



# **STUDENT HANDBOOK/ CODE OF CONDUCT 2016-2017**

## **Mission**

[We exist] to give students the courage to pursue a future full of possibilities.

## **Purpose**

We prepare students for success in life.

## **Core Values**

### **We care about people.**

In everything we do, we care about the needs of others while also taking care of ourselves.

### **Learning is exciting.**

We take joy in learning new things. We approach challenges by thinking about the new things we will discover.

### **We think big and DO.**

Our goals push us to excel, and we work hard to accomplish those goals.

### **We work well by ourselves and in teams.**

We work hard on our own and contribute our personal best to the team, and our work together lets us all shine brighter.

### **Our actions have a purpose.**

Before we do anything, we know why we are doing it and how we will go about it

## **I. PURPOSE**

To provide guidelines for students' rights and responsibilities;  
To provide regulations governing the behavior of students; and  
To prevent actions or activities interfering with the school programs and/or are prohibited by law.

The regulations reflected in this Code shall be mandatory and uniformly enforced by the University Preparatory Academy.

## **II. ATTENDANCE**

Regular attendance in class is of vital importance if a student is to succeed in school. All students are expected to be in school every day and on time for each class. Any student age fifteen (15) and younger with absences of 20 days or more may be subjected to court action regarding school compulsory laws.

It is believed that the major responsibility for regular attendance rests with the individual student and his/her parent/guardian. Staff persons have the responsibility to assist parents/guardians and students in achieving the goal of good attendance. Teachers should counsel with any student immediately if it appears that a poor attendance pattern is being formed. This should be an ongoing, continuous process.

The District does not recognize any absence or tardiness as acceptable without a valid excuse. Staff members are required to take appropriate action whenever an unexcused absence or tardiness occurs. The action taken will be designed to correct attendance problems and will be determined by the seriousness of the problem, rather than waiting for a minimum or maximum number of absences or tardiness.

### **A. ATTENDANCE STANDARDS**

All students are expected to be in school every day and on time for each class. An unexcused absence is an absence from class for longer than fifteen (15) minutes not approved by the principal (or designee), or justified by a written statement by a parent/guardian's health care provider or a government agency. All students are expected to be in a designated area within the school building or in their scheduled classroom on time. All students have the right to be provided with equitable

instructional time. The school has the right to prevent students with excessive tardiness from interrupting the educational process of other students.

**B. ADMITTANCE TO THE BUILDING**

All students must enter the building through designated doors. Students are not to leave the school building during the school day. They must follow their complete schedule. School administration must approve exceptions to this rule.

**C. ABSENCE/TARDY EXCUSES**

Students will be required to establish a valid reason for absence and/or tardiness from school or class. Valid reasons include:

- Personal injury or illness
- Family emergency
- Medical/dental/legal appointment
- Funeral
- Verifiable chronic illness - Statement signed by physician
- Pre-arranged absences with proper notification

Methods for establishing valid reasons include:

- A note or phone call from a parent/guardian
- A pass from a staff member
- A written statement from a doctor
- A copy of documents for court or other mandatory appearances

**D. MAKE-UP WORK FOR EXCUSED ABSENCE AND TARDINESS**

A student must contact the teacher regarding make-up work within three (3) days of his/her return to class. Only students who have established a valid reason for absence or tardiness will be eligible for make-up work.

**E. SUPPORTIVE SERVICES** - Truancy (skipping) from school and/or class results in supportive services being provided by the school. These supportive services must include one or more of the following:

- Conference with the teacher
- Conference with parent/guardian
- Referral to school social work or psychological services
- Referral to an outside agency
- Others, not listed

## **F. RESPONSIBILITIES RELATED TO ATTENDANCE**

### **1. STUDENTS**

- Attend all classes on time each day
- Follow local school attendance procedures
- Present proper excuse in writing for all absences
- Be responsible for requesting make-up assignments for excused absences within three (3) days of return to school and completing it
- Confer with parents and school staff regarding personal concerns due to absences

### **2. PARENTS/GUARDIANS**

- Be responsible for the student's regular attendance
- Notify the school when the student is absent
- Contact the school on a regular basis about the student's attendance and academic progress
- Cooperate with and support the school in enforcing the attendance rules and regulations

### **3. SCHOOL STAFF MEMBERS**

- Maintain accurate attendance records in an official attendance roll book
- Cooperate with colleagues, students and parents/guardians in developing and implementing programs designed to stimulate good attendance
- Inform students about attendance policy
- Notify parents/guardians when students exhibit an attendance problem and maintain a record of such notices
- Refer chronic attendance problems to the team for intervention
- Work in conjunction with other student support programs to provide students with intervention assistance
- Investigate the referral of chronic attendance problems, and when necessary, refer to the 36th District Court for prosecution

## **III. SCHOOL JURISDICTION**

The Student Code of Conduct provides that offenses are prohibited by this policy whenever they occur on school grounds, on school buses, during school-sponsored field trips, when connected with school-related events and activities, and when students are en route to or from school. Each off-premise incident must be treated individually. Specific consideration

will be given, for example, when the incident involves the student's proximity to the school, the length of time elapsed since the student was on school premises, whether there is a connection to an on-premise altercation or confrontation, whether the student stopped at a restaurant or store on the way home, and whether the student has returned to the custody of his/her parents.

#### **IV. STUDENT RESPONSIBILITIES**

- A. PARTICIPATION:** Students have the responsibility of participating fully in the learning process. Students must report to school and to all scheduled classes on time with appropriate supplies and prepared to work. Students are expected to pay attention to instruction, complete assignments to the best of their ability, and request help when needed.
  
- B. BEHAVIOR:** Students have the responsibility to reasonably avoid any behavior that is detrimental to achieving their own or other students' educational goals. Students must cooperate in taking reasonable care of books, other instructional materials, technology, and maintain a climate where learning is cherished. Most particularly, students must refrain from engaging in behavior that violates the provisions of the Student Code of Conduct. Illegal activity conducted on school property may result in criminal prosecution.
  
- C. RESPECT FOR STAFF:** Students have the responsibility of showing respect for the knowledge and the authority of school staff. Students must follow reasonable directions, use only acceptable and courteous language, avoid actions that show contempt, and appeal decisions through the channels as described in this Code.
  
- D. RESPECT FOR OTHER STUDENTS:** Students have the responsibility of showing respect for the rights and human dignity of fellow students. For example, students must refrain from name-calling, fighting, harassment, belittling or engaging in deliberate attempts to embarrass, bully or harm another student.

#### **V. STUDENT RIGHTS**

- A. THE FAIR ADMINISTRATION OF DISCIPLINE:** The faculty and staff of University Preparatory Academy do not discriminate against, deny benefits to, or exclude participation of any person in its programs, activities or employment on the

basis of race, gender, color, national origin, creed, religion, disability, or any other basis prohibited by law.

**B. MAKE-UP WORK DURING DISCIPLINARY ACTIONS:** Students removed from school/class as a result of short-term disciplinary actions are entitled to receive make-up work. Make-up work information will be provided to parents either at the time of suspension or after the student returned to school from a short term suspension. However, parents must request the work through the person identified in the letter sent to parents with notification of the hearing. Parents are responsible for picking up the assignments and returning the completed work for grading. Assignments must be completed and returned before new assignments are issued. Parents must receive graded assignments as an indication that the assignment is completed.

A student will be given the opportunity to make up missed academic course work assignments during a removal from school. A student who remains out of school past the days of suspension WILL NOT be allowed to make up work beyond the actual suspension dates. All makeup work must be completed within three (3) days of the student's readmission to school. A student charged with an expulsion offense is entitled to make up work until a final decision is made.

**C. THE RIGHTS TO FREEDOM OF EXPRESSION**

1. **EXPRESSION OF BELIEFS AND OPINIONS:** Students have the right to express their beliefs and opinions on issues orally, symbolically and through publication, so long as such expression is made in a reasonable manner. However, freedom of expression does not include engaging in libelous, obscene or personal attacks on individuals and groups, defamation of character, commercial solicitations, or the distribution of materials of a racial, ethnic, sexual or religious nature that are likely to result in disruption; nor materials that otherwise endanger the health and safety of people or threaten to disrupt the educational process.

2. **STUDENT DRESS:** Each U Prep School has a unique Uniform Policy, adopted to provide students with an educational environment that is conducive to the learning process. The policy was created to prevent distractions and health or safety hazards that disrupt classroom settings or decorum. Students will also wear school I.D.s at the middle school and high school.

Whether or not a student is dressed appropriately or properly groomed shall be left to the discretion of the principal or his/her designee at the respective school. Administration reserves the right to make exceptions for students with special circumstances (such as, the need for specialized shoes). A student whose clothing or apparel violates the Uniform Policy will be removed from class for the day or until the violation is corrected.

3. **FREEDOM FROM UNREASONABLE SEARCHES AND SEIZURES:** Students have rights, which have been established and guaranteed by the Fourth Amendment to the United States Constitution, protecting their right of privacy of their person and freedom from the unreasonable search and seizure of property. A signed receipt of all items seized shall be provided to students. The school may conduct reasonable searches and seizures as follows:

- **SEARCH OF LOCKERS, DESKS AND OTHER ASSIGNED SPACES** - Property assigned to a student by the school remains the property of the school and under joint control of the school. In accordance with applicable law, lockers, desks and other spaces assigned to or used by a student are subject to search.
- **PERSONAL SEARCHES OF STUDENTS AND THEIR PROPERTY** - The principal/designee may conduct personal searches of students and searches of student property brought onto school grounds whenever there is a reasonable suspicion to believe that the student is in possession of an article which is illegal or prohibited under this code or school rules.

The principal/designee is authorized to seize any items found during a search, which are illegal or which violate the code or regulations. Items seized, which are not illegal but violate this code or school rules, should be returned to the student's parents within ten (10) school days. Searches can include asking students to present illegal or prohibited articles, requesting a student to empty his/her pockets, and search of clothing or personal property.

Pat-down searches can be conducted, but must be limited to searches for illegal items. Whenever possible, pat-down searches should be conducted out of the presence of other students. Pat-down searches must be conducted by a person of the same gender as the student and in the presence of a second staff member.



Where there is reasonable suspicion that a student is in possession of dangerous items that can do bodily harm and the student refuses to permit a search, the student should be detained by administrative staff, reported to the police, and suspended on an emergency basis.

No strip searches shall be conducted by school personnel. If school personnel have a reasonable suspicion that a student is in possession of an illegal, dangerous item that can do bodily harm, which cannot be obtained without use of a strip search, administrative staff should detain the student, report to the police, and suspend on an emergency basis.

#### **4. STUDENT RIGHTS WHEN QUESTIONED BY THE POLICE**

Principals are authorized to permit police officers and identified representatives from the court to interview pupils on official business.

Students may be searched or arrested when such action is authorized by a warrant or otherwise permitted by law. When considered appropriate, such interviews shall be conducted in the presence of the principal or a designee. The principal or his/her designee shall inform parents of this questioning and, whenever possible, they may be present.

### **VI. MEDICATION POLICY**

Purpose: To prevent interruption of a student's education by providing assistance with medication needed during school hours.

Procedure: The student's parent/guardian must provide the school with written permission, and the physician's instructions to administer any medication (prescription or nonprescription). Medication permission forms may be obtained from the school. Verbal instructions will not be honored.

Medications to be administered by school personnel should be transported to the school by the parent/guardian, rather than with the student. The parent must provide the school with a container of the medication with the pharmacy label attached. The label must include the child's name, dosage and specific instructions for administering the medicine. This requirement also pertains to

refills. Students may carry and self-administer medicines during school if so stated in writing by the attending physician and written permission is submitted by the parent/guardian. This includes inhalers and other asthma medications.

**STUDENTS REQUIRING THE USE OF MEDICAL DEVICES IN SCHOOL** (Breathing machines, crutches, casts, slings, braces, wheelchairs): In a general education setting, the use of such devices should be of limited duration (as in the case of students recovering from trauma resulting in injury or severe, but temporary illness) or largely self-managed by the student.

Use of medical devices should not present a risk to other students or unduly interfere with the educational process in the school. Parents/guardians must present written permission and instructions from the physician. Instructions for storage, use, duration of use and assistance to be given by school personnel must be clearly delineated by the student's attending physician.

## **VII. Positive Behavioral Interventions and Support**

**Mission Statement:** To establish and facilitate a positive behavior change in our students, staff, and parents to increase instructional time through the development of effective, proactive, and education-oriented interventions that result in reductions in the number of undesired behaviors at University Preparatory Academy.

### **What is POSITIVE BEHAVIORAL INTERVENTIONS AND SUPPORT (PBIS)?**

PBIS is a proactive approach in behavior management on a school-wide level, in a specific setting such as the halls, cafeteria/common spaces, bathrooms, and the classroom.

PBIS methods are research-based and have been proven to significantly reduce the occurrence of problem behaviors. One of the keys is to focus on prevention. It is based on the idea that when students are taught clearly defined behavioral expectations and provided with predictable responses to their behavior, both positive and corrective, 80-85% of students will meet these expectations. The 15-20% of the students not responding to universal interventions will receive additional support through group and individual interventions. Another key element is an analysis of discipline referral data. This team-based approach to data analysis allows the PBIS Team to identify problem areas, brainstorm interventions, acknowledge students exhibiting positive behavior, and communicate the findings to staff, students and parents.

The goals of PBIS are consistent with those found in other educational initiatives/laws, such as Education YES! and No Child Left Behind. The key components of an effective school-wide PBIS system involve:

- Clearly defining and teaching a set of behavioral expectations;
- Consistently acknowledging and rewarding appropriate behavior;
- Constructively addressing problematic behavior;
- Effectively using behavioral data to assess progress.

## **RESPONSIVE CLASSROOM**

The *Responsive Classroom* approach is utilized at University Preparatory Academy Elementary Schools. It is a way of teaching that emphasizes social, emotional, and academic growth in a strong and safe school community. Developed by classroom teachers, the approach consists of practical strategies for helping children build academic and social-emotional competencies day in and day out. ([www.responsiveclassroom.org/principles-and-practices-responsive-classroom](http://www.responsiveclassroom.org/principles-and-practices-responsive-classroom)).

### **Guiding Principles:**

- The social curriculum is as important as the academic curriculum.
- How children learn is as important as what they learn: Process and content go hand in hand.
- The greatest cognitive growth occurs through social interaction.
- To be successful academically and socially, children need a set of social skills: cooperation, assertion, responsibility, empathy, and self-control.
- Knowing the children we teach—individually, culturally, and developmentally—is as important as knowing the content we teach.

- Knowing the families of the children we teach and working with them as partners is essential to children's education.
- How the adults at school work together is as important as their individual competence: Lasting change begins with the adult community.

The *Responsive Classroom* is a general approach to teaching, rather than a program designed to address a specific school issue. It is based on the premise that children learn best when they have both academic and social-emotional skills.

## VIII. BEHAVIORAL EXPECTATIONS AND UNACCEPTABLE CONDUCT

All University Preparatory Academy students have the right to learn. In all regards, the best interest of the child should be a priority when disciplinary action is considered. Appropriate corrective discipline should be administered in accordance with the severity of the offense.

Unacceptable conduct is divided into (3) categories of offenses which may result in disciplinary action under this Code. **The following list of unacceptable behavior is meant to be instructive and not all-inclusive.** A student who commits an act of misconduct that is not listed is also subject to disciplinary action. All illegal activities will be reported to proper authorities, as required by law.

### A. CATEGORY 1 OFFENSES – PROHIBITED BEHAVIORS

**INSUBORDINATION (level 1)** - Refusing to comply with directions or instructions given by school authorities. For example: refusing to open a book, write an assignment, work with another student, work in a group, take a test, or do any other class or school related activity not listed herein; refusing to leave a hallway or any other area, or running away from school staff when told to stop also constitute insubordination.

**REFUSAL TO IDENTIFY SELF** - Refusing to show or wear an identification card and/or give your correct name when requested by school personnel, or using another person's name or identity.

**STUDENT DEMONSTRATIONS** - Any form of protest or demonstration that disrupts the normal educational process or that is conducted in a manner that violates legal restraints.

**TRUANCY** - Failure to report to the school's assigned class or activity without prior permission, knowledge or excuse by the school or parent/guardian.

**USE OF ELECTRONIC COMMUNICATION DEVICES** - The use of cell phones or electronic communication devices such as iPods, iPads, headphones, MP3 Players and other similar devices is strictly prohibited on school property, including gymnasium, halls, cafeteria, classrooms, and buses on school trips until after dismissal for the day. Confiscated cell phones, personal communication devices or other electronic devices will be returned to the parent/guardian. It is the responsibility of the parent/guardian to make arrangements with the principal/designee to immediately retrieve the item within ten (10) school days.

Cell phones may not be carried on the student's person during normal school hours unless they are switched off. Violations will result in confiscation of the device. Students' cell phones or electronic devices may be stored in a pocket, locker, or backpack in a turned off position.

**The school does NOT investigate or accept responsibility for lost or stolen phones or personal electronic devices.**

**UNAUTHORIZED USE OF SCHOOL MATERIALS/EQUIPMENT:** Students may only use school equipment or materials after obtaining prior approval of an administrator or teachers. Materials/equipment borrowed from the school must be returned to the school.

**CHEATING/ACADEMIC MISCONDUCT:** A student will not plagiarize, cheat, gain unauthorized access to, or tamper with educational materials.

***Academic Honesty Honor Code:***

Students are expected to adhere to the Academic Honesty Honor Code. Plagiarism will not be tolerated at University Preparatory Academy. Plagiarism is simply the use of others' words and/or ideas without clearly acknowledging their source. Students learn about other people's ideas in course texts, instructors' lectures, in-class discussions, and when doing their own research. When a student incorporates those words and ideas into their own work, it is of the utmost importance that they give credit where it is due. Plagiarism, intentional or unintentional, is considered academic dishonesty and all instances will be reported to the Principal/designee. Plagiarism could result in loss of credit for the entire course.

To avoid plagiarism, students must give the original author credit whenever they use another person's ideas, opinions, drawings, or theories, as well as any facts or any other pieces of information that are not common knowledge. Additionally, quotations of another person's actual spoken or written words or a close paraphrasing of another person's spoken or written words must also be referenced. Accurately citing all sources and putting direct quotations – of even a few key words – in quotation marks are required.

**DISORDERLY CONDUCT** is defined as behaving in a manner that causes disruption or obstruction of the educational process. Disruption caused by talking, making noises, throwing objects or otherwise distracting others constitutes disorderly conduct. A behavior is considered disorderly if a teacher/staff member is prevented from starting an activity or lesson, or has to stop instruction/activity to address the disruption.

**INAPPROPRIATE DISPLAYS OF AFFECTION:** Engaging in inappropriate displays of affection, such as kissing or long embraces of a personal nature.

**INAPPROPRIATE USE OF TECHNOLOGY:** Inappropriate use of technology includes, but is not limited to, the following:

- Taking pictures or making videos within or around the campus, or in any school-sponsored activities, without permission
- Posting pictures or videos using any UPrep Schools' logo, building, staff, assets, etc. on Facebook, Twitter, etc. without permission
- Engaging in the planning, provoking, maintaining, etc. of conflicts (physical or otherwise) with individuals from other schools

**NOTE:** The principal/designee will determine, based upon severity and frequency of the offense, if the case will be dealt with as a **Category 2** or **Category 3** offense.

**LEAVING SCHOOL WITHOUT PERMISSION:** Leaving the school building, classroom, cafeteria, assigned area, or campus without permission from authorized school personnel.

**TRESPASSING:** Entering off limits areas without authorization from authorized school personnel.

If removed, suspended, or expelled from school, a student will not return to the school premises without permission of the proper school authorities.

**DISCIPLINARY ACTION FOR A CATEGORY 1 OFFENSE MAY RESULT IN ONE OF THE FOLLOWING:**

1. Conference with parent and/or student
2. Detention
3. Short-Term Suspension
4. Community Service
5. Restitution
6. Other consequences, determined by Principal/designee

Student with repeated Category 1 violations are subject to additional and more severe disciplinary actions.

**B. CATEGORY 2 OFFENSES – PROHIBITED/ILLEGAL BEHAVIORS**

**INSUBORDINATION (level 2):** Grossly or egregiously refusing to comply with directions given by an adult staff member, including but not limited to administrators, teachers and other staff.

**THREATS OF VIOLENCE/COERCION:** Using words or taking actions that may threaten to do injury to another person or that intimidate another person through fear for his/her safety (no actual physical contact is necessary).

**FIGHTING:** A physical confrontation between one or more students that does not cause serious injury.

**POSSESSION OF OTHER DANGEROUS OBJECTS:** Possession of dangerous objects such as, but not limited to, explosives, firecrackers, clubs, mace, pepper spray and other irritant sprays. Possession is defined as carrying the item or storing the item in a space used by, or assigned to a student, such as a locker or a desk, or having the item under one's control, such as hiding a weapon in the building or on school grounds, or voluntarily permitting another person to store the item in an assigned school space without reporting it to the school Principal/a school administrator.

**USE OR POSSESSION OF ILLEGAL OR CONTROLLED SUBSTANCES OR MATERIALS:** Possessing, using or being under the influence of illegal or controlled substances such as: tobacco, alcohol, narcotics, drugs (prohibited by law), over the counter medicines and prescription medications not prescribed for use by the student in possession of them.

**BURGLARY, THEFT, ROBBERY, LARCENY, OR BREAKING AND ENTERING:** Taking money or property belonging to others without permission. This offense applies when the losses or damages are valued at less than \$100.00.

**LOITERING OR TRESPASSING:** Being present in the school or on the grounds of the school without the permission of the administration.

**EXTORTION, COERCION OR BLACKMAIL:** Obtaining money or property (something of value) from an unwilling person, or forcing an individual to act by either physical force or intimidation (bullying/threat).



**DEFAACEMENT OF PROPERTY:** Willingly causing defacement of, or damage to, property belonging to the school or belonging to school personnel or persons in attendance at the school. Actions such as writing in school textbooks or library books, writing on desks or walls, carving into woodwork, desks, or tables and spray-painting surfaces are acts of defacement.

**INTERFERENCE WITH OR INTIMIDATION OF SCHOOL PERSONNEL:** Preventing or attempting to prevent school personnel from engaging in their lawful duties through threats of violence or harassment.

**INTERFERENCE WITH THE MOVEMENT OF PUPILS:** Preventing or delaying pupils from entering or leaving schools at scheduled hours, or causing fear or jeopardy to students while walking to and from school.

**HARASSMENT:**

- Non-Sexual Harassment: Acting in a way which is directed at a specific person that causes substantial emotional distress in such person and serves no legitimate purpose.
- Sexual Harassment: Any unwelcomed sexual advances, requests for favors and other verbal or physical conduct of a sexual nature when the harassment substantially interferes with the student's education, creates an intimidating, hostile or offensive educational environment, or otherwise adversely affects a student's educational opportunities.

**GAMBLING:** Participation in games of chance or skill for money or profit.

**ADMITTANCE OF UNAUTHORIZED INDIVIDUALS INTO SCHOOL BUILDINGS:** Knowingly and intentionally allowing an unauthorized person(s) into the school building, without expressed permission from any authorized person, through any unopened door or unmonitored point of entry in a manner that breaches any method of established security.

**VERBAL ABUSE:** Name-calling, racial or ethnic slurs or derogatory statements directed at, and offensive to, another person.

**BULLYING/HARASSMENT/INTIMIDATION:** Placing another student in reasonable fear of harm through the use of threatening words, instigation, and/or other conduct, including cyber bullying, but without displaying a weapon or subjecting the victim to actual physical attack.

See Appendix for University Preparatory Academy's Bullying Policy, Bullying Reporting Forms (Complaint, Anonymous, Witness), and the Bullying Investigation Flowchart. The investigation is initiated as soon as a Reporting Form has been submitted to a school administrator.

**FORGERY/GIVING FALSE INFORMATION:** Intentionally misrepresent information to school personnel, such as giving false information or signing another person's name to a document.

**ABUSE OF TECHNOLOGY:** Tampering with computer hardware or software, including loading unauthorized software; making unauthorized copies of software; tampering with the hard drive; infection of computers with viruses; unauthorized internet access and computer network "hacking;" making/uploading unauthorized videos involving school staff, students, or property; and any other unauthorized use of technology.

**HAZING:** Any activity endangering the physical safety of a student, or causing physical or mental distress, embarrassment, humiliation or ridicule, regardless of whether the hazing is done with or without the consent of the person(s) being hazed.

**OTHER ILLEGAL MISCONDUCT:** Any school-related conduct that constitutes an offense under city, state or federal laws.

**DISCIPLINARY ACTION FOR A CATEGORY 2 OFFENSE MAY RESULT IN ONE OF THE FOLLOWING:**

- 1. Short-Term Suspension**
- 2. Long-Term Suspension (Grades 9-12)**
- 3. Probationary Agreement**
- 4. Permanent Removal from School**
- 5. Restitution**
- 6. Other consequences, as determined by Principal/designee**

Students with repeated Category 2 violations or a combination of Category 1 and 2 offenses are subject to more severe consequences that may include permanent removal (expulsion) from school.

## C. CATEGORY 3 OFFENSES - PROHIBITED/ILLEGAL/VIOLENT BEHAVIORS

**Permanent Expulsions** a district, or the district's designee, is required to permanently expel a pupil from the district for weapons, arson, criminal sexual conduct or physical assault to an employee, volunteer, or a person contracted by the school district.

**Dangerous Weapons** - A pupil found to be in possession of a dangerous weapon in a weapon free school zone, must be separated from the general pupil population and is expelled from all public school districts within the state (*Revised School Code* - section 380.1311(2)) until such time of reinstatement under section 380.1311(5).

Dangerous weapons are defined as a firearm, dirk, dagger, stiletto, iron bar, knife with a blade over 3 inches in length, pocket knife opened by a mechanical device, and brass knuckles. Firearm is defined under the federal Gun-Free Schools Act of 1994 as:

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

**POSSESSION OF A FIREARM:** This provision includes, but is not limited to, handguns, rifles, shotguns, zip guns, starter pistols, pellet guns, BB guns, and parts of a gun or a toy gun, or toy guns which have the appearance of a real gun.

**POSSESSION OF A KNIFE:** Knives are defined to include any knife regardless of blade length or total size, straight razor, box cutter with razor or any instrument which has been altered to be used as a weapon in a manner similar to a knife, such as a letter opener or file.

**POSSESSION OF OTHER DANGEROUS WEAPONS:** Possession of a weapon, other than guns or knives, which have the capacity to cause serious injury or death.

**USE OF A WEAPON OR AN OBJECT AS A WEAPON:** Possession or use of a weapon or object that could be used as a weapon.

Use is defined to include:

- Using a weapon or dangerous object in a physical altercation with staff or other students;
- Having a weapon in one's possession during a physical altercation;
- Threatening a person with a weapon or dangerous object;
- Using a weapon or dangerous object while committing robbery;
- Extorting or coercing through threat, or actual use of a weapon or dangerous object;
- Discharging of a firearm.

**PHYSICAL ASSAULT OF AN EMPLOYEE, VOLUNTEER OR CONTRACTOR:** Intentionally causing or attempting to cause or contribute to the physical harm of an employee, volunteer, or contractor through force or violence

**DESTRUCTION OF PROPERTY:** Committing acts that result in a substantial threat of, or actual destruction of, property which necessitates significantly altering a school's operation and activities.

Specifically included are acts which result in:

- Significant damage to the physical plant or property
- Conditions that require the evacuation of students
- The inability of a school to perform its functions

**THEFT OR RECEIPT OF STOLEN PROPERTY:** Taking without permission by owner or custodian, or have in his or her possession, property valued at \$100.00 or more which does not belong to the student

**ARSON:** Willfully and maliciously burning or attempting to burn any part of property that belongs to, or under contract to, the school district, or property of persons employed by the district or on school property; also, the use of fire bombs, or incendiary devices

**SALE/DISTRIBUTION OF CONTROLLED SUBSTANCES, PRESCRIPTION DRUGS OR ILLEGAL MATERIALS:** The actual sale or distribution of any illegal or controlled substance or a substance represented to another person as illegal or controlled

Students will be charged under this violation if they are in possession of a substantial quantity of an illegal or controlled substance that is packaged for sale.

**PHYSICAL ASSAULT OF ANOTHER STUDENT:** Intentionally causing or attempting to cause physical harm to a student through force or violence

**PARTICIPATING IN GANG-LIKE ACTIVITY:** Participating in gang-like activity or group violence is also punishable under this provision. This also includes, but is not limited to, inviting others to the school to intimidate and/or fight members of the school community. Gang activity will not be tolerated in school, on school grounds, or during school related functions.

**Gang-like activity** is typically identified by law enforcement as an ongoing organization, association or group of three or more individuals who:

- Use a common identifying name, sign or symbol
- Have a high rate of interaction among themselves to the exclusion of others
- Are frequently involved in antisocial, delinquent or criminal activity

**SEXUAL MISCONDUCT:** A student will refrain from committing acts of Sexual Misconduct.

Sexual Misconduct is a broad term encompassing any unwelcome behavior of a sexual nature that is committed without consent and/or by force, intimidation, coercion or manipulation. As defined by University Preparatory Academy, the term Sexual Misconduct includes Non-Consensual Sexual Intercourse, Non-Consensual Sexual Contact, Sexual Harassment, Sexual Exploitation, and Sexual Intimidation. Sexual Misconduct can be committed by a person upon another regardless of gender, and it can occur between people of the same or different gender. It can occur between strangers or acquaintances, including people involved in a current or previous intimate or sexual relationship. Sexual Misconduct may vary in its severity and consists of a range of behaviors.

**Definitions:** University Preparatory Academy uses the following definitions in this policy:

Sexual Activity:

- Intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts, or making someone touch another person with, or on, any of these body parts; any other intentional bodily contact in a sexual manner, or the clothing covering those areas.
- Intercourse (anal, oral, or vaginal), however slight, with any object

In the context of this policy, Sexual Activity may also include the conduct preliminary to or involved in Sexual Harassment, Sexual Exploitation and Sexual Intimidation.

Criminal sexual conduct means sexual penetration or touching a person's intimate parts. It can be criminal in nature whether with or without consent, and it will be reported to authorities for possible legal action, in addition to school consequences. It is criminal without consent when there is any sexual penetration or touching of a person's intimate parts. It is criminal, whether or not there is consent, when there is (1) any sexual perpetrator involving a person under age 16; (2) any sexual touching involving a person under age 13; or (3) any sexual touching of a person 13, 14 or 15 years old if the perpetrator is 5 or more years older than the victim. School staff must report all such incidents to the principal or designee.

**CONSENSUAL SEXUAL MISCONDUCT:** Displaying affection which includes, but is not limited to: sexual intercourse, oral sex or intentional touching of the other person's genitals, groin, inner thigh, buttock or breast or the clothing covering those areas.

**FORGERY/FRAUD:** Signing the name of another person for the purpose of defrauding school personnel; deceiving another or cause another to be deceived by false or misleading information in order to obtain anything of value.

**TERRORISTIC ACTIVITY:** Communicating terroristic threats or commit terroristic acts directed at any student, employee, volunteer, contractor, physical plant or property.

**FALSE ALARM:** Activating a fire alarm system in any school building on school property and/or reporting a fire or bomb when none exists.

**OTHER ILLEGAL CONDUCT:** Committing other acts, not specifically listed, which endanger the students or staff.

**DISCIPLINARY ACTIONS FOR A CATEGORY 3 OFFENSE CAN RESULT IN ONE OF THE FOLLOWING:**

- 1. Permanent expulsion from all public schools in this state;**
- 2. Expulsion for up to 180 school days from all public schools in this state;**
- 3. Suspension from school;**
- 4. Other consequences, as determined by Principal/designee**

Student may be subject to criminal prosecution at the request of the Detroit Police Department of Public Safety.

Students who have committed a Level 3 offense must be suspended and recommended by the school for Expulsion Review. Michigan Law (MCL 380.1311) requires the permanent expulsion of a student, subject to possible future reinstatement, for certain acts. These include possession of a dangerous weapon, commission of arson or criminal sexual conduct in a school building or on school grounds, and for students grade 6 and above, commission of physical assault at school against an employee, volunteer or contractor.

## **VIII. DISCIPLINARY ACTIONS**

School administrators have the authority to determine consequences case by case, based on the specific circumstances.

### **A. TEACHER DISCIPLINARY ACTIONS**

Teachers have the authority to utilize various behavior management techniques to encourage positive student behavior within the classroom. The assistance of the parent or legal guardian, other educational support services and/or other community agencies may be utilized.

### **B. ADMINISTRATIVE DISCIPLINARY ACTIONS**

When disciplinary action is appropriate, it shall, at all times:

- Depend upon the substantiation of the charges
- Involve a reasonable and logical relationship between the seriousness of the act and the severity of the discipline
- Be constructive in intent
- Take into account such factors as age, stature, and intent of the student and his/her past records
- Take into account the use of positive support strategies and the use of the school's resources

## **DEFINITIONS**

1. **SHORT-TERM SUSPENSION:** The temporary removal of a student from the building and all school sponsored activities

For a short-term suspension, a student may be suspended for one to five school days. Short-Term suspensions should only be applied after the considerations of all other alternatives available to correct the student's behavior have been exhausted.

Before a suspended student may be returned to school, he/she will be required to attend a readmission conference with the parents/guardian to discuss the behavioral problem(s). In the event that the administrator is unable to arrange the conference by the date set for readmission, the principal may, at the request of the parent, authorize an alternative method of achieving the conference or may waive the requirement of the conference.

2. **LONG-TERM SUSPENSION:** The temporary removal of students from the school for more than five (5) school days and up to twenty (20) school days
3. **EXPULSION:** The removal from the school in which the student attends, following (a) violation(s) of the Code of Conduct

**C. THE RIGHT TO DUE PROCESS IN DISCIPLINARY PROCEEDINGS**

Due process safeguards must apply in all instances where the behavior or rights of students are being evaluated. The student has the right to be fully informed about the alleged breach of behavior, and must be provided with an opportunity to respond to such charges. Any permanent record that results from the student's actions or their consequences should clearly state whether the charges of misbehavior were or were not substantiated. Unsubstantiated charges must be expunged. Required due process procedures vary depending on the nature of the misconduct and the seriousness of the disciplinary action that may be imposed on a student as a result of the hearing. Thus, separate sets of procedures apply, depending on whether a student faces possible Short-Term or Long-Term Suspension or Expulsion.

**D. DISCIPLINARY PROCEDURES/SCHOOL LEVEL HEARINGS**

To ensure the student receives fair treatment consistent with the fundamental requirement of due process, Short-Term or Long-Term Suspensions, or recommendations for Expulsions must be made in accordance with the following procedures:

**1. INVESTIGATION – SCHOOL LEVEL**

Before it is determined that a student should be disciplined, an investigation must be conducted. The investigation will be conducted by the principal or administrative designee. This official will inform the student orally or in writing of the charges against him/her including the basis (evidence) for such charges. It is preferable that a



written statement be given to the student. However, a verbal statement is acceptable. Following the investigation, if the charges are substantiated, the parent will be notified by telephone. A suspension letter will be sent home with the student OR by mail within one (1) school day stating that the student is being removed from school and the reason(s) for the removal. The letter will include the time and place for parents to attend a hearing.

## **2. DISCIPLINARY ACTION HEARINGS**

For Long-Term Suspensions and Expulsions, the school level hearing shall serve as a disciplinary action hearing. The hearing shall be held within two(2) school days following removal to determine whether the student engaged in the unacceptable behavior or not. If unacceptable behavior is substantiated, the principal/administrative designee will determine what discipline should be rendered. The parent/guardian (or authorized designee) and student are expected to attend all disciplinary hearings. The principal/designee must hold a hearing even though a parent/guardian is unable to, or chooses not to attend. The principal must document attempts to reach the parent/guardian.

The staff person(s) making the charge of misbehavior shall make all attempts to be present at the hearing, as requested by the principal. While parents do not have the right to confront student witnesses, they may request their questions be asked of school representatives or witnesses. If the principal or designee is the target of the alleged behavior, another administrator will conduct the hearing; advise the student of the charges; and make the disciplinary decision. At the hearing, the student and the parents must first be fully informed about the alleged breach in behavior and then be afforded the opportunity to present their side of the case. Within five 24 hours (unless there are extenuating circumstances that warrant further investigation) of the formal hearing, the principal or designee will forward communication to the student's parents by first class mail and phone, when possible, advising them of:

- The decision as to whether the student engaged in the behavior as charged;
- What the recommended disciplinary action will be (if the charge was substantiated) and
- The right to appeal and appeal procedures.

Any permanent record that results from the student's actions should clearly state whether the charges of misbehavior were or were not substantiated.

### **3. APPEALS FOR LONG-TERM SUSPENSIONS FOR LEVEL 1 & 2 OFFENSES**

Parents have the right to appeal the decision of a Long-Term Suspension to the Central Management Office's CEO. Parents must inform the CEO in writing within three (3) school days that they wish to appeal the principal's decision. The request may be initiated by a telephone call to the CEO's office, followed by a written request. The CEO or designee will inform the parent of the next steps in the process.

### **5. LAST CHANCE AGREEMENT**

When deemed appropriate by the principal or her designee, a student will be placed on probation. At that time, a written agreement will be drafted that outlines what the school's expectations are as they relate to the student's behavior in the future. The agreement will go into effect when signed by both the student and the parent/guardian. Probationary agreements will be in effect for the remainder of the current school year. Students who violate the terms of the agreement will face further disciplinary actions that could include permanent removal from school.

## **IX. DISCIPLINE OF STUDENTS WITH DISABILITIES**

The standards of conduct contained within this Student Code of Conduct apply to all students, including those students enrolled in special education, Section 504, those suspected of having a disability, or students suspected of having a disability. However, due to the unique needs of students with disabilities, appropriate disciplinary action and implementation of the Student Code of Conduct will vary in accordance with local, state and federal laws.

### **DEFINITIONS**

#### **IDEA OR SECTION 504 STUDENTS STUDENT WITH A DISABILITY (IDEA) DEFINED**

"Student with a Disability" means an individual enrolled in school who is under twenty-six (26) years of age and who is determined by an Individualized Education Program Team (IEPT) to have a characteristic or set of characteristics that necessitates special education or ancillary and other services, or both.

Determination of impairment shall not be based solely on behaviors relating to environmental, cultural or economic differences. These individuals are commonly referred to

by local, state, federal and education agencies as students who are included in the Individuals with Disabilities Education Act.

#### **SECTION 504 STUDENT DEFINED**

“Section 504 Student” refers to a student who has a physical or mental impairment, which substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment. Major activities include, but are not limited to, functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning or working. The student would have a 504 Evaluation, and a Service Plan would be developed by a 504 team. All IDEA students are protected from discrimination under Section 504. However, all Section 504 students are not eligible for programs/services under IDEA. Implementation of Section 504 is not the responsibility of Special Education.

Whenever an administrator is considering disciplinary action involving removal of a special education student or a student with a 504 Plan, the student’s records shall be reviewed to determine the total number of days during the current school year that the student has missed due to disciplinary action.

Once the number of days a student has been out of school due to disciplinary action has been determined, the following procedures must be followed:

Under federal laws, an IDEA/504 student facing disciplinary removal from school, whose current recommended disciplinary removal from school is in excess of ten (10) consecutive school days, or will result in excess of ten (10) cumulative days constituting a pattern characterized by similarities in the student behavior that caused the removals and the length, frequency and proximity of the removals in relation to each other, must have an IEP/504 meeting that determines whether or not the behavior is a manifestation of the student’s disability.

- This meeting must take place within ten (10) school days of the decision to remove the student from school.
- In cases where the offense involves the current use and/or possession of drugs/alcohol, the Section 504 meeting is not necessary and the student may be disciplined in the same manner as non-disabled students.
- If the IEP/504 team determines that the behavior is a manifestation of the student’s disability, the student is not subject to further disciplinary action and must return to his/her original placement unless the parent agrees otherwise through the IEP/504 process.

- Regardless of the manifestation determination outcome, in cases where the offense involves the student carrying a weapon to or possessing a weapon at school or at a school function, knowingly possessing or using illegal drugs, selling or soliciting the sale of a controlled substance while at school or a school function, or inflicting serious bodily injury upon another person, school personnel may remove the student to an interim alternative educational setting for not more than forty-five (45) school days.
- In the event that the administration believes reinstating the student to his/her current placement is substantially likely to result in injury to the student or others, it can appeal via an expedited due process hearing, for placement in an interim alternative educational setting for not more than forty-five (45) school days.
- Likewise, the parent can request an expedited due process hearing to appeal manifestation determinations or decisions regarding the student's placement during the disciplinary removal.
- During such an appeal, the student's placement would remain in the disciplinary removal setting pending the decision.

**A. STUDENTS SUSPECTED OF A DISABILITY (THE DISTRICT HAS THE KNOWLEDGE THAT A STUDENT IS SUSPECTED OF BEING DISABLED)**

Students suspected of a disability are those who prior to the behavior subject to disciplinary action meet one or more of the following situations:

1. The parent(s) have expressed specific concerns in writing to supervisory or administrative personnel of the University Preparatory Academy, or a teacher of the student, that the student is in need of special education and related services.
2. The parent(s) have formally requested/consented to a special education evaluation.
3. The student's teacher, or other school personnel, expressed specific concerns about a pattern of behavior demonstrated by the student, directly to the appropriate supervisor or director of special education for UPrep Schools.
4. University Preparatory Academy shall not be deemed to have knowledge that the student is a student with a disability if the parent of the student has previously refused to consent to an evaluation of the student, or has refused special education and related services, or the student was found ineligible for special education.

**B. SHORT-TERM SUSPENSION/LONG-TERM SUSPENSION/ /EXPULSION OF STUDENTS SUSPECTED OF BEING IDEA OR 504 ELIGIBLE**

When considering the Short-Term/Long-Term Suspension, or Expulsion of a general education student, if there is reasonable cause to believe that the student is eligible under IDEA or Section 504 or is suspected of being disabled, the student has the right to assert any of the disciplinary protections available to students with disabilities.

**C. GUIDELINES REGARDING STUDENTS WITH HERETOFORE UNDETECTED DISABILITIES**

1. If school officials do not have knowledge that a student has a disability prior to taking disciplinary measures against the student, the student may be subjected to disciplinary measures applied to students without disabilities who engaged in comparable behaviors.
2. If a request is made for an evaluation of a student during the time period in which the student is subjected to disciplinary measures, the student remains in the disciplinary removal setting and the evaluation shall be conducted in an expedited manner.
3. If the student is found to be a student with a disability, the school shall provide special education and related services as appropriate, and pending the results of the evaluation, the student shall remain in the educational placement determined by school authorities.

**X. RECORDS**

When a student is not eligible to attend his/her assigned school because of a Short-Term Suspension or Long-Term Suspension, the principal or designee will complete a suspension report/referral. The same process will be followed when corrective action requires contact with parents, even though the student may continue in regular attendance. The school shall maintain a file on all appeals, Long-Term Suspensions, and Expulsion Reviews resulting in corrective action.

**XI. RIGHTS OF STUDENTS AND PARENTS IN DISCIPLINARY PROCESSES**

1. A student will be given the opportunity to receive make-up for missed assignments that occurred as a result of a Short/Long Term Suspension.
2. A student charged with an expulsion offense is entitled to make-up work until a decision is reached by the CEO.

3. Students may be given permission to take examinations such as final tests or standardized tests when an incident occurs that requires disciplinary action, while the case is pending. Parents must contact the principal or designee to make arrangements for testing.
4. School officials will inform the student and parent orally or in writing of the charges against him/her, including the basis (evidence) for such charges.
5. When a student is suspended, a disciplinary hearing will be held at the school.
6. If the parent/guardian cancels the appointment, the school principal may reschedule the hearing date one time.
7. While parents do not have the right to confront witnesses, they may request for school officials to present questions, on their behalf, to the witnesses present at the hearing.
9. At the hearing, the student and the parents are to be fully informed concerning the alleged breach in behavior. After this, the student must be afforded the opportunity to present his/her side.
10. If the charges are substantiated at the school level hearing, the parent has the right to appeal the charges to the PSAD Board by notifying the CEO in writing of such an intention within 3 days of the hearing.
11. A parent or student may not appeal a decision of the principal to suspend a student pending an expulsion review.
12. If a student with a disability is suspended for 10 consecutive days or exhibits a pattern (see definition on page) beyond a total of 10 days, the school determines whether the behavior is a manifestation of the student's disability.
13. The school must expunge any student's unsubstantiated charge placed on the school's database.
14. If a student believes any rights set forth in the student code have been violated, the student, and/or parent or guardian, should make a written report to school administration and/or CEO.

*University Preparatory Academy does not discriminate in course offerings to any student on the basis of race, sex, color, creed, national origin, religion, marital status or handicap, as required by Titles VI and VII of the Civil Rights Act of 1964 as amended. Title IX of the Education Amendments of 1972 and Section 504 of the Rehabilitation Act of 1973.*

# APPENDIX 1

## HEARING PROCESS GUIDELINES

1. INTRODUCTIONS BY THE SCHOOL ADMINISTRATOR
2. SCHOOL ADMINISTRATOR CONFIRMS WITH PARENT THAT HEARING NOTICE WAS RECEIVED
3. REVIEW THE RIGHTS OF STUDENTS AND PARENTS. PARENTS ARE PROVIDED A COPY OF THEIR RIGHTS.
4. SCHOOL ADMINISTRATOR EXPLAINS THE PROCESS
  - a. The School Administrator will summarize the charges
  - b. Evidence will be presented to support the charges
    - i. Alleged Victim – in person or by written statement
    - ii. Witnesses – in person or by written statement: dismiss witnesses after their statements; read statement and provide oral additions
    - iii. Read other statements from witnesses, if any
5. SCHOOL ADMINISTRATOR INVITES THE ALLEGED OFFENDER TO PRESENT EVIDENCE TO SUPPORT THE CASE
6. SCHOOL ADMINISTRATOR INVITES PARENTS OF ALLEGED OFFENDER TO MAKE COMMENTS OR PRESENT ADDITIONAL EVIDENCE TO SUPPORT THE CASE
7. SCHOOL ADMINISTRATOR SUMMARIZES THE CASE AND THE FINDINGS AND FINDS STUDENT “IN VIOLATION” OR “NOT IN VIOLATION”.
8. IF THE STUDENT IS FOUND “NOT IN VIOLATION”, THE RECORD WILL BE EXPUNGED. SCHOOLWORK MAKE UP OPTIONS ARE EXPLAINED.
9. IF THE STUDENT IS FOUND “IN VIOLATION”, THE APPEAL PROCESS IS EXPLAINED. ALTERNATE ENROLLMENT OPTIONS COULD BE DISCUSSED.

## APPENDIX 2

### **Anti-Bullying Policy**

University Preparatory Academy recognizes that a safe and civil environment within the school community is necessary for students to learn and achieve high academic standards. The District finds that bullying, like other disruptive or violent behavior, is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe environment.

This policy prohibits bullying against students in any form, regardless of its subject matter or motivating animus. Retaliation or false accusation against a target of bullying, a witness or another person with reliable information about an act of bullying, is also prohibited.

The CEO shall ensure implementation of this policy and develop ongoing strategies for environmental change that are shared annually with all district staff.

The Board of Education delegates to the CEO the function of implementing administrative procedures which provide for notification of the parents or legal guardians of both victims and perpetrators of bullying.

#### DEFINITIONS

Bullying - any written, verbal or physical act, or any electronic communication, that is intended or that a reasonable person would know is likely to harm one or more pupils either directly or indirectly by doing any of the following:

- Substantially interfering with educational opportunities, benefits, or programs of one or more pupils;
- Adversely affecting the ability of a pupil to participate in or benefit from the school district's or public school's educational programs or activities by placing the pupil in reasonable fear of physical harm or by causing substantial emotional distress;



- Having an actual and substantial detrimental effect on a pupil’s physical or mental health;
- Causing substantial disruption in, or substantial interference with, the orderly operation of the school.

Cyberbullying – any electronic communication that is intended or that a reasonable person would know is likely to harm one or more students either directly or indirectly by doing any of the following:

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

#### REPORTING

Any student who believes he or she has been or is currently the victim of bullying/cyberbullying or retaliation, should immediately report the situation to the school Principal or Dean of Culture. The student may also report concerns to a teacher or counselor who will be responsible for notifying the appropriate school administrator.

#### INVESTIGATION

All reports about bullying/cyberbullying behavior, or other complaints that may violate this policy, shall be promptly investigated. The Board of Education delegates to the CEO the responsibility of establishing and implementing a procedure for the prompt investigation of a report of bullying or related complaint to be followed by a school principal or assistant principal who receives a report of a violation of this policy.

If the investigation concludes that bullying behavior or other prohibited activity has occurred, it will result in prompt and appropriate disciplinary action, up to and including expulsion. Individuals may also be referred to law enforcement officials.

The complainant shall be notified of the findings of the investigation, and as appropriate, that remedial action has been taken.

#### RECORD-KEEPING

The Board of Education delegates to the CEO the function of establishing a procedure to document the report of any prohibited incident.

Verified incidents of bullying and the resulting consequences, including discipline and referrals, shall be reported to the Board of Education on at least an annual basis.

This policy and related information will be published and disseminated annually as part of the Family Student Handbook, the Board Policy Book, all website references, and in any other media in which it may appear.

## **1 Purpose**

1.1 To provide a process for reporting and investigating cases of bullying/cyber bullying against students.

1.2 To provide strategies within the school community to recognize and guard against bullying.

## **2 Definitions**

2.1 **Bullying** - any written, verbal or physical act, or any electronic communication, that is intended or that a reasonable person would know is likely to harm one or more pupils either directly or indirectly by doing any of the following:

2.1.1 Substantially interfering with educational opportunities, benefits, or programs of one or more pupils;

2.1.2 Adversely affecting the ability of a pupil to participate in or benefit from the school district's or public school's educational programs or activities by placing the pupil in reasonable fear of physical harm or by causing substantial emotional distress;

2.1.3 Having an actual and substantial detrimental effect on a pupil's physical or mental health;

2.1.4 Causing substantial disruption in, or substantial interference with, the orderly operation of the school.

2.2 **Cyberbullying** – any electronic communication that is intended or that a reasonable person would know is likely to harm one or more pupils either directly or indirectly by doing any of the following:

- 2.2.1 Substantially interfering with educational opportunities, benefits, or programs of one or more pupils;
- 2.2.2 Adversely affecting the ability of a pupil to participate in or benefit from the school district's or public school's educational programs or activities by placing the pupil in reasonable fear of physical harm or by causing substantial emotional distress;
- 2.2.3 Having an actual and substantial detrimental effect on a pupil's physical or mental health;
- 2.2.4 Causing substantial disruption in, or substantial interference with, the orderly operation of the school.

### **3 Background Information**

- 3.1 University Preparatory Academy recognizes that a safe and civil environment in school is necessary for students to learn and achieve high academic standards. The District finds that bullying, like other disruptive or violent behavior, is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe environment.
- 3.2 University Preparatory Academy prohibits all bullying/cyberbullying, without regard to its subject matter or motivating animus.
  - 3.2.1 University Preparatory Academy prohibits any form of retaliation or false accusation against a target of bullying/cyber bullying, a witness or another person with reliable information about an act of bullying/cyberbullying.
  - 3.2.2 Retaliation against any person who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry concerning allegations of bullying/cyber bullying is prohibited and will not be tolerated.
  - 3.2.3 Such retaliation shall be considered a serious violation of Board policy and independent of whether a complaint is substantiated. Suspected

retaliation should be reported in the same manner as bullying/cyberbullying.

3.2.4 Making intentionally false reports about bullying/cyberbullying for the purpose of getting someone in trouble is similarly prohibited and will not be tolerated.

3.3 Students found to have committed an act of bullying/cyber bullying, retaliation or false accusation will receive the appropriate measure of discipline as outlined in the Student and Family Handbook.

3.3.1 Students have the right to due process in all disciplinary proceedings.

3.3.2 Parent/guardian notification and participation in matters of disciplinary action is required.

3.4 To the extent desired by the student reporting the incident, confidentiality will be maintained during the investigation process. Student choice regarding confidentiality will be documented on the Bullying/Cyberbullying Report.

## **4 Procedures**

4.1 Any student who believes he or she has been or is currently the victim of bullying/cyber bullying should immediately report the situation to the school Principal or Dean of Culture.

4.2 The student may also report concerns to a teacher or counselor who will be responsible for notifying the appropriate school administrator.

4.3 Students who feel they are the subject of retaliation should immediately report the situation to the appropriate school administrator.

4.4 The school Principal or Dean of Culture who has received a report of bullying/cyberbullying shall investigate and complete the investigation as promptly as the circumstances permit. Administrator will document complaint on the Bullying/Cyber Bullying Incident Report Form.

4.4.1 Investigation completion goal within 5 school days from receipt of the complaint, and shall include:

- Contacting parent/guardian to inform of student report.
- Interviewing students involved and witnesses, if any.
- Providing appropriate agency referrals to all parties involved.

4.4.2 If incident is substantiated finding a student as the perpetrator, school Principal/Dean of Culture affects immediate disciplinary action, up to and including law enforcement referral.

4.4.3 If incident is substantiated finding an adult as the perpetrator, school administrator contacts the CEO.

4.4.3.1 School District action against substantiated adult perpetrators shall include:

- Discharge for employees;
- Exclusion for parents/guardians, guests, volunteers and contractors

4.4.4 Determine long-term plan for remediation.

4.4.5 Provide written documentation of findings to all parties and to CEO.

## **5 Training & Feedback**

5.1 CEO will share bullying/cyberbullying policy with Principals prior to the start of each school year.

5.2 Principals will share bullying/cyberbullying policy with teachers prior to the start of each school year.

5.3 Principals will ensure that all students and parents are made aware of the bullying/cyberbullying policy and procedures for reporting any incidents of bullying/cyberbullying within the first week of each school year. Details of this policy will be included in the Student and Family Handbook.

5.4 CEO will review incidents of bullying/cyberbullying at conclusion of each school year and recommend changes to the policy as needed.

The Academy shall report incidents of bullying to the State on an annual basis according to the form and procedures established by the State.

If the Board amends or modifies the anti-bullying policy then it shall submit a copy of the modified policy to the State within 30 days of adopting the modification.

**UNIVERSITY PREPARATORY ACADEMY**

**BULLYING/CYBERBULLYING INCIDENT REPORT FORM**

Student Reporting Incident: \_\_\_\_\_ Date \_\_\_\_\_

Grade: \_\_\_\_\_ Administrator Completing Investigation: \_\_\_\_\_

- I want my identity to be kept confidential
- You have permission to make my identity known

Description of Incident (what happened; where; when; relevant background information, including previous history; witnesses, if any):

Description of Investigation (who was interviewed; what was learned, including documentation of parental notice of accusation and investigation):

Conclusion(s):

Actions Taken (including consequences, if accusation is substantiated):

Consequences:



***MISSION: To give students the courage to pursue a future full of possibilities.***

**Please return this form to your child's teacher/crew leader**

**PARENT AND STUDENT STATEMENT OF RECEIPT, REVIEW AND ACCEPTANCE  
OF THE STUDENT CODE OF CONDUCT**

**We, the undersigned, agree to:**

**STUDENT:**

- Read and follow the rules and regulations as outlined in the Student Code of Conduct.
- Not bring drugs, weapons or anything that may endanger others to school or school events.
- Notify school staff if I see a dangerous situation in school or at school events.
- Seek staff assistance when conflicts arise involving me or my peers.

**STUDENT'S PRINTED NAME** \_\_\_\_\_

**STUDENT'S Crew Leader:** \_\_\_\_\_

**STUDENT'S SIGNATURE** \_\_\_\_\_

**DATE** \_\_\_\_\_

**SCHOOL:** \_\_\_\_\_

**PARENT:**

- Read the rules and regulations as outlined in the Student Code of Conduct.

- Teach and encourage my child/children to follow the school guidelines.
- Respect school staff and adhere to school policies and procedures.
- Notify school officials when conflicts arise involving students.

**PARENT/GUARDIAN'S PRINTED NAME** \_\_\_\_\_

**PARENT/GUARDIAN'S SIGNATURE** \_\_\_\_\_

**DATE** \_\_\_\_\_