Defacing school property is unacceptable and discipline will range from one (1) day suspension to possible expulsion plus the cost of restitution.

### **HALLWAY PASSES**

In our effort to go "Green" and conserve our limited financial resources, Shumate has opted to discontinue student planners. Each classroom has Hall Passes which will be utilized for designated areas (restroom, office, counseling, etc) and students outside of classroom time must have a pass with stated destination and signature of the teacher.

### **HARASSMENT – STUDENT TO STUDENT**

All reports or complaints of sexual harassment will be promptly investigated by appropriate district representatives.

**Any student who violates this policy will be subject to appropriate corrective action, including suspension or expulsion.**

The District prohibits retaliation against students who file or make such complaints. Filing of a complaint or otherwise reporting sexual harassment will not reflect upon an individual's status nor will it affect a student's grades or work assignments. However, the District will take appropriate action if it finds that a student has deliberately filed a false complaint. **Consequence:** A one (1) day suspension to possible expulsion.

Conduct constituting harassment may take different forms, including but not limited to the following:

#### **Sexual Harassment**

1. Verbal
2. Nonverbal
3. Physical contact
4. Pressure for sexual activity
5. Repeated remarks to a person with sexual or demeaning implication
6. Suggested or demanding sexual involvement accompanied by implied or explicit threats.

**Gender/Racial/Ethnic/Religious/Disability/Height/Weight Harassment**

1. Verbal
2. Nonverbal
3. Physical

**HAZING**

Any forced, coerced, or requested act which could possibly jeopardize the safety, health, and/or physical or emotional well being of an individual will not be tolerated. Any student who feels that he or she has been requested to be a participant in hazing should report the incident to the administration immediately. **Consequence:** A one (1) day suspension to possible expulsion.

**INCENDIARY OR EXPLOSIVE DEVICES**

Incendiary and explosive devices are a serious violation of the code of conduct and disruptive to the school environment. **Consequence:** Five (5) day suspension to possible expulsion.

**INSUBORDINATION**

Insubordination is a deliberate refusal to obey a reasonable request or order given by a staff member. **Consequence:** Each offense will include a one (1) day suspension to a five (5) day suspension.

**LUNCH ROOM**

All students are expected to clean up and leave the room in good condition. Students must remain in the Cafeteria area at all times, unless a staff member grants permission to do otherwise. During the lunch periods students must not be in the halls. Students will pay for their lunches as they go through the line. Suspension from school or cafeteria clean-up may result from failure to comply by leaving messes or behaving in a disruptive manner.

**PROFANITY OR OBSCENITIES**

**Consequence:** A one (1) hour detention to a three (3) day suspension.

**SICKNESS PROCEDURES**

For the student's protection, a student who is ill must report to the Health Office if s/he wishes to be excused from school. A student who claims illness and does not sign out through the Office will be treated as skipping.

**SIGN-IN PROCEDURES**

If students come into school late, they must sign in and receive an admit slip in order to enter class. **Consequence:** Failure to do so will result in a one (1) hour detention to a one (1) day suspension

**SIGN-OUT PROCEDURES**

A parent, legal guardian or other adult listed on the Student Emergency Form must provide picture identification in the Main Office before a student is released from school. The adult must sign the student out before leaving the building or school property.

**STRIKING / ASSAULT A TEACHER OR SCHOOL EMPLOYEE** **Consequence:** Indefinite suspension to possible expulsion.

**STUDENTS IN BUILDING**

Students are not to be in the building prior to 7:40 A.M. and after 3:25 P.M. on the school days. The Office is open and available to students/parents at 7:50 A.M. daily. Students are permitted at 8:50 on Mondays.

**Consequence:** Violation is a warning to a one (1) hour detention.

**SUSPENDED STUDENTS**

Students who arrive at school or go to school sponsored activities during their out-of-school suspension may face further disciplinary actions and be subject to the City of Gibraltar's trespassing ordinance.

### **THEFT**

Students involved in the theft of items will be subjected to disciplinary action and each offense will warrant substantially greater disciplinary steps. Also, police and the court system may be used as a remedy. School **Consequence:** Students who steal from students, guests, visitors, and staff members will be required to pay for losses or damages and be subject to:

- Misdemeanor thefts – A minimum of a three (3) day out-of-school suspension for the first offense and a minimum five (5) day out-of-school suspension to possible expulsion for every incident thereafter.
- Felony thefts – long-term suspension to possible expulsion.

### **TOBACCO (POSSESSION AND/OR USE OF ANY TOBACCO PRODUCT)**

According to state law, the Michigan Penal Code and the City of Gibraltar code of ordinance: section 15-267(b) "A person shall not use or possess a tobacco product on school property." This applies to all buildings, grounds, and property owned, leased or controlled by a public school system. **Consequences:** A person who violates this ordinance, subsection (b) is as follows:

- First (1<sup>st</sup>) offense is guilty of a civil infraction, punishable by the issuance of a ticket with a fine of not more than \$50.00 and three (3) day suspension.
- Second (2<sup>nd</sup>) offense is guilty of a civil infraction, punishable by the issuance of a ticket with a fine of not more than \$80.00 and five (5) day suspension.
- Third (3<sup>rd</sup>) offense Subsequent offenses are punishable in the discretion of the court by a fine of not more than \$500.00, a ten (10) day suspension and possible expulsion from school.

**Possession Of Lighters Or Matches** – Students found to be in possession of lighters or matches will receive a one (1) to five (5) day suspension.

### **TRANSPORTATION CODE OF CONDUCT**

1. Students must enter and exit buses single file and in an orderly manner.
2. All students are to conduct themselves in a mannerly fashion:
  - a. No tobacco, see above
  - b. No eating
  - c. No vandalism at bus stops or on the bus
  - d. No insubordinate behavior on buses.
3. Violation of any of the above will result in possible suspension from school, following the rules established in the Student Code of Conduct, in addition to possible suspension of transportation privileges.
4. Restitution for damages done by students will be charged to the student or the student's parents at its replaceable cost. This includes any medical expenses for driver and/or students. Arrangements for the satisfactory settlement of restitution must be made before transportation privileges are resumed.

### **TRESPASSING**

Any person not considered a student resident would be trespassing in the building if not cleared through the Main Office. **Consequence:** The Gibraltar Police Department will be contacted.

### **UNAUTHORIZED AREA**

Students are allowed to be in their assigned classroom during their assigned class period, in the hallway during passing time, and in the lunchroom during lunch. Otherwise, students must obtain permission in writing from a ~~CHS~~ staff member to leave the above areas.

**Carlson High School** – SMS students are not allowed on the high school premises without administrative approval.

**Consequence:** Students found in unauthorized areas will face the following corrective actions:

- First (1<sup>st</sup>) offense one (1) hour detention
- Second (2<sup>nd</sup>) offense a one (1) day suspension
- Third (3<sup>rd</sup>) offense – three (3) day suspension

### **VANDALISM AND PROPERTY DAMAGE**

**Consequence:** Students who destroy or vandalize school property will be required to pay for losses or damages. If students willfully destroy school property, suspension and subsequent expulsion may be necessary. If a student should happen to damage something by accident, he should report it to a teacher or the office immediately.

## **WALKERS**

All students who must cross Jefferson must cross at the light at the appropriate time or be subject to disciplinary action.

## **WEAPONS**

The Gibraltar School District will be in full compliance with the State of Michigan's "Weapons in Schools" law which requires the expulsion of any public school student who is found carrying a dangerous weapon (firearm, dagger, dirk, stiletto, knife with a blade over 3 inches, pocket knife opened by a mechanical device, iron bar, brass knuckles, or a necklace with a large pendant, spikes, etc...) in a school building or grounds, or who commits Criminal Sexual Conduct (C.S.C.) or arson in a school building or grounds. **Consequence:** Students who make threats against the school facility, staff, and/or student population and who are in possession of a dangerous weapon will be subject to suspension up to 180 school days and will be referred to the police department.

## **DISCIPLINE INTERVENTIONS**

### **Positive Behavior Intervention Support**

(Matrix for behavior expectations can be found on the last pages of this document)

## **STUDENT CONFERENCE**

Our primary goal is to educate each student, not only academically, but socially as well. Our initial step in correcting inappropriate behavior of minor incidents will be to hold a conference with the student. We will discuss our expectations regarding student behavior and work with the student to develop more appropriate coping skills.

## **DETENTION**

Detention will be held Tuesday and Thursday from 3:10 pm to 4:00 pm. If a student misses a detention he/she may receive a one (1) day Out-of-School Suspension.

## **OUT-OF-SCHOOL SUSPENSION (OSS)**

1. OSS is the removal from school for a period not to exceed ten school days.
2. Cause for this action is violation of school rules and regulations, as defined in the Student Code of Conduct, or as deemed by administration.
3. A parent or legal guardian shall be notified of this action prior to the temporary suspension, if possible.
4. Absences from class will count.
5. Schoolwork will count for credit.

## **STATE PENALTIES**

**Expulsion:** Public Act 104 requires the permanent expulsion of students in sixth grade or higher who intentionally hurt or try to harm a staff member, volunteer, or contractor in a school. Expulsion of up to 180 days also is required for verbal threats, bomb threats or similar actions.

**Suspension by teacher:** Public Act 103 lets a teacher suspend any student from a class, subject, or activity for up to one day if the educator "has good reason to believe" the pupil's conduct would merit suspension under the local board's student code.

**Fights:** Public Act 102 requires districts to expel a student in sixth grade or higher for up to 180 days for assaulting another student.

## **VIOLATIONS / MINIMUM PENALTIES (SUGGESTED)**

Certain types of behavior are never appropriate in the Gibraltar Schools and are considered to be serious violations of the district's Code of Conduct. The following are the most common examples of serious violations with the suggested penalties that will be imposed for each. There are circumstances under which any of the violations when considered in context of the circumstances surrounding their occurrence and/or the student's past behavior record can lead to a recommendation for exclusion from school by way of suspension or expulsion.

## **DISCIPLINE PROCEDURES**

Legal Basis for School Discipline (General School Laws of Michigan 380.1261)

"The board of a school district shall have the general care and custody of the schools and property of the district and shall make and enforce suitable regulations for the general management of the schools and the preservation of the property of the district."

The constitutional rights of individuals assure the protection of due process of law; therefore, this system of constitutionally and legally sound procedure is developed with regard to the administration of discipline in the schools of Michigan. The hallmark of the exercise of disciplinary authority shall be reasonableness and fairness. Every effort shall be made by administrators and

faculty members to resolve problems through effective utilization of school district resources in cooperation with the student and his parent or guardian. A student must be given an opportunity for a hearing with the appropriate school administrator if the student or his/her parent, or guardian indicates the desire for one. A hearing shall be held to allow the student and his/her parent or guardian to contest the facts that may lead to disciplinary action, or to contest the appropriateness of the sanction imposed by a disciplinary authority or if a student and his parent or guardian alleges prejudice or unfairness.

### **TEMPORARY SUSPENSIONS**

Temporary suspension, as defined by the Gibraltar School District, is to be interpreted as follows:

1. Removal from school shall be for a period not to exceed ten days.
2. The principal or the designee may take this action.
3. Cause for this action results from a violation of school rules and/or Board Policy.
4. Whenever possible, parents shall be notified of this action by verbal communication. If not possible, parents shall be notified of this action in writing.
5. All suspensions and disciplinary actions shall be kept on file.
6. A probationary contract may be required for re-entry into school.
7. Temporary suspensions may be appealed to the Superintendent. The Superintendent's decision is final.

### **INDEFINITE SUSPENSION**

Indefinite suspension, as defined by the Gibraltar School District, shall be recommended by the principal to the Superintendent and is to be interpreted as follows:

1. Removal from school for an indefinite period of time or awaiting deposition of the Superintendent or civil authorities.
2. The principal or the designee may take this action.
3. Causes for this action are "gross misdemeanor or persistent disobedience," the student's inability to be educated in the school environment, or conduct which endangers the welfare of other pupils or the welfare or property of other persons or the welfare of school district property.
4. Whenever possible, the parent shall be notified of this action by verbal communication and followed up by notification in writing. If not possible, parents shall be notified of this action in writing.
5. Indefinite suspension may be appealed to the superintendent. The Superintendent's decision is final.

### **EXPULSIONS**

1. Removal from school shall be on a permanent basis. The principal(s) shall recommend students for expulsion to the Superintendent.
2. Causes for expulsion are those defined in the school code.
3. Parents shall be notified of this action prior to the enforcement of the action.
4. Parents have the right to appeal an expulsion first to the Superintendent and then to the Board of Education. The Board's decision is final.

### **EMERGENCY REMOVAL, SUSPENSION, AND EXPULSION OF NONDISABLED STUDENTS**

The Board of Education recognizes that exclusion from the educational programs of the District, whether by suspension or expulsion, is the most severe sanction that can be imposed on a student in this District and one that cannot be imposed without due process since exclusion deprives a child of the right to an education. The Board also recognizes that it may be necessary for a teacher to remove a student from class for conduct which is disruptive to the learning environment, and that such removals are not subject to a prior hearing, provided said removal is for a period of less than twenty-four (24) hours. However, if an emergency removal may result in a suspension, then due process must be ensured.

**For purposes of this policy, "suspension" shall be the short-term (not more than ten (10) days) or long-term suspension (for more than ten (10) days but less than permanent expulsion) of a student from a regular District program.**

For purposes of this policy, unless otherwise defined in Federal and/or State law and Policy 5610.01, "expulsion" shall be the permanent exclusion of a student from the schools of this District. Students who are expelled permanently may petition for reinstatement under the provisions stipulated in Policy 5610.01.

**The Superintendent may suspend a student for a period longer than ten (10) days or expel a student without Board approval. The Board shall act on any appeal to the decision.**

In all cases resulting in short-term suspension, long-term suspension, or expulsion, appropriate due process rights described in Policy 5611 must be observed. The Superintendent shall check to make sure the student is not classified as disabled under Section 504.



No student, otherwise eligible for attendance, shall be excluded from a District program unless that student has substantially interfered with the maintenance of good order and/or the educational environment, or unless it is necessary to protect that student's or other students' physical or emotional safety and well-being.

A student may be removed from a class, subject, or activity for one (1) day by his/her teacher or principal for conduct as specified in the Code of Conduct. The student may be given a short-term suspension by the principal. A student so removed will be allowed to attend other classes taught by other teachers during the term of the one (1) day removal. A student removed from the same class for ten (10) days will receive a due process hearing for each suspension beyond ten (10) days, consistent with required due process for long-term suspensions. The Board designates the Superintendent as its representative at any hearings regarding the appeal of a suspension.

**Appeals Process:** A principal's decision to provide **more than ten (10) days** of suspension from school (indefinite suspension or expulsion) in a student disciplinary situation may be appealed to the Board of Education. The parent, guardian, or adult student shall request an appeal hearing with the Board of Education within five (5) school days of the principal's decision to suspend/expel or shall forfeit the right to appeal. Upon receipt of written request for an appeal hearing, the Superintendent shall provide a letter to the parents, guardians, or adult students, which outlines the time and location of the hearing and reviews the student's rights regarding this hearing.

The appeal hearing shall be within five (5) school days after the receipt of the request for hearing. After hearing all pertinent testimony, the Board of Education shall either support or modify the principal's decision. The Board of Education's decision shall be final. A principal's decision to provide not more than ten (10) days of suspension from school (temporary suspension) in a student disciplinary situation may be appealed to the Superintendent under the same guidelines as listed above. The Superintendent's decision shall be final.

## **PERMANENT EXPULSION**

The Board of Education is continually concerned about the safety and welfare of District students and staff and, therefore, will not tolerate behavior that creates an unsafe environment or a threat to safety.

In compliance with State and Federal law, the Board shall expel any student who possesses a dangerous weapon in a weapon-free school zone or commits either arson or criminal sexual conduct in a District building or on District property, including school buses and other school transportation.

For purposes of this policy, a dangerous weapon is defined as "a firearm, dagger, dirk, stiletto, knife with a blade over three (3) inches in length, pocket knife opened by a mechanical device, iron bar, or brass knuckles" or other devices designed to or likely to inflict bodily harm, including, but not limited to, air guns and explosive devices. The term "firearm" is defined as: a) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of the explosive; b) the frame or receiver of any such weapon; c) any firearm muffler or firearm silencer; or d) any destructive device. Such term does not include an antique firearm.

The Board need not expel for possession of a dangerous weapon if the student can establish to the satisfaction of the Board that:

- A. the object or instrument was not possessed for use as a weapon, or for direct or indirect delivery to another person for use as a weapon;
- B. the weapon was not knowingly possessed;
- C. the student did not know or have reason to know that the object or instrument possessed constituted a dangerous weapon;
- D. the weapon was possessed at the suggestion, request, or direction of, or with the express permission of a District administrator or the police.

The above exceptions will not apply to student misconduct involving sexual conduct or arson.

**The Board shall permanently expel a student in grade six or above if that student commits physical assault at school against a District employee, volunteer, or contractor. Physical assault is defined as "intentionally causing or attempting to cause physical harm to another through force or violence."**

The Board shall suspend or expel a student in grade six or above for up to 180 school days if the student commits physical assault at school against another student. The Board shall suspend or expel a student in grade six or above for a period of time as determined at the Board's discretion if the student commits verbal assault at school against a District employee, volunteer, or contractor or makes a bomb threat or similar threat directed at a school building, property, or a school-related activity. Verbal

assault is a communicated intent to inflict physical or other harm on another person, with a present intent and ability to act on the threat.

The student may be enrolled, in lieu of expulsion, in the District's Alternative Education Program upon the principal's recommendation. Students enrolled in a program shall be physically separated at all times during the school day from the general student population.

Disabled students under IDEA or Section 504 shall be expelled only in accordance with Board Policy 2461 and Federal due process rights appropriate to these students.

The Superintendent shall ensure that the expulsion is duly noted in the student's record and that the student has been referred to the Department of Human Services or Mental Health Department within three (3) school days after the expulsion and the parents have been informed of the referral. Furthermore, the Superintendent shall ensure that, if a student who is expelled is below the age of sixteen (16), then notification of the expulsion shall be given to the Juvenile Division of the Probate Court. In compliance with Federal law, the Superintendent shall also refer any student, regardless of age, expelled for possession of a dangerous weapon to the criminal justice or juvenile delinquency system serving the District. In addition, the Superintendent shall ensure that a copy of this policy and Policy 5610 is sent to the State Department of Education as well as a description of the circumstances surrounding the expulsion of a student for possessing a weapon in a weapon-free school zone together with the name of the school, the number of students so expelled, and the types of weapons that were brought into the weapon-free school zone and other reasons listed in Policy 8400.

Students that are expelled under this policy may apply for reinstatement in accordance with the following guidelines:

A. If the student is in grade 5 or below at the time of the expulsion and was expelled for possessing a firearm or threatening another person with a dangerous weapon, the parents, or legal guardian, may submit a request for reinstatement after sixty (60) school days from the date of expulsion, but the student may not be reinstated before ninety (90) school days from the expulsion date.

B. If the student is in grade 5 or below at the time of the expulsion and was expelled for a reason other than possessing a firearm or threatening another person with a dangerous weapon, the parents, or legal guardian, may submit a request for reinstatement at any time, but the student may not be reinstated before ten (10) school days from the expulsion date.

C. If the student is in grade 6 or above at the time of the expulsion, the parents, legal guardian, the adult student, or the emancipated minor may submit a request for reinstatement after 150 school days from the date of the expulsion, but the student may not be reinstated before 180 school days from the expulsion date.

D. The parent, adult student, or emancipated minor shall submit the request for reinstatement to the Superintendent on District Form 5610.01 F1.

E. The Superintendent shall, within ten (10) school days after receiving the form, submit the request, together with any other information s/he deems pertinent to the requested reinstatement, to a Board-appointed committee consisting of two (2) Board members, a District administrator, a teacher, and a parent of a District student.

F. The committee shall, within ten (10) school days after being appointed, review all pertinent information, and submit its recommendation to the Board. The recommendation may be for unconditional reinstatement, conditional reinstatement, or non-reinstatement, based on the committee's consideration of:

1. the extent to which reinstatement would create a risk of harm to students or school personnel;
2. the extent to which reinstatement would create a risk of District or individual liability for the Board or District personnel;
3. the age and maturity of the student;
4. the student's school record before the expulsion incident;
5. the student's attitude concerning the expulsion incident;
6. the student's behavior since the expulsion and the prospects for remediation;
7. if the request was filed by a parent, the degree of cooperation and support the parent has provided and will provide if the student is reinstated, including, but not limited to the parent's receptiveness toward possible conditions placed on the reinstatement. Such conditions may, as an example, include a written agreement by the student and/or a parent who filed the reinstatement request to:
  - a. abide by a behavior contract which will involve the student, his/her parents, and the administration;
  - b. participate in an anger management program or other counseling activities;
  - c. cooperate in processing and discussing periodic progress **reviews**;
  - d. meet other conditions deemed appropriate by the committee;

- e. accept the consequences for not fulfilling the agreed-upon conditions.

The Board shall make its decision no later than the next regular Board meeting following the committee's submission of its recommendations. The Board's decision shall be final and not subject to appeal.

In the event a student who has been permanently expelled from another school district requests admission to this District, the Board shall, in making its decision, follow the same procedure it has established in paragraph A-F above for the reinstatement of a District student.

The Superintendent shall ensure that Board policies and District guidelines regarding a student's rights to due process are adhered to when dealing with a possible expulsion under this policy.

## **DUE PROCESS RIGHTS**

The Board of Education recognizes the importance of safeguarding a student's constitutional rights, particularly when subject to the District's disciplinary procedures.

To better ensure appropriate due process is provided a student, the Board establishes the following guidelines:

### **A. Students subject to short-term suspension:**

Except when emergency removal is warranted, a student must be given oral or written notice of the charges against him/her and the opportunity to respond prior to the implementation of a suspension. When emergency removal has been implemented, notice and opportunity to respond shall occur as soon as reasonably possible. The principal or other designated administrator shall provide the opportunity to be heard and shall be responsible for making the suspension decision. An appeal may be addressed to the Superintendent whose decision will be final.

### **B. Students subject to long-term suspension and expulsion:**

A student and his/her parent or guardian must be given written notice of the intention to suspend or expel and the reasons therefore, and an opportunity to appear with a representative before the Board or Superintendent to answer the charges. The student and/or his/her guardian must also be provided a brief description of the student's rights and of the hearing procedure, a list of the witnesses who will provide testimony to the Board or Superintendent, and a summary of the facts to which the witnesses will testify. At the student's request, the hearing may be private, but the Board or Superintendent must act publicly. The Board shall act on any appeal, which must be submitted in writing, to an expulsion (Policy 5610 and/or Policy 5610.01), to a request for reinstatement (Policy 5610.01), or to a request for admission after being permanently expelled from another district (Policy 5610.01).

**\*THE ADMINISTRATION MAY DEEM IT NECESSARY TO DISCIPLINE STUDENTS REGARDING OTHER IMPROPER BEHAVIOR NOT SPECIFICALLY LISTED IN THE HELEN C. SHUMATE MIDDLE SCHOOL'S CODE OF CONDUCT.**

## **GRIEVANCE PROCEDURE**

This procedure is for: Title VI of the Civil Rights Act of 1964 - Title IX of the Education Amendment Act of 1972 - Title II of the Americans with Disabilities Act of 1990 - Section 504 of the Rehabilitation Act of 1973 - Age Discrimination Act of 1975

### **Section I**

Any person believing that the Gibraltar School District or any part of the school organization has inadequately applied the principles and/or regulations of:

(1) Title VI of the Civil Rights Act of 1964 (2) Title IX of the Education Amendment Act of 1972 (3) Title II of the Americans with Disabilities Act of 1990 (4) Section 504 of the Rehabilitation Act of 1973 (5) Age Discrimination Act of 1975, may bring forward a complaint, which shall be referred to as a grievance, to the local civil rights coordinator at the following address:

Compliance Officer  
Gibraltar Board of Education  
19370 Vreeland Road  
Woodhaven, Mi 48183  
(734) 379-6350

## **Section II**

The person who believes a valid basis for a grievance exists shall discuss the grievance informally and on a verbal basis with the local civil rights coordinator, who shall in turn investigate the complaint and reply with an answer to the complainant within five (5) business days. The complainant may initiate formal procedures according to the following steps:

Step 1: A written statement of grievance signed by the complainant shall be submitted to the local civil rights coordinator, within five (5) business days of receipt of answers to the informal complaint. The coordinator shall further investigate the matters of grievance and reply in writing to the complainant within five (5) days.

Step 2: A complainant wishing to appeal the decision of the local civil rights coordinator may submit a signed statement of appeal to the Superintendent of schools within five (5) business days after the receipt of the coordinator's response. The Superintendent shall meet with all parties involved, formulate a conclusion, and respond in writing to the complainant within ten (10) business days.

Step 3: If dissatisfied, the complainant may appeal through a signed, written statement to the Board of Education within five (5) business days of receiving the superintendent's response to Step 2. In an attempt to resolve the grievance, the Board of Education shall meet with the concerned parties and their representative within forty (40) days of the receipt of such an appeal. A copy of the board's disposition of the appeal shall be sent to each concerned party within ten (10) days of this meeting.

Anyone at any time may contact the U.S. Department of Education, Office for Civil Rights. The local coordinator, on request, will provide a copy of the district's grievance procedure and investigate all complaints in accordance with this procedure. A copy of each of the Acts and the regulations on which this notice is based may be found in the civil rights coordinator's office.

## **NOTICE OF NONDISCRIMINATION**

The Gibraltar School District does not discriminate on the basis of race, color, national origin, sex, age, height, weight, religion, marital status, or disability in its programs and activities. The following people have been designated to handle inquiries regarding the nondiscrimination policies:

Inquiries related to discrimination should be directed to:

Compliance Officer  
Gibraltar Board of Education  
19370 Vreeland Road  
Woodhaven, MI 48183  
734-379-6355