

# CODE OF CONDUCT

## BOARD OF EDUCATION POLICY

### Preamble

In accordance with the provisions of law, the Board of Education has set forth in this Student Code of Conduct the rules governing the most serious and obvious types of student misconduct. The prohibited acts listed in this Student Code of Conduct are not to be construed as an all-inclusive list or as a limitation upon the authority of school officials to deal appropriately with violations of a school building's individual rules and regulations, or other types of conduct which interfere with the good order of the school system, the proper functioning of the educational process, or the health and safety of students.

The Student Code of Conduct does not cover the School District's attendance and tardiness policies, the School District's requirements for credit and graduation, or the School District's authority to regulate the participation of students in extracurricular and athletic activities. A decision to expel or suspend a student from participating in extracurricular and athletic events is solely within the discretion of the Superintendent of Schools or his/her designee.

Each prohibited act listed in the Student Code of Conduct sets forth the discipline which will be imposed for a violation. The discipline for violating some prohibited acts ranges from administrative intervention to expulsion; for other prohibited acts, the penalty ranges from suspension to expulsion; and for violation of the most serious prohibited acts, the penalty is expulsion. In cases where the stated penalty is not expulsion but is set forth in terms of a range, then the actual penalty imposed will depend upon the nature and severity of the offense, the particular facts involved, the age of the student, the student's prior behavioral records, the recommendation of school personnel, and all other circumstances deemed relevant.

In accordance with the Board's authority under law, a student violating any of the prohibited acts listed in this Student Code of Conduct shall be deemed to be guilty of a gross misdemeanor and will be disciplined.

The prohibited acts and penalties listed in this Student Code of Conduct are applicable when a student:

- engages in a prohibited act on school property;
- engages in a prohibited act in a motor vehicle being used for a school business-related purpose;
- engages in a prohibited act at a school-related activity, function, or event;
- engages in a prohibited act enroute to or from school;
- engages in a prohibited act involving another student who is enroute to or from school;
- engages in a prohibited act which has its inception in school, is school connected or adversely affects, interferes with, or endangers the good order of the school system, or the proper functioning of the educational process or the health or safety of students. For example, the sale, delivery or transfer of drugs, narcotic drugs, marijuana or other controlled substances to students off school property would be a violation of the Student Code of Conduct;
- engages in a prohibited act when the student was not enrolled in the Romulus Community Schools or was enrolled in another school district, if the act of gross misdemeanor or other misconduct would constitute a sufficient basis for suspension or expulsion had it occurred while the student was attending the Romulus Community Schools (see Article IV of this Code of Conduct).

### Definitions of Discipline

- Administrative Intervention - Disciplinary action is disciplinary action which does not result in a student being suspended from school. For example, administrative intervention includes such disciplinary measures as: the removal of a student from a class period, in-school suspension, a reprimand, detention and/or work assignment before or after school, additional classroom assignments, revocation of the privilege of attending non-classroom functions, activities, events, etc.
- Suspension - exclusion of a student from school for a specific period of time or exclusion of a student from school which exclusion terminates upon the fulfillment of a specific set of conditions.
- Expulsion - the permanent exclusion of the student from the school system upon the recommendation of the Superintendent of Schools and by action of the Board of Education.

## PROHIBITED ACTS

### Alcohol/Chemical Substances

A student shall not manufacture, sell or possess, use, deliver, transfer or be under the influence of any alcoholic beverages or intoxicant of any kind.

**Penalty** - suspension to expulsion

### Arson

A student shall not burn, or attempt to burn, any school building, structure or property or intentionally set a fire on school property or cause or attempt to cause an explosion.

**Penalty** - suspension to expulsion

### Assault and/or Battery on Another Person

A student shall not cause, behave in such a way as to cause, or threaten to cause physical injury to a school employee, student or other person.

**Penalty** for Assault or Battery on a School District employee - expulsion

**Penalty** for Assault or Battery on a student or other person - suspension to expulsion

### **Coercion, Extortion or Blackmail**

A student shall not engage in the act of securing or attempting to secure money or other items of value by the use of threats and/or violence, nor shall a student, by threats and/or violence, force another person to perform an unwilling act.

**Penalty** - suspension to expulsion

### **Copyrighted Material**

A student shall not unlawfully duplicate, reproduce, retain, or use copyrighted material.

**Penalty** - administrative intervention to expulsion

### **Damage of Property or Theft**

A student shall not intentionally cause or attempt to cause damage to school property or the property of another person, or steal or attempt to steal school property or the property of another person.

**Penalty** – Administrative Intervention to expulsion

### **Discriminatory Harassment**

A student shall not engage in unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct relating to a person's sex, race, color, national origin, religion, height, weight, marital status, handicap or disability in violation of Board of Education policy.

**Penalty** - Administration intervention to expulsion

### **Disruption of School**

A student shall not, by any type of conduct (violence, force, noise, coercion, threat, intimidation, fear, passive resistance, etc.), intentionally cause the disruption or obstruction of any function of the school, nor shall he or she engage in any such conduct if such disruption or obstruction is reasonably likely to result.

Neither shall a student urge other students to engage in such conduct for the purpose of causing such disruption or obstruction if such disruption or obstruction is reasonably likely to result from his/her urging.

While the following acts are not intended to be exclusive, they illustrate the kinds of offenses encompassed within this rule, but it must be remembered that any conduct which is done for the purpose of disruption, is likely to result in disruption, or interferes with the education process, is forbidden.

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

**Penalty** - Administrative intervention to expulsion

### **Drugs, Narcotic Drugs and Marijuana**

A student shall not manufacture, sell, possess, use, deliver or transfer or attempt to sell, deliver, or transfer any drugs, narcotic drugs, marijuana or other controlled substances as defined in Article VII of the Public Health Code, being MCLA 333.7101, et seq., and as defined in the other Michigan or federal statutes, nor be under the influence of any of those drugs, narcotic drugs, marijuana or other controlled substances. (If Article VI of the Public Health Code, being MCLA 333.7171, et seq., is amended or repealed, then the definitions of a drug, narcotic drug, marijuana or other controlled substance shall be defined under the existing state law).

A student shall not sell or represent a legal substance as an illegal or controlled substance (e.g., selling NODOZ as 'Speed' or 'Crack') or sell 'designer' drugs.

**Penalty** for the manufacture, sale or delivery (actual or attempted) - expulsion

**Penalty** for the possession, use or under the influence - suspension to expulsion

### **Dress**

A student shall not dress or groom in a manner that, in the judgment of a building administrator, is unsafe to the student or others or disruptive to the educational process.

**Penalty** – Administrative intervention to suspension.

### **Failure to Cooperate**

A student shall not refuse to cooperate with School District administrators and/or teaching staff investigating a possible violation of this Code of Conduct and/or building rules, and no student shall make false statements or give false evidence to School District administrators and/or teaching staff. A student shall not refuse to testify or otherwise cooperate with School District personnel in any disciplinary proceeding.

**Penalty** – administrative intervention to expulsion

### **Failure to Comply with Directions of School Personnel**

A student shall not be insubordinate to or fail to comply with instructions and directions of School District employees (including substitute teachers and student teachers), volunteers or persons acting in a chaperone or supervisory capacity.

**Penalty** - administrative intervention to expulsion

### **False Alarms**

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

**Penalty** - suspension to expulsion

### **False Allegations**

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

**Penalty** - administrative intervention to expulsion

### **Falsification of Records**

A student shall not use the name of another person or falsify times, dates, grades, addresses, or other data on School District forms or records. A student shall not provide false, misleading, or inaccurate statements or information on School District forms or records.

**Penalty** - administrative intervention to expulsion.

### **Falsification/Scholastic Dishonesty**

A student shall not use the name of another person or falsify times, dates, grades, addresses or other data on School District forms or records. A student shall not engage in cheating, which includes the actual giving or receiving of any unauthorized aid or assistance or the actual giving or receiving of unfair advantage on any form of academic work. A student shall not engage in plagiarism, which includes the copying of language, structure, idea and/or thought of another and represent it as one's own original work.

**Penalty** - Administrative intervention to expulsion

### **Fireworks/Explosives**

A student shall not possess, handle or transmit any substance or prepared chemical that can explode or is capable of inflicting bodily injury.

**Penalty** - suspension to expulsion

### **Gang Insignia/Activity**

A student shall not dress or groom in a manner which, in the judgment of the building principal, is unsafe to the student or others or disruptive to the educational process.

A student shall not wear or possess any clothing, jewelry, symbol or other thing that may reasonably be perceived by any student, teacher or administrator as evidence of membership in or affiliation with any gang; a student shall not commit any act, verbal or non-verbal (gestures, handshakes, etc.) that may reasonably be perceived by any student, teacher or administrator as evidence of membership in or affiliation with any gang; shall commit any act, verbal or non-verbal, in furtherance of the interests of any gang or gang activity, including, but not limited to, (a) soliciting others for membership in any gang or gang related activity (b) requesting any person to pay protection or otherwise intimidating or threatening any person (c) committing any other illegal act or violation of School District rules or policies, or (d) inciting other students to act with physical violence on any person.

The term "gang" as used in this policy, means a group of two or more persons whose purposes or activities include the commission of illegal acts or violations of School District rules or policies.

**Penalty** - Administrative intervention to expulsion

### **Improper Communication**

A student shall not make threatening, annoying, nuisance, vulgar and/or obscene communications, verbally, in writing, or by gestures to School District employees (including substitutes), Board of Education members, volunteers or visitors to the school building.

**Penalty** - Administrative intervention to expulsion

### **Indecency**

A student shall not engage in conduct that is contrary to commonly recognized standards of propriety and behavior, which includes obscenity, indecent exposure, or the use of language in verbal or written form, or in pictures, or in caricatures or gestures, which are offensive to the general standards of propriety.

**Penalty** - Administrative intervention to expulsion

### **Look-A-Like Weapons**

A student shall not possess, handle or transmit any object or instrument that is a "look-a-like" weapon or instrument (i.e., starter pistol, rubber knife, toy gun, etc.).

**Penalty** - suspension to expulsion

### **Pocket Pager/Cellular Telephone**

A student shall not possess, and/or transmit, a pocket pager, cellular telephone or electronic communication device on school grounds prior to 6:30 p.m. on school days, except for health or other unusual reasons approved by the building principal.

**Penalty** – Administrative intervention to suspension

### **Smoking/Tobacco**

A student shall not smoke, chew or otherwise use tobacco on School District property, nor shall a student, while on school property, have in his/her possession or under his/her control, tobacco in any form.

**Penalty** - Administrative intervention to expulsion

### **Suspended Student on School Property or Attending School Activities**

A student, while on suspension, shall not enter onto School District property without the permission of a building administrator. A student, while on suspension, shall not participate in or attend any school-related activity, function, or event, held on or off school property, without permission of a building administrator.

**Penalty** - administrative intervention to expulsion

### **Trespass/Loitering**

A student shall not be on school property or in a school building except to participate in the educational process of the School District, nor shall a student loiter in building hallways, classrooms, bathrooms, etc

**Penalty** - administrative intervention to expulsion

### **Violations of Building's Rules and Regulations**

A student shall not commit or participate in any conduct or act prohibited by a school building's rules and regulations.

**Penalty** - Administrative intervention to expulsion

### **Weapons and Dangerous Instruments**

A student shall not possess, handle or transmit a gun, knife, blackjack, baton or other object or instrument that can be considered a weapon or is capable of inflicting bodily injury.

**Penalty** for secondary students involving a gun - expulsion

**Penalty** for weapons/dangerous instruments not including a gun - suspension to expulsion

## **DUE PROCESS PROCEDURES**

### ***Introduction to the Rules of Due Process***

The following due process procedures only govern the **suspension** or the **expulsion** of a student from the School District's regular educational program. Discipline in the form of administrative intervention is solely within the discretion of the building principal or his/her

designee and is not covered by the procedures of due process.

If a student charged with violation of this Code of Conduct has been returned to the regular school program pending a decision by either the principal, hearing officer, Superintendent of Schools, or the Board of Education, then such action of reinstatement shall not limit or prejudice the School District's right to suspend or expel the student following a decision by the principal, hearing officer, Superintendent of Schools or Board of Education.

The initial judgment that a student has engaged in a prohibited act under this Student Code of Conduct shall be made by the building administrator.

### **Suspension of Ten School Days or Less**

1. **Step One** - As a general rule, prior to any suspension of the student, the building administrator shall investigate the alleged violation of the Student Code of Conduct and provide the student with the following due process:
  - a. The administrator shall inform the student of the charges against him/her, and if the student denies the charges, the administrator shall provide the student with an explanation of the evidence the administrator possesses.
  - b. The student shall be provided an opportunity to explain to the administrator his/her version of the facts.

If a student's presence in school poses an immediate danger to persons or property or an ongoing threat of disruption to the educational process, the building administrator may immediately suspend the student, but the next school day, the student shall be provided with his/her due process rights as set forth in subparagraphs a. and b. above.

If after providing the student with his/her due process rights, the administrator determines that the student has engaged in a prohibited act under this Student Code of Conduct, then he/she may impose a disciplinary penalty of a suspension not to exceed ten (10) school days.

A building administrator's decision to impose a penalty of ten (10) or less school days is final and not subject to further review or appeal.

### **Suspension for Eleven or More School Days and Expulsion**

1. **Step One** - If, after his/her investigation, the building administrator decides that a suspension for eleven or more school days or expulsion is warranted, and the Superintendent of Schools or his/her designee agrees with the administrator's decision, the student and the parent(s) or guardian shall be notified of:
  - a. the charges against the student;
  - b. the recommended disciplinary action;
  - c. the fact that a hearing will be held before an impartial school employee (i.e. hearing officer);
  - d. the time, place, location and procedures to be followed at the hearing;
  - e. the right to appeal any adverse decision of the hearing officer if the suspension is for more than 30 school days.

If the building administrator decides that the student's presence in school would present a danger to the student himself, or to other students, school personnel or the educational process, then the student shall be suspended pending the decision of the hearing officer. If the student would not present a danger as described above, the student may be returned to school pending the decision of the hearing officer.

If the student is suspended pending a decision of the hearing officer, the Superintendent or designee shall appoint the hearing officer and provide for a hearing to take place within ten (10) school days following the initial suspension of the student. If the student is not suspended pending the decision of the hearing officer, the Superintendent or designee shall appoint the hearing officer and cause the hearing to be held within fifteen (15) school days following the completion of the building principal's investigation of the charges.

**Step Two** - A hearing before a hearing officer will be conducted within the time limits set forth above and will be held for the purpose of determining the truth or falsity of the charges against the student and, if the charges are true, the appropriate disciplinary measure unless:

The student and/or his/her parent(s) or guardian notify the school district that they waive their right to a hearing before a hearing officer. In such cases, the principal's recommended disciplinary penalty shall be imposed. Provided, however, if the recommended penalty is expulsion, the Board of Education will nevertheless make the final decision on expulsion, but the decision will be based upon information submitted to it by appropriate school officials;

The hearing officer may amend the principal's charges upon motion of the building administrator or amend the charges upon his/her own motion to conform to the evidence presented at the hearing. Additionally, the hearing officer may impose a greater or lesser penalty than that imposed or recommended by the building administrator.

3. **Step Three** - The hearing officer's decision shall be given orally to the student and parent(s) or guardian within two (2) days after the close of the hearing, if possible, and a written decision shall be mailed within four (4) days after the close of the hearing.

If the hearing officer's decision imposes a suspension of thirty (30) school days or less, then the decision of the hearing officer shall be final and not subject to further appeal. However, if the hearing officer's decision imposes a suspension in excess of thirty (30) school days or recommends expulsion, the student and/or his/her parent(s) or guardian may appeal the hearing officer's decision to the Board of Education.

4. **Step Four** - If an appeal is going to be made to the Board of Education concerning the hearing officer's decision, the student and/or

his/her parent(s) or guardian must file an appeal in writing with the Superintendent of Schools within five (5) calendar days following receipt of the hearing officer's written decision.

If a timely appeal is not made, then the decision of the hearing officer regarding suspension shall be final not subject to further appeal. If the hearing officer's decision recommends expulsion and a timely appeal is not made, the Board of Education will nevertheless make the final decision on expulsion, but the decision will be based upon information submitted to it by appropriate school officials. Upon receipt of a timely appeal by the student and/or his/her parent(s) or guardian, the Superintendent shall notify the student and parent(s) or guardian of the time, place, location and procedures to be followed at a Board hearing. The Superintendent shall determine, based upon the record made before the hearing officer, whether the student should be suspended pending the decision of the Board of Education.

Upon a timely appeal, the Board of Education shall review the decision and record made before the hearing officer and shall provide for a meeting to take place for the purpose of allowing the student, parent(s) or guardian to present oral argument why they disagree with the hearing officer's decision and to present any additional evidence which could not have been presented at the hearing before the hearing officer.

The Board, no later than at its next regular public meeting following the meeting with the student, parent(s) or guardian, shall make a decision and shall, within seven (7) days following the public meeting, mail to the student, parent(s) or guardian a written notice of the decision.

## **MISCELLANEOUS PROVISIONS**

### **Voluntary Agreements of Discipline**

At any time during the disciplinary proceedings, the Superintendent or his/her designee may enter into a written contract with the student and/or his/her parent(s) or guardian setting forth the parties' agreement in settlement of the disciplinary charges. In such cases, the written agreement shall be final and binding and not be later challenged by the Superintendent or his/her designee or the student and/or his/her parent(s) or guardian.

### **Suspended/Expelled Students on School Property or Attending School Activities**

A suspended student who enters onto school property without the permission of a building administrator shall be deemed to be trespassing and further disciplinary action may result. A suspended student shall not attend any school related activity, function or event held off school premises without permission of the building administrator. A violation of this provision may result in further disciplinary action.

An expelled student who enters onto school property without the permission of a building administrator shall be deemed to be trespassing.

## **MISCONDUCT PRIOR TO ENROLLMENT**

### **Suspension/Expulsion**

In order to protect the health and safety of students and employees and to prevent threatened disruption to the educational process, an otherwise eligible resident student may be suspended or expelled on the basis of:

- a prior act of misconduct committed outside of school hours and/or off school premises when the student was not enrolled in the Romulus Community Schools;
- a prior act constituting a gross misdemeanor, and other acts of misconduct, while the student was enrolled in another school district if the act of gross misdemeanor or other misconduct would constitute a sufficient basis for suspension or expulsion had it occurred while the student was attending the Romulus Community Schools.

### **Due Process Procedures**

**Step One:** The building administrator, with the consent of the Superintendent of Schools, or his/her designee, shall make the initial judgement if a student's prior misconduct is of sufficient gravity that the student's presence in school would represent a threat to the health and safety of other students and/or school personnel or threaten disruption to the educational process.

If the initial judgment is that the student's presence in school represents such a threat, the student shall be temporarily suspended from school and the student and the parent(s) or guardian shall be notified of:

- a. the prior act of misconduct relied upon by the building administrator which forms the basis for his/her decision to deny attendance;
- b. the building administrator's recommendation regarding the suspension or expulsion of the student;
- c. the fact that a hearing will be held before an impartial school employee (i.e., hearing officer);
- d. time, place, location, and procedures to be followed at the hearing;
- e. the right to appeal any adverse decision of the hearing officer if a suspension is for more than thirty (30) school days or if the hearing officer recommends expulsion.

The student and/or his/her parent(s) or guardian may waive their right to a hearing before the hearing officer. In such cases, the principal's recommended disciplinary penalty of suspension or expulsion, as the case may be, shall be imposed.

**Step Two:** If the due process hearing is not waived, the hearing officer shall convene a hearing for the purpose of determining if the student's prior act of misconduct is an act of gross misdemeanor or other misconduct which would constitute a sufficient basis for suspension or expulsion had it occurred while the student was attending the Romulus Community Schools. If the prior act would be of sufficient basis, and the student's presence in school would represent a threat to the health and safety of other students and/or school personnel or threaten a disruption to the educational process, then the hearing officer shall decide the appropriate disciplinary penalty. The hearing officer may amend the principal's charges upon motion of the building administrator or amend the charges upon his/her own motion to conform to the evidence presented at the hearing. Additionally, the hearing officer may impose a greater or lesser penalty than that recommended by the building administrator.

The hearing officer's decision shall be given orally to the student and parent(s) or guardian not later than two (2) business days after the close of the hearing, if possible, and a written decision shall be mailed not later than four (4) business days after the close of the hearing.

If the hearing officer's decision imposes a suspension of thirty (30) school days or less, then the decision of the hearing officer shall be final and not subject to further appeal. However, if the hearing officer's decision imposes a suspension in excess of thirty (30) school days or recommends expulsion, the student and/or his/her parent(s) or guardian may appeal the hearing officer's decision to the Board of Education.

**Step Three:** If an appeal is going to be made to the Board of Education concerning the hearing officer's decision, the student and/or his/her parent(s) or guardian must file an appeal in writing with the Superintendent of Schools within five (5) calendar days following receipt of the hearing officer's written decision.

If a timely appeal is not made, then the decision of the hearing officer regarding suspension shall be final and not subject to further appeal. If the hearing officer's decision recommends expulsion and a timely appeal is not made, the Board of Education will nevertheless make the final decision on expulsion, but the decision will be based upon information submitted to it by appropriate school officials.

Upon receipt of a timely appeal by the student and/or his/her parent(s) or guardian of the time, place, location, and procedures to be followed at a Board hearing. The Superintendent shall determine, based upon the record made before the hearing officer, whether the student should be suspended pending the decision of the Board of Education.

Upon a timely appeal, the Board of Education shall review the decisions and record made before the hearing officer and shall provide for a meeting to take place for the purpose of allowing the student, parent(s), or guardian to present oral argument why they disagree with the hearing officer's decision and to present any additional evidence which could not have been presented at the hearing before the hearing officer.

The Board, no later than at its next regular public meeting following the meeting with the student, parent(s), or guardian, shall make a decision and shall, not later than seven (7) business days following the public meeting, mail to the student, parent(s), or guardian a written notice of the decision.

### **Voluntary Agreements of Discipline**

At any time during the due process proceedings, the Superintendent or his/her designee may enter into a written contract with the student and/or his/her parent(s) or guardian, setting for the parties' agreement and settlement of the matters. In such cases, the written agreement shall be final and binding and may not be later changed by the Superintendent or his/her designee or the student and/or his/her parent(s) or guardian.

### **Administrative Procedures**

The administration shall implement procedures to ensure, to the extent practical, that students, upon enrollment, have not committed an act of gross misdemeanor, or other misconduct, prior to attending the Romulus Community Schools, which gross misdemeanor or misconduct would represent a threat to the health and safety of students and/or employees or threaten disruption to the educational process.

### **Disclosure of Information at Time of Enrollment**

At time of enrollment, a student, parent(s), or guardian shall not give false or incomplete information, or fail to disclose information relative to a student's prior act of gross misdemeanor, or other misconduct. A violation will result in disciplinary proceedings being initiated against the student.

## **CITY ORDINANCE, CHAPTER 20 ARTICLE II 7 VIII, SECTIONS 20-21, 246, 247, 248 & 249 OBSTRUCTING GOVERNMENT OPERATIONS, SCHOOL PROPERTY**

It shall be unlawful for any person to:

1. Intentionally obstruct, impair, or hinder the performance of a governmental function, or the use of government property by using or

threatening to use violence, force, physical interference, or obstacle.

2. To damage, destroy or deface any public, private or parochial school building or any building owned, occupied, or otherwise used by any public, private or parochial school or the grounds, fences, trees, or other appurtenances or fixtures belonging thereto.
3. To willfully, or maliciously make or assist in making any noise, disturbance, or improper diversion by which the peace, quietude, or good order of any class, gathering, or other function in any public, private, or parochial school or on the grounds belonging thereto is disturbed.
4. To indulge in any indecent, lewd, or immoral conduct in any building, or on any property owned, occupied, or otherwise used by a public, private, or parochial school.
5. To enter or remain in any building or on any grounds owned, occupied, or otherwise used by any public, private, or parochial school for any purpose other than a purpose related to school business unless authorized in writing by a duly empowered official of such public, private, or parochial school, or unless he or she is a student or employee thereof, or a parent or guardian of any school enrolled therein.

## **Grievance Procedure Under Title VI, Title IX, ADA and Section 504**

This policy has been adopted for purposes of complying with the School District's obligations under Title VI of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973; the Americans with Disabilities Act of 1990 (ADA); and their implementing regulations. This administration may also use this policy to investigate and dispose of complaints alleging illegal discrimination under other Federal and Michigan laws.

The Assistant Superintendent for Administrative Services shall be the School District's Civil Rights Coordinator, and is responsible for coordinating the implementation of the School District's obligations under federal laws that prohibit discrimination on the basis of sex, race, color, national origin, religion, handicap or disability.

A student, employee, applicant or other person who believes that the School District or its Board of Education has not complied with Title VI, Title IX, Section 504, the ADA, or any other law prohibiting illegal discrimination, may file a written complaint with the School District's Civil Rights Coordinator. The Coordinator, or his/her designee, will meet with the person who filed the complaint and conduct a reasonable investigation into the facts and circumstances surrounding the complaint. If the Coordinator determines that a violation has not occurred, the Coordinator shall, in writing, so advise the person who filed the complaint and the School District's Superintendent. If the Coordinator determines that a violation has occurred, the Coordinator shall put the determination in writing, propose a fair resolution of the complaint and deliver the determination to the person who filed the complaint and the Superintendent.

The person who filed the complaint, or the School District, may appeal the Coordinator's determination to the Superintendent by so notifying the Superintendent, in writing, within ten (10) calendar days of the Coordinator's determination. The Superintendent, or his/her designee, may conduct an additional investigation of the facts and circumstances surrounding the complaint. The Superintendent may affirm, reverse or modify the Coordinator's determination. The Superintendent's decision shall be final and is the last step of the District's internal grievance procedure.