



# STUDENT HANDBOOK 2022 – 2023

## Middle School

Black River Public School  
491 Columbia Avenue  
Holland, MI 49423-4838  
616-355-0055  
616-355-0057 FAX

[www.blackriverpublicschool.org](http://www.blackriverpublicschool.org)

<https://www.facebook.com/blackriverpublicschool>

***This planner belongs to:***

NAME \_\_\_\_\_

CAP TEACHER: \_\_\_\_\_

**EQUAL OPPORTUNITY.** Black River Public School admits students of any race, color, sex, national and ethnic origin to all the rights, privileges, programs, and activities generally accorded or made available to students at the school. The school does not discriminate on the basis of race, color, sex, national and ethnic origin in administration of its educational policies, admissions policies, athletic programs and other school-administered programs. If any person believes that Black River Public School or any part of the school organization has inadequately applied the principles and/or regulations of 1) Title VI of the Civil Rights Act of 1964, 2) Title IX of the Education Amendments of 1972, or 3) Section 504 of the Rehabilitation Act of 1974, he or she may bring forward a complaint to Shannon Brunink, Head of School, who is the local coordinator for Title VI, Title IX or Suellen Martinez, who is the local coordinator for Section 504. If you have an accessibility question please contact the 504 coordinator at 616-355-0055 extension 159 or the Main Office at 616-355-0055.

## DAILY SCHEDULE FOR MIDDLE SCHOOL AND HIGH SCHOOL

**6-12 Grade, 8:00 a.m. – 3:00 p.m.**

### **ELEMENTARY (K-5 Grade) SCHOOL HOURS**

**8:00 AM – 3:10 p.m.**

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# BLACK RIVER PUBLIC SCHOOL

## MISSION STATEMENT

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Our mission is to prepare each student for college and for life through a challenging curriculum that accommodates individual learning styles. We want to have our students discover responsibility for their own lives as well as empathy for all people and cultures. Through a deep respect for independent thinking, we strive to guide our students in their personal growth toward a genuine self-knowledge so that they can achieve their full human potential.

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<p style="text-align: center;"><b>BELIEFS</b></p> <p>We believe the school's responsibility in education is to bring curiosity, challenge, pleasure and a sense of accomplishment into our students' lives.</p> <p>We believe it is through commitment and determination that students stretch the limits of their minds in the joy and celebration of learning.</p> <p>We believe education must not be a race for the accumulation of facts, but should provide the basic tools and ideas for learning so that education will be an enriching end in itself.</p> <p>We believe certain skills to be essential for all of our graduates: To read well, to write clearly and coherently, to study effectively, to reason soundly, and to question thoughtfully and creatively.</p>	<p style="text-align: center;"><b>METHODS</b></p> <p>Our faculty members are academic coaches, providing academic leadership as well as guidance toward learning and personal growth. We embrace the Socratic method and experiential learning as primary pedagogical tools.</p> <p>Students will acquire the knowledge and skills needed to make personal decisions leading toward physical and emotional well being.</p> <p>There is a clear disciplinary code for all students.</p> <p>Everything taught at our school endeavors to be a life-long skill, whether it be literary, linguistic, athletic, artistic, scientific, mathematical or historical.</p>
<p style="text-align: center;"><b>CURRICULUM</b></p> <p>Our Core Curriculum will be English, foreign language, mathematics, history and politics, natural sciences, the arts and applied technology. All courses will be taught within an integrated curriculum, demonstrating relationships among the fields of study.</p> <p>Students will experience a progression of learning based not on chronological age, but on understanding.</p> <p>Our students will be provided with non-language-based processes for intuitive insight and the development of meaning, in addition to rational academic processes.</p> <p>Our curriculum includes involvement with the local community and concern for worldwide issues, which aid in discovering an ability and a responsibility to make a difference in the world. Our students will participate in service and extra-curricular projects within the Greater Holland communities.</p>	<p style="text-align: center;"><b>CULTURE</b></p> <p>To succeed in our mission we need the students' and parents' active partnership and agreement with the School Mission, which includes a personal commitment to serious academic challenge.</p> <p>The atmosphere of the school is that of a safe place in which students feel free to develop individual ideas and styles. Our faculty stresses un-anxious expectations; making errors is a necessary part of the learning process.</p> <p>The culture of our school is one of mutually respectful interaction between adults and students; we recognize the need of living enlightened and humane lives.</p> <p>We encourage a student population of social, economic and racial diversity.</p> <p>We will be an Elementary School, a Middle School and a High School and strive for a small population of students with small class sizes.</p>

The forgoing Mission Statement, together with its "Beliefs," "Culture," "Curriculum," and "Methods," is not merely an idealistic philosophy of Black River Public School. It is the school's basic foundation, and everything we do in the day-to-day operation of the school must implement the Mission Statement. The Board of Trustees formally adopted the Mission Statement in the planning of the school in January 1996, with the intention that it be the fundamental document of Black River Public School. This handbook will cover the curriculum and disciplinary aspects of the school, as well as any other relevant school information.

# BLACK RIVER PUBLIC SCHOOL ACADEMICS AND CURRICULUM

## COURSE SELECTION FOR THE 2022-2023 SCHOOL YEAR

Grade	Math	Foreign Language	Science	English ***	History/Politics/Arts & Geography **
6	6 <sup>th</sup> Grade Mathematics *	Spanish IA	Earth Science	Africa and Middle East	Africa and Middle East
7	7 <sup>th</sup> Grade Mathematics *	Spanish IA/IB	Life Science	Asia	Asia
8	8 <sup>th</sup> Grade Mathematics *	Spanish IA/IB, Spanish I/II	Physical Science	Early Europe	Early Europe
9	Integrated Algebra/Stats.	Spanish I/II/III/IV	Biology	Intro. To Literature and Composition	Americas: Central and South America, Canada World History
10	Integrated Algebra/Geometry	Spanish I/II/III/IV/V AP Spanish Lit. AP Spanish Lang.	Chemistry	20 <sup>th</sup> Century Society and Social Issues	History of Political Systems and Thought
11	Integrated Advanced Algebra/Geometry AP Statistics	Spanish I/II/III/IV/V AP Spanish Lang.	Physics AP Biology AP Chemistry AP Environmental Science Earth Science	American Literature AP English Literature AP English Language	United States History AP United States History
12	Integrated Pre-Calculus AP Calculus Advanced Algebra Statistics	Spanish I/II/III/IV/V AP Spanish Lang. AP Spanish Literature	AP Biology AP Chemistry AP Environmental Science AP Physics Earth Science	Global Issues AP English Literature AP English Language	Global Topics in History 20 <sup>th</sup> Century Global Issues AP European History AP Government (US and Comp.)

**Students will enroll in courses according to the above plan, unless a student has demonstrated proficiency in a particular area. In that case, determination of course levels will be the decision of the school administrators, in consultation with students and parents.**

\*Connected Mathematics Project (CMP) is an integrated middle school mathematics program. Core Plus Mathematics is an integrated secondary level program that combines the elements of traditional Algebra I & II along with Geometry.

\*\*The Humanities courses (English, History/Politics/Geography, Arts) will be taught in a semi-interdisciplinary manner, with different geographic areas and peoples serving as the focus as indicated above.

\*\*\*English classes will devote significant time to the study of the traditional Western Canon.

# MINIMUM REQUIREMENTS FOR GRADUATION

## MIDDLE SCHOOL GRADUATION REQUIREMENTS

SUBJECT	CREDITS	SPECIFICATIONS
English	3	Middle School or approved High School English
History/Politics	3	Middle School or approved High School History/Political Science
Mathematics	3	Middle School or approved High School Mathematics
Science	3	Middle School or approved High School Science
Foreign Language	2	Middle School or approved High School Spanish
Arts	2	Middle School or approved High School Visual Art, Music or Theater Arts
Electives	3	Middle School or approved High School Elective classes - Must include one <u>year</u> of Physical Education
Project Term	3 Years	

## HIGH SCHOOL GRADUATION REQUIREMENTS

SUBJECT	CREDITS	SPECIFICATIONS
Acceptance to a four year college or university	-	Successful completion of the following course requirements will support acceptance to a four-year college or university. Students should dedicate themselves to put forth their best effort in all high school courses in order to be prepared to successfully apply to a four-year college or university during their junior year of high school.  For additional information and support please visit: <a href="https://www.blackriverpublicschool.org/1/Content/college-counseling">https://www.blackriverpublicschool.org/1/Content/college-counseling</a>
English	4	High School or approved Post-Secondary English
History/Politics	3	High School or Post-Secondary History/Political Science - Must include World History, U.S. History, and Government/Civics
Mathematics	4	High School or approved Post-Secondary Mathematics -Must include Algebra/Statistics, Algebra/Geometry, and Advanced Algebra/Geometry
Science	3	High School or approved Post-Secondary Science -Must include Biology and Chemistry, Physics strongly recommended.
Foreign Language	3	High School or approved Post-Secondary Spanish - Must achieve third year proficiency in Spanish language. -Further study beyond Spanish 3 is highly recommended.
Arts	2	High School or approved Post-Secondary Visual Art, Music or Theater Arts
Electives	4	High School or approved Post-Secondary Elective classes - Must include one <u>year</u> of Physical Education and demonstrate Keyboarding proficiency -Must meet health proficiency requirements. (Accomplished through CAP)
Project Term	3 Years	

- **Black River Public School does NOT accept summer school credits or credits from correspondence courses. Please see our curriculum guide for further information.**
- **Students in grades nine through twelve must take a minimum of seven academic classes in all four years of High School.** Juniors and seniors may take 6 courses and an AP Prep class if they carry 3 or more AP classes in a semester and have prior written approval from the Head of School.
- College Counseling
- Information regarding college counseling can be located at:  
<https://www.blackriverpublicschool.org/1/Content/college-counseling>.  
If accessibility accommodations are desired, please contact Ms. Cessie Wright at [wrightc@brpsk12.org](mailto:wrightc@brpsk12.org) or you can call her at 616.355.0055 x 106.
- Students with disabilities who are unable to meet these graduation requirements, or for whom these requirements are deemed inappropriate by an IEP or 504 Plan, will be considered on a case-by-case basis under guidelines approved by the State of Michigan. Black River Public School reserves the right to adjust graduation requirements with Board approval and due notice to families.

## BLACK RIVER PUBLIC SCHOOL COMMUNITY SERVICE PROGRAM

Our curriculum includes: *“involvement with the local community and concern for worldwide issues, which aid in discovering ability and a responsibility to make a difference in the world. Our students will participate in service and extra-curricular projects within the Greater Holland communities.” ~ BRPS Mission Statement*

### Student Requirements for Community Service\*

#### *Requirements by Grade:*

**Grades 1-3 ~ 10 hours**

**Grades 4-5 ~ 15 hours**

**Grades 6-8 ~ 20 hours**

**Grades 9-12 ~ 60 hours**

- \*All hours need to be completed prior to completing grade 3, 5, 8 or 12
- To make sure your time is recorded, please fill out a Community Service slip available outside room 214 or printable form from our forms page. You can also verify your hours on Infinite Campus.
- **Community Service Fulfillment**
- Students are required to fulfill hours in one of two ways:
  - 1. Independently. They work directly with an organization and fulfill their hours, fill out a CS slip from the CS box near room 214, and continue finding ways to volunteer, based on their interest.
  - 2. School-organized. Students may also complete hours through approved class activities.
- A maximum of 20 CS hours is given for any given volunteer experience.
- \*\*Transfer students will have adjusted requirements; depending on which year they start at Black River.
- As a Black River student you may:
  - 1. Volunteer for anyone where you are NOT paid.
  - 2. Volunteer with any organization where they are NOT requiring you to volunteer (examples of: Boy Scouts, National Honor Society, Juvenile Court, etc.) You may volunteer for them either individually or through the school-organized events, but you cannot use the hours for both organizations.
  - 3. Independent studies during project term with approval, and/or service learning within the classroom or CAP and receive CS hours.
- BE CREATIVE!
  - 1. Organize your own experience
  - 2. Volunteer with organizations that interest you
  - 3. Make a difference in your Community

*A student that does not complete the required course of study, including the community service component, may not walk at graduation at the discretion of the Black River administration.*

**\*If opportunities are reduced to complete community service requirements due to COVID 19 restrictions, hours may be waived or prorated for a semester, or potentially more time.**

# COMPUTATION OF GRADE POINT AVERAGE (GPA)

Grade	GPA for General Classes	GPA for AP Classes with AP Exam & C- or higher in course	Interpretation
A	4.0	5.0	Highest Distinction
A-	3.7	4.7	High Distinction
B+	3.3	4.3	Distinction
B	3.0	4.0	Laudable
B-	2.7	3.7	Commendable
C+	2.3	3.3	Satisfactory
C	2.0	3.0	
C-	1.7	2.7	Unsatisfactory
D+	1.3	1.3	Poor
D	1.0	1.0	
D-	0.7	0.7	
F	0.0	0.0	Failing and unacceptable

\*Grade Point Average (GPA) reflects coursework completed at Black River Public School. Students who transfer during high school and are concerned about GPA should consult with the Curriculum Director

## GENERAL GRADING POLICIES

**GRADES**

Students will receive narrative statements as well as letter grades four times each year: at the end of each semester letter grades will be grades-of-record to compute a student's Grade Point Average. Each mid-semester, the letter grade will be only an indication of the faculty's estimation of the student's work at that time, and such grades do not "count" as grades-of-record. Teachers also compose a short newsletter each month to update families on the materials being studied in each individual class.

**INCOMPLETE GRADES**

Incomplete grades must be made up within the two-week period at the end of a grading term. Failure to complete the work within the two-week period may result in a failing grade. Incomplete grades are allowed only for a serious reason (e.g. prolonged student illness).

**DEAN'S LIST AND HONOR ROLL**

The Dean's List and Honor Roll are computed on the basis of overall academic performance in courses taken at Black River each semester.

**CLASS RANK**

Black River Public School does not publicize the rank of students. For purposes of determining the class valedictorian and salutatorian, only those courses completed at Black River will be considered in determining a student's GPA. (See GPA guidelines above.)

**ACADEMIC PROBATION/WARNING**

Students who earn one or more failing semester grades are placed on academic probation. Students who receive academic probation/warning letters for two or more consecutive semesters may need to repeat a grade level at Black River. Students in this situation will receive written notification from the Registrar or Head of School.

**GRADE REVIEW BOARD**

If a student feels that a grade is invalid or unfair, the first step is to have a private, one-on-one meeting with the teacher, and discuss the matter fully. If the student or parents still think the grade is unfair or invalid, they may request a meeting of the Grade Review Board. The committee, meeting with the student (and parents, if they would like to attend), shall be composed of the teacher, the Head of School, the Dean of Students and/or Dean of Academics, another student member and the student's CAP teacher.

# ATHLETICS, CLUBS AND CO-CURRICULAR ACTIVITIES

The Mission Statement states that the school intends to teach life-long skills, be they athletic, academic or artistic. Inter-scholastic athletics will depend upon our students' interest and involvement. All other activities in addition to our sports and arts activities, such as student government or various clubs and groups, will be formed according to our students' interest and involvement.

It is the policy of Black River Public School that a student's primary responsibility is to his/her academic studies. At no time does the necessity to work or participation in sports or co-curricular activities take priority over the need to devote sufficient time or effort to one's studies. Students are required to meet all of their obligations at school, including serving assigned detentions, before going to work or to an after school activity.

## ATHLETICS

All students in grades 6-12 at Black River Public School may choose to participate in some kind of sports team of their choice. For 2022-2023 we intend to offer the following programs:

- **Fall:** Cross Country, Boys Soccer, Tennis, Girls Volleyball,
- **Winter:** Basketball, Boys Hockey
- **Spring:** Track, Boys Baseball, Girls Soccer, Girls Softball

## PHYSICALS

- **Physicals must be on file every year for all students participating in sports.**
- Students must have a current physical on file prior to attending their first practice or conditioning session. Also, an athletic participation form must be signed and on file each year.

## ELIGIBILITY

- **Athletes must maintain a minimum 2.0 G.P.A. in order to be eligible to participate in BRPS sports programs.**
- **Athletes must maintain passing grades.**
- **Athletes absent from school on the day of a game or practice will NOT be allowed to practice or play on that day.** If the student is absent on a Friday, he/she will not be allowed to play on a Saturday game. An athlete must be in attendance by 9:00 a.m. and may NOT miss more than one period during any point in the day in order to participate.
- **Grades are checked for eligibility once per week.** Students who are ineligible will not be permitted to participate in sports activities for a minimum of one week from the last grade check. Students who are ineligible at the end of the Fall semester will continue to be ineligible at the beginning of second semester until their GPA is 2.0 or higher.
- **Additional eligibility guidelines may be enforced at the discretion of the Athletic Director.**

## CLUBS AND CO-CURRICULAR ACTIVITIES

**Clubs and co-curricular activities will be made available depending on student interest.** While not financially supported by the school, these activities have been offered in the past: Robotics, Theater Club, Rocket Club, Odyssey of the Mind, Science Olympiad, Ski Club, Chess Club, Equestrian Club, Color Guard, and Spanish Club.

## ATTENDANCE

### **Introduction:**

Hedy Nai-Lin Chang's research shows that regular attendance is critical in the development and learning of all students. We now realize it is not only those students who fit the traditional definition of truancy, but those who are chronically absent as well who have lower grades and are more likely to drop out than students with better attendance. Truancy, or unexcused absences, has been linked to serious delinquent activity in youth and to significant negative behavior in characteristics in adults (Bell, A.J., Rosen, L.A., and Dynlacht, D. 1994). Left unaddressed, truancy can have significant negative effects on the student, school, and community.

### **PHILOSOPHY**

Regular attendance is the single most important factor affecting student achievement. Results of study after study demonstrate that students who attend school regularly do better than those who are frequently absent. Good attendance increases student achievement. Poor or irregular attendance diminishes learning and lowers student achievement.

Time missed from class cannot truly be compensated for in any adequate way. A stimulating, thoughtful classroom discussion or analysis cannot be made up: the absent student misses the opportunity for give and take, for questioning and being questioned. Classroom learning is a communal endeavor: teachers and students learn by being able to share ideas in an open forum. Absent students miss the learning that comes from participation in the group process.

Black River's goals for student learning emphasize the importance of communication skills, social responsibility, and respect for the ideas of others. Students cannot achieve these goals if they are not in class. Class time missed is learning lost. There is no substitute for attending class and parents are urged to stress the importance of regular attendance and punctuality.

### **LATE ARRIVALS/EARLY DISMISSAL (PARENTS AND STUDENTS)**

**8:01-8:10 a.m. The student will be marked TARDY**

**2:50-3:00 p.m. The student will be marked EARLY DISMISSAL (if the student is checked out BEFORE 2:50 p.m., it will be coded as an absence as directed by the new guidelines from Ottawa County).**

Medical and dental appointments should be made on days or times when school is not in session. When appointments are unavoidable or an emergency arises, the following procedures are to be followed:

1. Parents must call the Attendance Line at Ext. 328 before 9:00am to inform the school secretary of a late arrival or early dismissal.
2. Before leaving the building, the person providing transportation must sign the student out at the Main Office.
3. If/When the student returns to school, he/she must report to the office to sign in and receive an admit slip to re-enter the class currently in session. If the sign out is discovered to be unexcused, it will be reviewed by the Dean of Students to determine appropriate disciplinary consequences.
4. Early dismissals for sports practices or music lessons that are not school related will be marked as unexcused absences.
5. Medical documentation may be requested for repeated early dismissals or late arrivals.

### **EXCUSED ABSENCES**

1. **According to Black River Public School Policy, students have a limit of five absences per semester in any class.** Those allow for sporadic illness, family emergency, medical treatment, court, **prearranged** college visits, etc. If a student is absent more than thirty minutes of the class period, he/she will be considered absent for that class. Teachers will allow students to make up work upon their return in the above instances.
2. Should a student exceed the 5-day limit for the semester, this may greatly affect that student's academic success.
  - a. Any absence that a student incurs as an approved representative of Black River does not count toward the 5-day absence limit.
  - b. Absences from class because of approved in-school activities and meetings with counselors or other school personnel do not count toward the absence limit.
  - c. Excused absences beyond 3 consecutive school days require administrative approval. Absences in excess of 5 total in a semester also require administrative approval.
3. **On the third consecutive day of absence** while under a doctor's care, a note from the doctor with the inclusive dates of treatment should be submitted to the Main Office so that an **extended illness absence** ruling can be determined. Teachers will allow students returning to school from an extended illness to make up missed work. Please reference the extend absence portion of this handbook.

### **UNEXCUSED ABSENCES/Truancy**

1. **A student may be considered truant when absent from school 8 days without the consent of parents or the school.** Students who are truant will be reported to the truancy officer as required by law.
2. **Students with five or more unexcused absences in a given class during an academic semester will be offered multiple interventions ranging from: teacher support, a face to face parent meeting, a formalized Attendance /Behavior plan, up to an including a formalized Truancy Referral.**
3. **This formal attendance plan may be developed and shared with the Ottawa County Truancy Officer. Additional guidelines available at the Ottawa Area ISD web site.**

### **TARDINESS**

1. School begins at 8:00 a.m. A student who arrives late to school must report to the office and be signed-in by a parent/guardian. The student will receive a tardy pass and report to class immediately.
2. Students who are consistently tardy to class will be offered interventions, which may include a meeting with parents/administration/Social Work/Counseling Team. A student who is late 3 or more times to a single class may be eligible for supportive follow up/interventions. During this time the student and team will identify why the late arrivals are occurring and seek to fix the cause of the issues.
3. In addition to interventions and supportive measures, if a student continues to arrive late to class, consequences ranging from lunch detention/campus clean-up to morning detention up to suspension may be assigned.



## **ATTENDANCE AND CO-CURRICULAR ACTIVITIES**

In order to participate in any extracurricular activities, including dances, concerts, athletic events, fine arts productions or any other school activity, 1) a student must arrive at school by 9:00 a.m. and 2) may not miss more than one class period during the day. Students seeking exceptions to this attendance policy may make a formal plea to the Dean of Students and will require the approval of the Head of School. This policy applies to all extra-curricular activities including athletics, clubs, N.H.S., Student Council, etc.

### **CLOSED CAMPUS**

Black River is a closed campus. After arriving at school, students are considered to be in attendance and may not leave campus for any reason without approval from administration. **Students who leave campus without official approval are considered out of bounds and will be subject to disciplinary action including suspension from school and/or expulsion depending on the extent of the violation of the closed campus policy.**

### **VISITING CAMPUS**

All parents and visitors arriving to campus must first sign in in the main office and receive a visitor's pass. On leaving the parent/visitor will return the pass to the main office and sign out. Except when a student is signed out, parents will limit speaking with students to before or after school, or during lunch/passing time.

## **ATTENDANCE PROCEDURES**

### **REPORTING ILLNESS OR NECESSARY ABSENCE**

The method for reporting absence is as follows:

1. **DAY OF THE ABSENCE**, the parent should telephone the MS/HS Attendance Line **355-0055 Ext. 228**, or the K-5 attendance line at **616-355-0055 Ext. 328** to report the absence and give the reason for the absence. The call should be made before 9:00 a.m. each day during the period of the absence.
2. The student is responsible for any classroom work missed during any excused absence.
3. **On the third consecutive day of absence due to illness** a note from the primary care physician of the student should be provided for documentation of an extended illness.
4. In reference to communicable illness Black River follows the guidelines of the Michigan Department of Community Health.

### **EARLY DISMISSAL (PARENTS AND STUDENTS)**

Medical and dental appointments should be made on days or times when school is not in session. When appointments medical appointments are unavoidable or an emergency arises, the following procedures are to be followed:

1. Parents must either a) call the Attendance Line at ext. 228 (HS/MS) or ext. 328(K-5) before 8:00am **or** b) write a note for the student to bring with the necessary information and the method of transportation to the Main Office as soon as the information is available.
2. Before leaving the building, the person providing transportation must sign the student out at the Main Office. If the person providing transportation is not a guardian or emergency contact, the Main Office must be given approval to release the student.
3. If/When the student returns to school, he/she must report to the office to sign in and receive a tardy slip to re-enter the class currently in session. If the sign out is discovered to be unexcused, it will be reviewed by the Dean of Students/Administration to determine appropriate disciplinary consequences.
4. Regardless of the age of the student, Black River requires parental/legal guardian permission to validate and excuse an absence. Exceptions regarding Mc Kinney Vento / homeless status of a student may allow for the School Homeless Liaison to excuse the absence.

### **ILLNESS DURING THE SCHOOL DAY**

1. If a student becomes ill while at school, the student should get a pass from his/her teacher and go to the Main Office.
2. At the office, the student will be able to wait for 5-10 minutes to determine if he/she is able to return to class.
3. If the student is unable to return to class, the parent will be notified and expected to pick him/her up at school.
4. In the case of a medical emergency the school will call 911 as appropriate.
5. The person providing the transportation must sign the student out in the Main Office before leaving school.

### **LUNCH**

**Parents may not call in to excuse their underclassmen student to participate in Senior Lunch privileges on Friday or any other day of the school week.**

### **EXTENDED ABSENCES (vacations, trips)**

1. **An extended absence is an absence of more than 3 consecutive school days. Black River strongly discourages extended absences during the school term.** Vacation days count toward the 5-day excused absence limit each semester. The decision for the absence is the responsibility of the parent and the student and should be made with consideration given to the student's current status in school, with serious thought given to the impact of the absence. It is the student's responsibility to arrange for and complete any work missed.

2. **If an extended absence is required, students and parents must fill out an extended absence form available in the front office prior to the absence and have form signed by administration.**
3. **The school staff will work with students/families regarding the dynamics of the absence. At times, a student may be issued an Incomplete for a grade at the end of the semester, while details are resolved. The student will ultimately be responsible for making sure the assigned work/projects/tests are completed.**

## **COMMUNITY CODE OF CONDUCT**

### **PHILOSOPHY**

The creation of community is an essential part of any school. Community means honest interaction, genuine freedom from intimidation, harassment, insult, or even distress. That kind of family or community means a constant sense of trust. Community cannot exist without trust and respect for others. Sensitivity and respect for ourselves and for others are thus mandatory for the Black River Public School Community. Any student, who fails to participate in our community in compliance with our standards, whether or not a specific action is covered by a particular school regulation, may be subject to disciplinary action. Thus, certain guidelines are paramount.

One operating principle guides our entire code of conduct.

*“Disrespect or violence occurs whenever anyone harms or threatens to harm a person’s body, feeling, or possessions.”*

*Carol Remboldt and Richard Zimman from The Johnson Institute*

Our expectation of every student, parent, teacher and staff member is that we respect the body, feelings, and possessions of others. Only in this way can we create and maintain an atmosphere of mutual respect where learning can take place.

## **GENERAL GUIDELINES FOR STUDENT CONDUCT**

### **CLASSROOM CONDUCT**

Students are expected to follow classroom rules, be polite, and treat everyone with respect. Students who demonstrate repeated inappropriate classroom behavior, including insubordination, may be issued discipline referrals and face disciplinary consequences. Any behavior which disrupts others’ learning will not be tolerated and the student will be removed from the classroom immediately and may be suspended for the remainder of the school day.

### **HALLWAY CONDUCT**

Running, shouting, or any other kind of boisterous conduct, and **public display of affection** are not permitted in the school halls. Between class periods, students are to proceed in an orderly fashion to their next class. Failure to act in a proper fashion will result in a referral or further action. Consequences may range from detention to suspension, up to expulsion, depending on the severity of the behavior displayed.

### **APPROPRIATE USE OF SCHOOL FACILITIES**

Students are not to be in the school building or on school property at any time other than during school-sponsored activities or with permission from a member of the faculty/staff. This includes school-scheduled breaks and vacations. If students are found to be in the school building or on school property at any time other than during school-sponsored activities or without permission from a member of the faculty/staff, they are considered to be trespassing and any of the following may occur:

1. Notification of the parents.
2. Immediate suspension during which time the student may not have the opportunity to make up work missed without penalty nor attend extracurricular activities.
3. Social probation during which the student’s time on campus will be strictly regulated and participation and or attendance at extracurricular activities will be denied.
4. Notification of law enforcement and charges being filed.
5. Discipline hearing.
6. Expulsion.

### **PARKING LOT AND SCHOOL GROUNDS CONDUCT**

Students may not use skateboards, rollerblades or bicycles in the parking lots or on landscaped areas of school property. Damage or destruction of property as a result of misconduct or misuse of these or other recreational items may result in disciplinary consequences including a period of suspension. Skateboarding in front of school between 7:30 a.m. and 3:30 p.m. is also prohibited. Skateboarding on the sidewalk by the lyceum and driveway/gulch areas is forbidden for safety reasons.

### **CROSSWALKS**

Between the hours of 7:30 a.m. and 3:20 p.m., (3:00 p.m. during Project Term) students are to use the crosswalks when crossing Columbia Avenue and other streets adjoining campus. Failure to do so may result in disciplinary measures.

## **OFF-CAMPUS CONDUCT**

Students participating in off-campus projects and/or extra-curricular activities connected with the school are considered representatives of the school. Students are expected to follow the guidelines set forth in this handbook.

## **DANCE VISITOR POLICY**

Students who would like to invite a non-Black River student to a school dance or to visit must fill out a dance visitor form and turn it in to the Main Office/Dean of Students by the date stated in announcements. This form then must be approved by the Dean of Students or official dance chaperone. These forms are available in the main office or on the school's web site. All guests must follow Black River's code of conduct. Students who are currently suspended or have been expelled from BRPS may not attend dances at BRPS. One guest is allowed per Black River student.

## **SHADOWS\***

Students who would like to invite a non-Black River student to shadow them for a day must fill out a Student Visitor form and have it approved by the Dean of Students or Black River Public School administrator at least 48 hours prior to the day of the visit. These forms are available in the main office. All guests must follow Black River's code of conduct. Students who have already attended BRPS or have been suspended or expelled from BRPS may not shadow at BRPS.

# **STUDENT DRESS CODE**

## **CLOTHING**

Clothing that reveals undergarments when sitting, walking, or bending is unacceptable. Undergarments are not to be displayed at any time. This includes boxer shorts.

Clothing that is overly revealing is inappropriate. Clothing must cover the chest, back, torso, stomach, and lower extremities, from armpit to armpit to mid-thigh. Mid-thigh is defined as halfway between the hipbone and where the kneecap begins.

Clothing must not be see through.

Tops must have at least two-inch straps.

Clothing with offensive language, profanity, demeaning words, gang affiliation, drug/alcohol advertisements or any obvious bad taste is not acceptable.

Any clothing item depicting an illegal activity or direct expression of violence is not acceptable.

Clothing that is intimidating is not acceptable.

## **ACCESSORIES AND MISCELLANEOUS ITEMS**

Bandanas are not to be worn inside any BRPS building during school hours. A student may be asked to remove their hat or hood for identification purposes. A student will remove their hat/hood if it becomes a behavior issue/distraction.

Sunglasses or novelty glasses may not be worn inside any BRPS building. If sunglasses are worn for a medical purpose, the student must obtain a doctor's note and have it on file in the main office.

Jewelry or accessories with spikes or studs are prohibited.

On the first offense, the above listed accessory may be confiscated and held until the end of the school day. On the second offense of wearing a similar item (not necessarily the exact same item), the item will be held at school for one week and then returned to a parent or to the student with parent's permission. On the third offense, the item may be held until the end of the semester.

Students who are in violation of the dress code will be required to dress appropriately prior to attending or returning to class. Chronic violation of the dress code and/or repeated referrals for dress code violations may result in a period of suspension and/or other disciplinary consequences.

**THE FINAL JUDGES OF APPROPRIATE DRESS ARE MEMBERS OF THE BLACK RIVER SOCIAL WORK/ADMINISTRATIVE TEAM.**

# **POSSESSION OF PROHIBITED ITEMS**

**ELECTRONIC DEVICES\*** including, but not limited to, laser devices, I-pods, or handheld video games are not to be used during the school day. This includes games programmed into any device. If a student is seen using a prohibited electronic device in any capacity during class or during passing time a member of the faculty may confiscate the device and turn it in to the administrator. The administrator will return the device to the student at the end of the school day on the first offense, but on the second offense, the device will be returned to a parent or legal guardian. On the third offense, the device may be kept until the end of the academic year at the discretion of administration. *The school will not be held liable for the loss or theft of cellular phones or other electronic communication devices.\* A cellphone used in an inappropriate manner becomes a prohibited item.*

- **COLLECTIBLE CARD GAMES** will not be allowed in the classroom. Collectible cards may be used before/after school and

during lunch, and the school will not be held responsible for the loss or theft of these items. If a student is seen using collectible cards in any capacity during the school day a member of the faculty may confiscate the cards and turn it in to an administrator. The administrator will return the cards to the student at the end of the school day on the first offense, but on the second offense the cards will be returned to a parent or legal guardian. On the third offense, the cards may be kept until the end of the academic year at the discretion of the administration. *The school will not be held liable for the loss or theft of collectible cards.*

- **TOBACCO** Black River Public School is a tobacco-free campus. No possession or use of tobacco is allowed before, during or after school on school property or at school-sponsored events. This includes students who are 21 years of age and/or any adult found smoking or in possession of tobacco on campus or at school functions. **If a student is found in possession of tobacco or using tobacco on campus or at a school related event law enforcement may be contacted.** Students are also prohibited from bringing incendiary devices to school. (For example, matches, lighters, etc.) **Repeat Offenders:** Ordinarily a second offense results in police involvement, administrative review, and termination of the student's enrollment at Black River Public School. The State of Michigan may impose a fine and assign a 16-hour community service penalty, as well as tobacco cessation classes pursuant to Mich. Comp. Laws § 722. 642.
- **Vaporizing Devices/E-cigarettes**  
Alternative to tobacco vaporizing products are further prohibited in a similar manner. **If a student is found in possession of a vaporizing device law enforcement may be contacted. If suspicion of narcotics usage exists, law enforcement will be contacted.**
- **ALCOHOL** Black River Public School is an alcohol-free campus. No possession or use of alcohol is allowed before, during or after school on school property or at school sponsored events. This includes students who are 21 years of age and/or any adult on campus or at school functions. A first offense will result in police involvement, administrative review, and may result in the termination of the student's enrollment at Black River Public School.
- **DRUGS** Black River Public School is a drug-free campus. Possession, use or purchase of any drugs (illegal, prescription or over-the-counter), or intoxicants during school, or at any school-related activity, will not be tolerated, and will be promptly met with severe disciplinary action. A controlled substance possession offense results in police involvement, administrative review, and disciplinary hearing that may result in the termination of the student's enrollment at Black River Public School. Schedule I through V substances are included- for a comprehensive list please consult <http://www.justice.gov/dea/pubs/scheduling.html>.
- **WEAPONS** and weapon accessories will not be allowed on school property at any time. A weapon is defined as any item or object that is deemed threatening to the learning environment. In certain weapons circumstances, the state of Michigan requires mandatory expulsion for possession of a weapon, including knives of certain lengths and firearms. Any student in possession of a weapon may be subject to a disciplinary hearing and may face long-term suspension and possible expulsion, depending on the circumstances of the given situation.

## DISCIPLINE

### DISCIPLINARY PROCEDURES

- The first step of disciplinary action is in each classroom. Faculty will maintain an orderly environment, conducive to learning and with their own consequences for students who are disruptive.
- The second step occurs when a student has been consistently or chronically disruptive in the classroom, or has broken one of the guidelines listed. If this occurs the student will be sent or referred to the Dean of Students. According to the nature of the offense, taking into consideration that student's record of behavior and the particularities of that specific offense, the school will assign appropriate disciplinary consequences.

### LEVEL ONE BEHAVIORS AND EXPLANATIONS

1. **Disturbing Class/Others**
  - A student's behavior may not impede the learning of others. This infraction may include disruptive behavior in the classroom or in another location on campus.
2. **Excessive Tardiness-please refer to page nine of this handbook, attendance policies**
3. **Dress Code Violation**
  - For specific guidelines, please refer to the subsection STUDENT DRESS CODE in this handbook. Smaller infractions may result in a warning. Consistent infractions will result in appropriate disciplinary consequences.
4. **Public Display of Affection**
  - Students will show respect for themselves and one another by refraining from excessive displays of affection including kissing, extended hugging and any other forms of physical affection deemed inappropriate for the BRPS learning environment by the Administration/Social Work Team or other designated member of the faculty. Students will furthermore refrain from inappropriate displays of affection at school events and in the school parking lot.

- This rule applies to the academic school day, before and after school on school grounds, including the parking lots, and also at school sponsored events.
- 5. Running/Noise in Hallways**
    - Students are expected to respect themselves and their environment by acting appropriately in all BRPS buildings. Screaming, yelling and/or running in the hallways is unacceptable and will result in disciplinary consequences.
  - 6. Mischief On/Off Campus**
    - Students are expected to follow all rules and guidelines not only inside BRPS buildings, but also when they are at any school sponsored event. Students who choose not to follow the guidelines outlined in this handbook or who are generally disruptive at any school activity or off-campus event will receive a discipline referral and consequences appropriate to the offense. Specific incidents may warrant level two consequences.
  - 7. Eating/Drinking Outside Lyceum Area**
    - Students are not to consume food items or beverages (other than water) in any area of the building other than the lunchroom/lyceum area. Students under special circumstances or for medical reasons at times may be allowed to consume food outside of the lyceum.
  - 8. Littering**
    - Students who do not respect our campus by littering will be immediately disciplined. This includes students who do not clean up after themselves during and after lunch. Referrals for littering will receive disciplinary consequences that may include suspension, detention and/or cleaning duty.
  - 9. Possession of Prohibited Items Level 1**
    - Please see PROHIBITED ITEMS in the Student Conduct portion of this handbook for specific guidelines.
  - 10. Profanity or Obscene Gestures**
    - Black River students, faculty, staff and administration will not tolerate any language or gestures that are offensive to individuals. Disciplinary action will be taken immediately and consequences assigned as appropriate.
  - 11. Out-of-Bounds**

Any student who is not where he/she should be is out-of-bounds. The following locations are considered out-of-bounds for students:

    - Bathroom during class time without permission from teacher
    - Bathroom for purpose of using cell phone
    - Hallways/stairwells during class time without permission from teacher
    - Lyceum area during class time without teacher permission
    - Administrative offices during school without a pass
    - Media center/computer lab without a teacher's permission
    - Classrooms without a teacher present
    - Parking lot during the school day without permission
    - On the elevator without a pass
    - Outside the building without permission at any time
    - Students are to use the crosswalk from 7:30 a.m. to 3:20 p.m. (3:00 p.m. Project Term)

## LEVEL TWO BEHAVIORS AND EXPLANATIONS

- 1. Truancy** *Please refer to the truancy definition listed under the philosophy of attendance on page 8-9.*
- 2. Gambling**
  - Students are not permitted to play any games that involve illegal gambling. This includes making wagers and bets that involve food, money or the exchange of any other compensation based on the outcome of a game or event.
- 3. Leaving Building/Class without Permission**
  - **Black River Public School has a closed campus.** Students may not leave the building without permission. The student's parent or guardian must sign the student in and out if the student leaves the campus during school hours. Parents may not excuse students to go off campus for lunch except in special occasions approved in advance by the Administration at Black River. Senior Lunch privilege is specifically reserved for Seniors only.
- 4. Plagiarism/Cheating**
  - Using the ideas, organization of ideas, words or phrases of another (including fellow students or parents) in one's written work without giving credit to the source is called *plagiarism*.
  - Using the ideas or answers of another on quizzes or tests is called *cheating* when it is not part of an intentionally cooperative assignment assigned by a teacher.

- Both the giving and receiving of information in an intentionally dishonest manner is unacceptable behavior, and the school will respond with appropriate disciplinary measures ranging from receiving a zero credit on an assignment or quiz to being dropped from the course with a failing grade. A discipline hearing may also be held to consider the academic future of the student. The Administration reserves the right to enforce more extensive disciplinary action, including suspension and/or expulsion, for first time offenders based on the extent and severity of the plagiarism/cheating.
- Repeated incidences of plagiarism or cheating may result in consequences including suspension, behavior plan, discipline hearing and/or expulsion.

#### 5. Altering Records/Forging

- Students found altering or forging records will receive disciplinary consequences and may be scheduled for a discipline hearing that may result in a period of suspension and/or expulsion depending on the severity of the misconduct. This includes the altering of grades on Infinite Campus or written records.

#### 6. Disrespectful/Insubordinate Behavior

- Students at Black River Public School are expected to act respectfully towards administration, faculty and staff. They are expected to follow instructions and cooperate with their teachers, the school staff and administration. Persistent disobedience will not be tolerated. This includes: disruption in the classroom, hallways, school events, etc. **If a student's behavior repeatedly takes away from the learning of others, it will be considered persistent disobedience and the student may be suspended or expelled from school.**

#### 7. Theft/Vandalism

- Theft or vandalism of school, faculty, or student property may result in **immediate suspension**, a parent conference and possible expulsion.
- Despite this strict policy regarding the theft and vandalism of personal property, incidents of this type will undoubtedly occur. The best way for students to protect themselves from theft is to refrain from bringing valuable items and excessive amounts of money to school. ***BRPS will not be held responsible or liable for loss or theft of prohibited items that are brought to school.***
- Restitution must be made by anyone found to be responsible for theft or vandalism. This includes but is not limited to: false fire drills, destruction of property, abuse of school vehicles, graffiti, etc.

#### 8. Bullying

Bullying is prohibited at Black River Public School.

Retaliation or false accusation of a target of bullying, a witness, or another person with reliable information about the act of bullying is prohibited at Black River. (PA) 241 section 5(b).

Definition According to the State of Michigan, taken from: Enrolled House Bill 4163, PA 0241 section 8 (b), and updated by PA 478 of 2014

***"Bullying" is defined as any gesture or written, verbal, graphic, physical act or cyberbullying, (including but not limited to any electronically transmitted acts or communication, i.e. internet, telephone or cell phone, computers and/or tablets of any kind, personal digital assistant (PDA), or wireless hand held device) that, without regard to its subject matter or motivating animus, is intended or that a reasonable person would know is likely to harm one (1) or more students either directly or indirectly by doing any of the following:***

- Substantially interfering with educational opportunities, benefits, or programs of 1 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.*
- (c) "Telecommunications access device" and "telecommunications service provider" mean those terms as defined in section 219a of the Michigan penal code, 1931 PA 328, MCL 750.219a.*

**Subsection 5 (c) of PA 241 states:** *All pupils are protected under the policy... bullying is equally prohibited without regard to its subject matter or motivating animus.*

#### **Further definition of bullying: Olweus Bullying Prevention Program (2010)**

Three key components of Bullying Behavior:

- Involves an aggressive behavior.*
- Typically involves a pattern of behavior repeated over time.*
- Imbalance of power or strength*

(Program Developed by Dan Olweus, Ph.D.)

#### **Reported allegations of Bullying:**

Students are encouraged to report any conduct or contact from faculty or students that makes them feel uncomfortable, is bothersome, or contrary to a positive educational environment and/or the mission of Black River Public School to a teacher, school social worker, or member of the Black River administrative team. The allegation/report should be written out on either a form provided by the school, or on a separate paper including the following: the person(s) who engaged in the bullying, when the event occurred, where the event occurred, and if possible, other people who may have witnessed the event.

#### **Confidentiality**

**To the extent appropriate and/or legally permitted, confidentiality will be maintained during the investigation process. However, a proper investigation will, in some circumstances, require the disclosure of names and allegations. Further, the appropriate authorities may be notified, depending on the nature of the complaint and/or the results of the investigation. (As taken from Board Policy 5517.01, pages 1-4)**

**Insuring the policy is implemented:**

Members of the Black River administrative team and/or social workers will promptly investigate all claims of bullying. As appropriate and pursuant to Michigan Law the parents/guardians of both parties will be notified by a member of the administrative team or school social worker.

Verified acts of bullying will be tracked by administration through the electronic referral system provided by Infinite Campus. Students who engage in any type of bullying, harassment, or aggressive behavior may be subject to consequences ranging from a referral and/or detention to a disciplinary hearing and possible police involvement. As deemed necessary and appropriate, further disciplinary action ranging from a behavior plan to suspension and disciplinary probation to expulsion will be determined after the hearing. Each event will be reviewed on an individual basis and the severity and/or repetition of the infraction will be taken into consideration when determining an individual's consequences.

This policy is designed for publication in the annual Black River Public School Handbook, and is also available online at the school's web page: <http://www.blackriverpublicschool.org>. This policy supports the Board of Trustees' policy.

**9. Sexual Harassment**

- Sexual harassment is against the law and will not be tolerated at Black River Public School. Sexual harassment includes inappropriate comments, inferences or physical contact of a sexual nature. If you would like a copy of our policy on sexual harassment, please see one of the school social workers or the Head of School.

**10. Fighting/Physical Assault (mandatory suspension or expulsion PA 102)**

- Because of the seriousness and danger of permanent injury, both parties involved in a fight will be immediately suspended. There will be a discipline hearing scheduled and students will be suspended or expelled up to 180 days in accordance with PA102. Any restitution for damage and/or injury is the responsibility of the student(s).

**11. Verbal/Physical Assault of Faculty Member (mandatory expulsion PA 104)**

- Verbal attacks of members of the BRPS faculty will not be tolerated and may result in suspension and/or expulsion.
- Because of the seriousness and danger of permanent injury, a student involved in any type of physical altercation with a member of the faculty will be immediately suspended. There will be a discipline hearing scheduled and students will be suspended or expelled up to 180 days in accordance with PA104. Any restitution for damage and/or injury is the responsibility of the student(s).

**12. Possession, Sale or Use of Tobacco/Alcohol/Drugs**

- **Black River Public School is a tobacco-free campus.** No possession or use of tobacco is allowed before, during or after school on school property. This includes students who are 18 years of age and/or any adult found smoking on campus or at school functions. At the school's discretion law enforcement may be contacted. The State of Michigan may also assess 16 hours of community service and Tobacco Education classes. **Repeat Offenders:** Ordinarily a second offense results in police involvement, administrative review, and termination of the student's enrollment at Black River Public School.
- **Black River Public School is a drug-free campus.** Possession, use or purchase of any drugs (illegal or over-the-counter), alcohol, or intoxicants during school, or at any school-related activity, will not be tolerated and will be promptly met with severe disciplinary action. This may include expulsion from school.
- **Any student who appears under the influence of alcohol or drugs, or is in possession of alcohol or drugs during the school day, at a school-sponsored activity, or on the Black River campus is immediately suspended from school.** The student may also face police involvement. Parents will be notified and are expected to pick up their child immediately. The student will remain suspended from school until a discipline hearing is held between the parents of the student and an administrator.
- **Black River Public School is a tobacco-free and drug-free campus and the sale or gift of drugs, including illicit, over the counter, and/or alcohol, will result in immediate suspension and a disciplinary hearing including parents, the student, and administration. This includes ingesting substances in any manner that appears to be the usage or glorification of Tobacco/Alcohol/Drugs.**
- Usage of vaporizing products (E-cigarettes or similar products) by students is also prohibited at Black River Public School and Black River Public School events.

**13. Possession of Weapons (mandatory expulsion PA 102)**

- Possession or use of a weapon or look-alike weapon or other object, which can reasonably be considered to be a weapon during school time, on school premises or during school sponsored activities, will result in immediate suspension from school. The student may also face police involvement. Parents will be notified to pick up their child or to make arrangements for a responsible adult to come for him/her. There will be a discipline hearing and the student may be expelled.

#### 14. Expressions of Violence

- **Students are encouraged to report any type of behavior that they feel is of a violent or threatening nature.**
- Expressions of violence include but are not limited to verbal, written, or visual threats or intimidation, or possession of materials of a violent nature.
- Students engaged in expressions of violence will be subject to disciplinary action ranging from parents being contacted, to expulsion depending on the severity of the event.
- **At Black River, we consider gang related communication, activity or dress an expression of violence.** A student's belongings, clothes or gestures can be identified for real or potential gang involvement by any of the following means:
  - Self-acknowledgement
  - Identification by a law enforcement agent.
  - Meeting criteria of a gang member as established by Black River policy in consultation with law enforcement.

## DISCIPLINARY CONSEQUENCES

### DETENTION

- **CLASSROOM DETENTION**  
Classroom detentions may be assigned at the discretion of the teacher and are to be served in accordance with the teacher's guidelines.
- **DETENTION FOR REFERRALS**  
These are assigned for excessive violations of the Code of Conduct. These detentions are generally completed on Thursday mornings, from 7:00 a.m. to 7:45 a.m. and are assigned at the discretion of the Administration. If a student misses a detention he/she will be assigned additional detention time or other consequences. Please note: detentions may involve students cleaning up the building or school grounds. Missing multiple opportunities to complete detention may result in a one day suspension.

### **LATE ARRIVAL TO DETENTION**

Students who are more than five minutes late to detention will not be admitted to the detention room. Multiple late arrivals may result in suspension.

**Failure to Comply with Regulations:** A student's failure to comply with the consequences assigned by any member of the faculty because of their behavior may result in a disciplinary hearing at which the enrollment status of the student will be reviewed.

### **SUSPENSION**

Certain members of the administrative team, in accordance with the policies listed under Level I and Level II behaviors may suspend students from school. Students who are suspended will have the opportunity to make up missed work.

- Any student who is suspended is not allowed on school property and may not participate in or attend sporting events, club meetings, fine arts performances, and/or any other school-sponsored activity for the duration of his/her suspension.
- To be re-admitted to school, a meeting including parents/legal guardian and a member of the administrative team may be required.
- Students who are suspended during the academic year may be denied permission to go on off campus trips depending on the discretion of both teachers and administration.

### **DISCIPLINE HEARING**

**In certain disciplinary situations, a discipline hearing may be conducted to give the Administration the opportunity to hear all sides of a situation in considerable detail.** Discipline hearings may consist of a committee that is comprised of Black River teachers, administrators or their designees. Discipline hearings are closed to all but those persons immediately involved from the Black River community. Because of the seriousness nature of the deliberations, the parents or legal guardians should be present.

**The purpose of the discipline hearing is to provide the student with a "fair hearing" in the eventuality that expulsion is under consideration.** Expulsion is a decision made by the Head of School in consultation with members of the hearing committee and other administrators. A student and his/her parents or legal guardian may always choose to request a hearing where they can state their position.

#### **General guidelines for discipline hearing:**

1. Notice of the reason for the hearing and the range of possible penalties will be given to the student and, whenever possible, the parents/guardians prior to the hearing taking place.
2. The student will be given the opportunity to present his/her version of the situation at hand.
3. The student's parents/guardians will be given the opportunity to offer input at the hearing.
4. The student and parents/guardians will be informed of the findings of the hearing committee.

### **DISCIPLINARY PROBATION (BEHAVIOR PLAN)**

Serious acts of irresponsibility demand greater accountability and more directed efforts toward correction.



The process of the behavior plan/disciplinary probation puts the student and parent/guardian on notice that any failure to live up to specific terms of the plan may lead to immediate dismissal of the student from Black River.

The Behavior Plan/Probation procedure usually takes the following form:

1. There is a meeting with the student, the parents, and members of the Discipline Committee.
2. A student is assigned a determined period of time to give evidence that his/her behavior and attitude have improved and are consistent with the expectations of the Black River Public School community.
3. **Social Probation:** restricted conditions may be placed on his/her participation in school life. This may include alternative lunch settings and limitation of extracurricular activities.
4. In some cases, professional counseling may be recommended outside of school.
5. The student, his/her parents and a member of the Discipline Committee sign an agreement specifying the conditions of the probation.
6. If the student commits a serious violation during the period of the behavior plan/probation the Discipline Committee will review the student's discipline record and the student may be expelled.
7. Toward the end of the period of behavior plan/probation, an evaluation of student behavior may be required of all of the student's teachers. The case will then be reviewed by the Discipline Committee. On the basis of the evidence, the Discipline Committee will decide whether to recommend that the period be extended or that more serious action be taken.

## **EXPULSION**

**Enrollment at Black River Public School is by parental choice, and for that reason a student who attends Black River agrees to follow the rules set down by the Black River School Administration and School Board.**

In every school there must be ultimate limits set beyond which no one can go without seriously affecting the common good of the school. At Black River, any student whose irresponsible behavior approaches these limits, either by the severity of a single act or by repeated history of violations, may be considered for expulsion from the school. Due process will be granted to the student prior to the expulsion.

The Head of School has the final authority in all matters involving student discipline. If the student or parent(s) would like to appeal the final decision of the Head of School (especially in the case of dismissal from the school), three members of The Board of Trustees, appointed by the President of the Board of Trustees, will act as an Appeal Board. Alternatively, at the student's or parent(s)' request, an appeal can be made to the entire Board of Trustees. In either case, the decision by the committee or the Board is binding and final.

### **What are PA102 and PA104?**

**These are public acts of Michigan State law governing expulsions and suspensions from public schools.**

### **Types of expulsions to be reported:**

Required mandatory expulsions from all public schools include: arson, weapons, criminal sexual assault and physical assaults on staff (PA104) require mandatory suspension or expulsion up to 180 days where other districts may, but are not required to accept students. Verbal assaults against staff (PA104) and physical assaults on other students (PA102) are defined by the Michigan Department of Education Pupil Accounting Manual and the Black River Public School Board of Trustees policy.

## **BLACK RIVER PUBLIC SCHOOL POLICY ON SEARCHES OF LOCKERS AND LOCKER -CONTENTS**

## **LOCKERS ARE SCHOOL PROPERTY**

All lockers assigned to students are the property of Black River Public School. At no time does the school relinquish its exclusive control of its lockers. The Head of School or his/her designee shall have custody of all combinations to all lockers or locks. Students are prohibited from placing locks on any locker without advance approval of the Head of School or his/her designee.

## **LEGITIMATE USE OF SCHOOL LOCKERS**

The school assigns lockers to its students for the students' convenience and temporary use. Students are to use lockers exclusively to store school-related materials and authorized personal items such as outer garments, footwear, grooming aids, or lunch. Students shall not use the lockers for any other purpose, unless specifically authorized by school board policy or the Head of School or his/her designee, in advance of students bringing the items to school. Students are solely responsible for the contents of their lockers and should not share their lockers with other students, nor divulge locker combinations to other students, unless authorized by the Head of School or his/her designee.

## **SEARCH OF LOCKER CONTENTS**

Random searches of school lockers and their contents have a positive impact on deterring violations of school rules and regulations, ensure proper maintenance of school property, and provide greater safety and security for students and personnel. Accordingly, the Board of Trustees authorizes the Head of School or his/her designee to search lockers and locker contents at any time, without notice, and without parental/guardianship or pupil consent.

The Head of School or his/her designee shall not be obligated, but may request the assistance of a law enforcement officer in conducting a locker search. The Head of School or his/her designee shall supervise the search. In the course of a locker search, the Head of School or

his/her designee shall respect the privacy rights of the pupil regarding any items discovered that are not illegal or against school policy and rules.

### **SEIZURE**

When conducting locker searches or backpack searches, the Head of School or his/her designee may seize any illegal or unauthorized items, items in violation of The Board of Trustees policy or rules, or any other items reasonably determined by the Head of School or his/her designee to be a potential threat to the safety or security of others. Such items include, but are not limited to the following: firearms, explosives, dangerous weapons, flammable material, illegal controlled substances or controlled substance analogues or other intoxicants, contraband, poisons, and stolen property. Law enforcement officials shall be notified immediately upon seizure of such dangerous items, or seizure of items that schools are required to report to law enforcement agencies under the Statewide School Safety Information Policy. Any items seized by the Head of School or his/her designee shall be removed from the locker and held by school officials for evidence in disciplinary proceedings and/or turned over to law enforcement officials. The parent/guardian of a student shall be notified by the Head of School or his/her designee of items removed from the locker.

### **NOTICE OF POLICY:**

A copy of the Black River Public School Board of Trustees policy regarding locker searches can be accessed on line at: [www.blackriverpublicschool.org](http://www.blackriverpublicschool.org).

### **STUDENT CELL PHONE USAGE:**

Cell phones are not to be used/visible during class time unless a teacher instructs students to use them for class work. If a student has a question regarding whether or not they may use a phone, they must ask a faculty member. If a phone is being used without expressed permission, a faculty member shall confiscate the phone.

Please refer to prohibited items section of the Student Handbook regarding confiscation/return policy.

**If suspicious activities are suspected of occurring on a student's cell phone parents and/or law enforcement will be contacted.**

### **REFERENCES:**

*The Revised School Code*, MCL 380.1306, 2000 PA 87 (Locker Searches)  
*Jersey v. T.L.O.*, 469 U.S. 325 (1985),  
U.S. Constitution Amendment IV.

# **BLACK RIVER PUBLIC SCHOOL ACCEPTABLE USE POLICY**

### **ACCEPTABLE USE POLICY**

Black River Public School has developed a comprehensive policy to establish acceptable use of the School's computers in regards to the School's networks and the larger Internet.

### **ELECTRONIC COMMUNICATIONS SYSTEM**

The Board of Black River Public School (BRPS) is committed to the development and establishment of a quality, equitable and cost effective electronic communications system referred to as the *Network*. The system's sole purpose shall be for the advancement and promotion of teaching, learning and the school's mission. BRPS's system will be used to provide statewide, national and global communications opportunities for staff and students.

### **Educational Purpose**

1. *The Network* has been established for a limited educational purpose. The term "educational purpose" includes classroom activities, career development, and limited high-quality personal research.
2. *The Network* has not been established as a public access service or a public forum. BRPS has the right to place restrictions on the material you access or post through the system. You are also expected to follow the rules set forth in BRPS student conduct regulations and the law in your use of *the Network*.
3. You may not use *the Network* for commercial purposes. This means you may not offer, provide, or purchase products or services through *the Network*.
4. You may not use *the Network* for political lobbying. But you may use the system to communicate with elected representatives and to express your opinion on political issues.

### **Unacceptable Uses**

1. **Personal Safety**
  - a. You will not post personal contact information about yourself or other people. Personal contact information includes

your address, telephone, school address, work address, etc.

- b. You will not agree to meet with someone you have met on-line without your parent's approval. Your parent should accompany you to this meeting.
- c. You will promptly disclose to your teacher or other school employee any message you receive that is inappropriate or makes you feel uncomfortable.

## 2. **Illegal Activities**

- a. You will not attempt to gain unauthorized access to *the Network* or to any other computer system through *the Network* or go beyond your authorized access. This includes attempting to log in through another person's account or access another person's files. These actions are illegal, even if only for the purposes of "browsing".
- b. You will not make deliberate attempts to disrupt the computer system or destroy data by spreading computer viruses or by any other means. These actions are illegal.
- c. You will not use *the Network* to engage in any other illegal act, such as arranging for a drug sale or the purchase of alcohol, engaging in criminal gang activity, threatening the safety of person, etc.

## 3. **System Security**

- a. You are responsible for your individual account and should take all reasonable precautions to prevent others from being able to use your account. Under no conditions should you provide your password to another person.
- b. You will immediately notify a teacher or the system administrator if you have identified a possible security problem. Do not go looking for security problems, because this may be construed as an illegal attempt to gain access.

## 4. **Inappropriate Language**

- a. Restrictions against Inappropriate Language apply to public messages, private messages, and material posted on Web pages.
- b. You will not use obscene, profane, lewd, vulgar, rude, inflammatory, threatening, or disrespectful language.
- c. You will not post information that could cause damage or a danger of disruption.
- d. You will not engage in personal attacks, including prejudicial or discriminatory attacks.
- e. You will not harass another person. Harassment is persistently acting in a manner that distresses or annoys another person. If you are told by a person to stop sending them messages, you must stop.
- f. You will not knowingly or recklessly post false or defamatory information about a person or organization.

## 5. **Respect for Privacy**

- a. You will not repost a message that was sent to you privately without permission of the person who sent you the message.
- b. You will not post private information about another person.

## 6. **Respecting Resource Limits**

- a. You will use the system only for educational and career development activities and limited, high-quality, personal research.
- b. You will not download large files. You will not waste paper by printing unnecessarily or by printing material that is not for educational use at BRPS.
- c. You will not post chain letters or engage in "spamming". Spamming is sending an annoying or unnecessary message to a large number of people.

## 7. **Plagiarisms and Copyright Infringement**

- a. You will not plagiarize works that you find on the Internet. Plagiarism is taking the ideas or writings of others and presenting them as if they were yours.
- b. You will respect the rights of copyright owners. Copyright infringement occurs when you inappropriately reproduce a work that is protected by a copyright. If a work contains language that specifies appropriate use of that work, you should follow the expressed requirements. If you are unsure whether or not you can use a work, you should request permission from the copyright owner. Copyright law can be very confusing. If you have questions ask a teacher.

## 8. **Inappropriate Access to Material**

- a. You will not use *the Network* to access material that is profane or obscene (pornography), that advocates illegal or dangerous acts, or that advocates violence or discrimination towards other people (hate literature). A special exception may be made if the purpose of your access is to conduct research and both your teacher and parent have approved.
- b. If you mistakenly access inappropriate information, you should immediately tell your teacher or another BRPS employee. This will protect you against a claim that you have intentionally violated this Policy.
- c. Your parents should instruct you if there is additional material that they think it would be inappropriate for you to access. BRPS fully expects that you will follow your parent's instructions in this matter.

## 9. **Black River Public School Policy on Social Networking site activity that occurs during non-school time:**

Student activity that occurs on Social Networking Sites or the Internet in general outside of the school day will be considered to be the responsibility of individual parents and legal guardians and as necessary law enforcement.

Social Networking sites offer administrative contacts for individual sites where concerned parents may report abuses or inappropriate content. If content is determined to be illegal parents should contact local law enforcement and file an official police report. It should be noted that the content on Social Networking Sites is at times easy to alter and manipulate, and due prudence and diligence should be taken when evaluating material.

**Social Network content and communication that occurs outside of the school day will result in school involvement if:**

- The site refers to an act of violence to be planned or brought to fruition at school or a school related event.
- The site refers to an illegal activity that is scheduled to occur on school premises or a school related event.

In both cases if the threat is deemed to be legitimate by the administrative team, law enforcement may be contacted.

## **Student Rights**

### 1. **Search and Seizure**

- a. You should expect only limited privacy in the contents of your personal files on BRPS system and records of your on-line activity. The situation is similar to the rights you have in the privacy of your locker.
  - b. Routine maintenance and monitoring of *the Network* may lead to discovery that you have violated this Policy, BRPS student conduct regulations or the law.
  - c. An individual search will be conducted if there is reasonable suspicion that you have violated this Policy, BRPS student conduct regulations or the law. The investigation will be reasonable and related to the suspected violation.
  - d. Your parents have the right at any time to request to see the contents of your e-mail files.
2. **Due Process**
- a. BRPS will cooperate fully with local, state, or federal officials in any investigation related to any illegal activities conducted through *the Network*.
  - b. In the event there is a claim that you have violated this Policy or BRPS student conduct regulations in your use of *the Network*, you will be provided with notice an opportunity to be heard in the manner set forth in BRPS student conduct regulations.
  - c. If the violation also involves a violation of other provisions of BRPS student conduct regulations it will be handled in a manner described in BRPS student conduct regulations Additional restrictions may be placed on your use of the Internet.

**Limitation of Liability**

- 1. BRPS makes no guarantee that the functions or the services provided by or through BRPS system will be error-free or without defect. BRPS will not be responsible for any damage you may suffer, including but not limited to, loss of data or interruptions of service. BRPS is not responsible for the accuracy or quality of the information obtained through or stored on the system. BRPS will not be responsible for financial obligations arising through the unauthorized use of the system. You or your parents can be held financially responsible for any harm to the system as a result of intentional misuse.

**Summary**

The Internet is a global network that will provide your child with access to a wide range of information from throughout the world. Information from NASA, the US Library of Congress, and museums around the world are available through this system. Your child will also be able to communicate with other students from throughout the world. Use of the Internet for educational projects will assist in preparing your child for success in life and work in the 21st Century.

It is possible that your child may find material on the Internet that you would consider objectionable. BRPS **Acceptable Use Policy** restricts access to material that is inappropriate in the school environment. Although your student's use of the Internet will be supervised by staff and filtered by law, we cannot guarantee that your child will not gain access to inappropriate material. There may be additional kinds of material on the Internet that are not in accord with your family values. We would like to encourage you to use this as an opportunity to have a discussion with your child about your family values and your expectation about how these values should guide your child's activities while they are on the Internet.

You have the option of requesting that your child not be allowed access to the Internet. Please contact us if you have any questions or concerns.

**BLACK RIVER PUBLIC SCHOOL**  
***LIMITED OPEN FORUM***  
***EQUAL ACCESS AND OPPORTUNITY POLICY***

**LIMITED OPEN FORUM:** Black River Public School has a limited open forum whereby the School grants an offering to, and opportunity for, non-curriculum-related student groups to meet on BRPS premises during non-instructional time.

**Equal Access and Opportunity.** No non-curriculum-related group of students shall be permitted to meet on School premises unless all of the following *required meeting criteria* are met:

- (a) The meeting is voluntary and student-initiated.
- (b) There is no sponsorship of the meeting by the School, the government, or either's agents or employees.
- (c) Employees or agents of the School or government are present at religious meetings only in a non-participatory capacity.
- (d) The meeting does not materially and substantially interfere with the orderly conduct of educational activities within the school.
- (e) Persons not affiliated with the School may not direct, conduct, control, or regularly attend activities of student groups.

The preceding does not authorize the State of Michigan or Black River Public School or any other political subdivision of the State of Michigan to do any of the following:

- (1) Influence the form or content of any prayer or other religious activity.
- (2) Require any person to participate in prayer or other religious activity.
- (3) Expend public funds beyond the incidental cost of providing the space for student-initiated meetings.
- (4) Compel any School agent or employee to attend a school meeting if the content of the speech at the meeting is contrary to the beliefs of the agent or employee.
- (5) Sanction meetings that are otherwise unlawful.

- (6) Limit the rights of groups of students that are not of a specified numerical size.
- (7) Abridge the constitutional rights of any person.

The required meeting criteria do not limit the authority of School officials to maintain order and discipline on School premises, to protect the well-being of students and faculty, and to assure that attendance of students at meetings is voluntary. School administration has the authority to disband any group violating any of these precepts and to revoke the limited open forum privileges of students involved in violations.

**Definitions:** For the purposes of this policy:

“Meeting” includes those activities of student groups that are permitted the School’s limited open forum and are not directly related to the School curriculum. “Non-instructional time” means time set aside by the School before actual classroom instruction begins or after actual classroom instruction ends. “Black River Public School” and “the School” includes staff members and entities under contract with the School. “Sponsorship” includes the act of promoting, leading, or participating in a meeting. The assignment of a teacher, administrator, or other School staff member to a meeting for custodial purposes does not constitute sponsorship of the meeting.

Reference. **The Revised School Code, MCL 380.1299, 1976 PA 451 (Limited open forum; equal access and opportunity)**

The Board of Trustees of Black River Public School wishes to encourage parental participation in the affairs of the School, and the education of Black River students.

## **BLACK RIVER PUBLIC SCHOOL** **ADA NONDISCRIMINATION STATEMENT**

To the extent required by law, Black River Public School (a) will not discriminate against a qualified student on the basis of disability, (b) will make facilities accessible and usable to all students in accordance with applicable laws and regulations, (c) will provide free appropriate education at elementary and secondary levels, including nonacademic and extra-curricular services and activities, to qualified students with disabilities, and (d) will provide all students with the same health, welfare and other social services. For a copy of the school’s Americans with Disabilities Act Policy, please contact the Head of School.

## **BLACK RIVER PUBLIC SCHOOL** ***STUDENT ASSAULT POLICY***

The Board of Trustees of Black River Public School (the “School”) endeavors to ensure that the School is a safe place for teaching, learning and working. Physical, verbal or written assaults against school personnel and other students will not be tolerated. The Head of School or the Head of School’s designee will initiate appropriate disciplinary action for the following infractions:

**Physical Assaults Against School Personnel.** Physical assault is defined as intentionally causing or attempting to cause physical harm to another through force or violence. Any student in grade six or above who commits a physical assault against a School staff member or against a person engaged as a volunteer or contractor for the School on school property or at a school-sponsored activity or event shall be permanently expelled, subject to possible reinstatement under Subsection 5 of Section 1311a of the Revised School Code (MCL 380.1311a (5)).

**Physical Assaults Against Students.** Any student in grade six or above who commits a physical assault against another student on school property or at a school-sponsored activity or event shall be suspended or expelled, depending upon the circumstances, for up to one hundred eighty (180) days. Physical assault is defined as intentionally causing or attempting to cause physical harm to another through force or violence.

**Verbal/Written Assaults.** Any student in grade six or above who commits a verbal or written assault on school property or at a school-sponsored activity or event against a student, school staff member or volunteer shall be suspended or expelled for up to one hundred eighty (180) days. The Board may modify the expulsion period on a case-by-case basis. For the purpose of this policy, verbal/written assaults shall be defined by the Head of School as a willful and serious threat to inflict injury or harm upon another individual. Verbal and written bomb threats directed at the school building, school property or a school event fall under the jurisdiction of this policy.

**Application of Policy for Students.** This policy shall be applied in a manner consistent with the rights secured under federal and state law to students who are determined to be eligible for special education programs and services.

**Reinstatement.** The parent/guardian/emancipated youth may petition the Board of Trustees for reinstatement to the School. The parent/guardian/emancipated youth may be required to have a re-admittance hearing prior to a final determination on reinstatement. The Board of Trustees will provide all due process rights as defined by law and will make the final determination on a reinstatement request.

Reference. The Revised School Code, MCL 380.1311a, 1976 PA 451 (Assault by Pupil)

# EMERGENCY REMOVAL, SUSPENSION AND EXPULSION OF STUDENTS

Reference: MCL 380.1309; MCL 380.1312(8)&(9); MCL 37.1402; 20 USC §§ 5812, 5964, 5965, 7114, 7115, 7151; 42 USC § 290hh  
[Note: MCL 380.1311a was held to be unconstitutionally overbroad in *Smith ex rel. Smith v Mount Pleasant Public Schools*, 285 F Supp 2d 987 (ED Mich, 2003).]

Respect for law and for those persons in authority shall be expected of all students. This includes conformity to School rules as well as general provisions of law. Respect for the rights of others, consideration of their privileges, and cooperative citizenship also shall be expected of all members of the School community.

Respect for real and personal property; pride in one's work; achievement within the range of one's ability; and exemplary personal standards of courtesy, decency, and honesty should be maintained in the School.

The Educational Service Provider, through the Head of School, shall establish guidelines to carry out Board policy and philosophy, and shall hold all, staff assigned to the Academy by the employee leasing vendor, students, and parents responsible for the conduct of students at the School, in School vehicles, and at School-related events.

This Policy shall be included in the code of student conduct, which shall be reviewed periodically. This Policy shall comply with all applicable law. Any conflict between this Policy and applicable law shall be resolved in favor of applicable law.

The Board acknowledges that conduct is closely related to learning and that an effective instructional program requires an orderly School environment which is, in part, reflected in the behavior of students.

The Board requires each student of this School to adhere to the Code of Conduct established by the administration and to submit to such disciplinary measures as are appropriately assigned for infraction of those rules. Such rules shall require that students:

- Conform to reasonable standards of socially-acceptable behavior;
- Respect the person and property of others;
- Preserve the degree of order necessary to the educational program in which they are engaged;
- Respect the rights of others;
- Obey authority and respond to those who hold authority.

School administration shall designate sanctions, excluding corporal punishment, for the infraction of rules which shall:

- Relate in kind and degree to the infraction;
- Help the student learn to take responsibility for his/her actions;
- Be directed, where possible, to reduce the effects of any harm which may have been caused by the student's misconduct.

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

For purposes of this policy, suspension is defined as the short-term (not more than ten (10) days) or long-term (for more than ten (10) days but less than permanent expulsion) of a student from a regular School program. The Head of School may suspend and/or expel a student and such long-term suspension and/or expulsion may be appealed to the Board.

For purposes of this policy, unless otherwise defined in Federal and/or State law, expulsion is defined as the permanent exclusion of a student from the School. Students who are expelled may petition for reinstatement as provided below.

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

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

In all cases resulting in short-term suspension, long-term suspension, or expulsion, appropriate due process rights must be observed.

## **FACTORS TO BE CONSIDERED BEFORE SUSPENDING OR EXPELLING A STUDENT**

Except as otherwise noted below with respect to possession of a firearm in a weapon free school zone, if suspension or expulsion is considered, the Educational Service Provider, through the Head of School, shall consider the following factors:

- a. the student's age
- b. the student's disciplinary history
- c. whether the student has a disability
- d. the seriousness of the violation or behavior
- e. whether the violation or behavior committed by the student threatened the safety of any student or staff member
- f. whether restorative practices will be used to address the violation or behavior
- g. whether a lesser intervention would properly address the violation or behavior

The Educational Service Provider, through the Head of School, will exercise discretion over whether or not to suspend or expel a student. In exercising that presumption that a suspension or expulsion is not justified unless the Educational Service Provider, through the Head of School, can demonstrate that it considered each of the factors listed above. For a suspension of ten (10) days or fewer, there is no rebuttable presumption, but the Educational Service Provider, through the Head of School, will still consider the factors.

### **RESTORATIVE PRACTICES**

If the Academy determines that it will utilize restorative practices in addition to or as an alternative to suspension or expulsion of a student, it will use restorative practices which emphasize repairing the harm to the victim and school community caused by the student's misconduct.

Restorative practices may include victim-offender conferences that:

- a. are initiated by the victim;
- b. are approved by the victim's parent or legal guardian, or by the victim if at least fifteen (15);
- c. are attended voluntarily by the victim, a victim advocate, the offender, members of the school community and supporters of the victim and the offender (the "restorative practices team");
- d. would, by way of illustration and not limitation, provide an opportunity for the offender to accept responsibility for the harm caused to those affected and to participate in setting consequences to repair the harm, such as requiring the student to apologize; participate in community service; restoration of emotional or material losses, and/or counseling; pay restitution or any combination of the above

The selected consequences and time limits for the completion will be incorporated into an agreement to be signed by all participants.

### **Persistent Disobedience or Gross Misconduct**

A student may be removed from the classroom, suspended or expelled for persistent disobedience or gross misconduct. A student may not be expelled or excluded from regular school program based on pregnancy status.

It is recognized that exclusion from the educational programs of the Academy, whether by suspension or expulsion, is the most severe sanction that can be imposed on a student and cannot be imposed without due process. It is also recognized that it may be necessary for a teacher to remove a student from class for conduct disruptive to the learning environment, for up to 24 hours without a prior hearing unless the emergency removal may result in a suspension.

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

For purposes of this policy, unless otherwise defined by Federal and/or State law, expulsion is defined as the permanent exclusion of a student from the Academy. Students who are expelled may petition for reinstatement as provided herein.

The Head of School may suspend a student for a period of longer than ten (10) days or expel a student. The Board shall act on any appeal to the decision.

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

A student may be removed from a class, subject or activity for one (1) day by his/her teacher for certain conduct as specified in the Code of Conduct or he/she may be given a short-term suspension by the Head of School. A student so removed may not be allowed to attend other classes taught by other teachers during the term of the one (1) day removal. A student removed from the same class for ten (10) days will receive a due process hearing for each suspension beyond ten (10) days, consistent with required due process for long-term suspensions.

Due process rights shall be followed in all cases resulting in short-term suspension, long-term suspension or expulsion.

The Educational Service Provider, through the Head of School, shall develop procedures to implement this policy that shall include:

- a. Strategies for providing special assistance to students in danger of being expelled and not achieving the academic outcomes of the Academy's core curriculum;
- b. Standards of behavior for all students in accordance with Academy Board policy on student discipline;
- c. Procedures that ensure due process; and
- d. Provisions for make-up work at home, when appropriate.

**PERMANENT EXPULSION**

The Board will not tolerate behavior that creates an unsafe environment or a threat to safety.

Students with disabilities under IDEA or Section 504 shall be expelled only in accordance with their rights under federal law.

**Physical Assault**

Unless a different determination is made pursuant to the terms of this Policy, a student in grade six or above shall be permanently expelled and a student in grade 5 or below may be permanently expelled, at the Academy's discretion, if that student commits physical assault at the School against a staff member, a volunteer, or a contractor. Physical assault is defined as intentionally causing (or attempting to cause) physical harm to another through force or violence.

**Verbal Assault**

Unless a different determination is made pursuant to the terms of this Policy, a student in grade six or above shall be suspended for a period of time or expelled and a student in grade 5 or below may be suspended or permanently expelled, at the Academy's discretion, if the student commits verbal assault at the School against a staff member, a volunteer, or a contractor or makes a bomb threat (or similar threat) directed at the building, property, or a School-related activity. Verbal assault is a communicated intent to inflict physical or other harm on another person, with a present intent and ability to act on the threat.

**Weapons, Arson Criminal Sexual Conduct**

In compliance with state and federal law, and unless a different determination is made pursuant to the terms of this Policy, any student may be expelled (unless as noted below) who possesses a dangerous weapon, other than a firearm, in the School's weapon-free school zone or commits either arson or criminal sexual conduct in a School building or on School property, including School buses and other School transportation.

In accordance with state and federal law, the Academy shall expel any student who possesses a firearm in the Academy's weapon-free school zone in violation of State law, or Board Policy in violation of State law, unless the student can establish mitigating factors as explained below, by clear and convincing evidence.

For purposes of this policy, a "dangerous weapon" is defined by law as a firearm, dagger, dirk, stiletto, knife with a blade over three (3) inches in length, pocket knife opened by a mechanical device, iron bar, or brass knuckles. This definition also includes other devices designed to (or likely to) inflict bodily harm, including, but not limited to, air guns and explosive devices. The term "firearm" is defined as any weapon (including a starter gun) that will, is designed to, or may readily be converted to expel a projectile by the action of the explosive, the frame, or the bearer of any such weapon, as well as a firearm muffler, firearm silencer, or any such destructive device.

A student need not be expelled for possession of a dangerous weapon, including a firearm, if the student can establish in a clear and convincing manner the following to:

- The object or instrument was not possessed for use as a weapon, or for direct (or indirect) delivery to another person for use as a weapon;
- The weapon was not knowingly possessed;
- The student did not know (or have reason to know) that the object or instrument in his/her possession constituted a dangerous weapon; or
- The weapon was possessed at the suggestion, request, direction of, or with the express permission of the Head of School or the police.

There is a rebuttable presumption that expulsion for possessing the weapon is not justified if the Educational Service Provider, through the Head of School, determines in writing that the student has established that he/she fits under one of the exceptions above by clear and convincing evidence and the student has no history of suspension or expulsion.

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

The Head of School shall ensure the expulsion is duly noted in the student's record, the student is referred to the Department of Human Services or Department of Community Health within three (3) school days after the expulsion, and the parents are informed of the referral. Furthermore, if a student who is expelled is below the age of sixteen (16), the Head of School shall ensure notification of the expulsion is given to the Juvenile Division of the Probate Court. In compliance with federal law, the Head of School shall also refer any student (regardless of age) expelled for possession of a dangerous weapon to the criminal justice or juvenile delinquency system serving the School. In addition, the Head of School shall send a copy of this policy to the State Department of Education and shall include a description of the circumstances surrounding the expulsion of the student for possessing a firearm or weapon in the School's weapon-free school zone, together with the name of the School, the number of students so expelled, and the types of firearms or weapons brought into the weapon-free school zone.



A student expelled under this policy may apply for reinstatement in accordance with the following guidelines:

- A. If the student is in grade five (5) or below at the time of the expulsion and was expelled for possessing a firearm or threatening another person with a dangerous weapon, the parents, legal guardian, adult student, or emancipated minor may submit a request for reinstatement after sixty (60) school days from the date of expulsion, but the student may not be reinstated before ninety (90) school days from the expulsion date.
- B. If the student is in grade five (5) or below at the time of the expulsion and was expelled for a reason other than possessing a firearm or threatening another person with a dangerous weapon, the parents, legal guardian, adult student, or emancipated minor may submit a request for reinstatement at any time, but the student may not be reinstated before ten (10) school days from the expulsion date.
- C. If the student is in grade six (6) or above at the time of the expulsion, the parents, legal guardian, adult student, or emancipated minor may submit a request for reinstatement after 150 school days from the date of the expulsion, but the student may not be reinstated before 180 school days from the expulsion date.
- D. The parent, adult student, or emancipated minor shall submit the request for reinstatement to the Head of School.
- E. Within ten (10) school days, the Head of School shall submit the request, together with any other information he/she deems pertinent, to a School Board appointed committee consisting of two (2) Board members, a school administrator, a teacher, and a School-parent representative.
- F. Within ten (10) school days after being appointed, the committee shall review all pertinent information and submit its recommendation to the School Board. The recommendation may be for unconditional reinstatement, conditional reinstatement, or non-reinstatement, based on the committee's consideration of the following:
  1. The extent to which reinstatement would create a risk of harm to students or School staff;
  2. The extent to which reinstatement would create a risk of School or individual liability for the School Board or School staff;
  3. The age and maturity of the student;
  4. The student's school record before the expulsion incident;
  5. The student's attitude concerning the expulsion incident;
  6. The student's behavior since the expulsion and the prospects for remediation;
  7. The degree of cooperation and support the parent has provided and will provide if the student is reinstated (if the request was filed by a parent), including, but not limited to the parent's receptiveness toward any conditions placed on the reinstatement. Such conditions, for example, might include a written agreement by the student and/or a parent who filed the reinstatement request to accomplish the following:
    - a. abide by a behavior contract involving the student, his/her parents, and an outside agency;
    - b. participate in an anger management program or other counseling activities;
    - c. cooperate in processing and discussing periodic progress reviews;
    - d. meet other conditions deemed appropriate by the committee;
    - e. accept the consequences for not fulfilling the agreed upon conditions.
  8. The committee may also allow the parent, adult student, or emancipated minor to propose conditions as part of the request for reinstatement.

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

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

The Head of School shall ensure School Board policies and guidelines regarding a student's rights to due process are followed when dealing with a possible expulsion under this policy.

### **IN-SCHOOL DISCIPLINE**

The purpose of this policy is to provide an alternative to out of school suspension. The availability of in-school discipline options is dependent upon the financial ability of the Board to support such a program.

In-school discipline will only be offered at the discretion of the Head of School for offenses found in the Student Code of Conduct.

The Head of School is to establish guidelines for the proper operation of such a program and to ensure appropriate due-process procedures are followed as applicable. (See BP 5630.01)

### **DUE PROCESS RIGHTS**

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

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

Students subject to short-term suspension:

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

Students subject to long-term suspension and expulsion:

A student and his/her parent or guardian must be given written notice of the intention to suspend or expel and the reasons therefore, and meet with the Head of School for the due process hearing. If the decision is to expel or issue a long-term suspension, the parent(s) of the student or an emancipated minor may appeal the initial determination to the School Board with a representative. The student and/or his/her guardian must also be provided a brief description of the student's rights and the hearing procedure, a list of the witnesses who will provide testimony to the School Board, and a summary of the facts to which the witnesses will testify. At the student/parent's request, the hearing shall be held in closed session, but the Board must act publicly. The Board shall act by providing a written decision on any appeal of an expulsion, a request for reinstatement, or a request for admission after permanent expulsion from another school.

The Head of School is expected to develop guidelines to ensure all members of the staff use the above guidelines when dealing with students. In addition, this statement of due process rights shall be placed in all student handbooks, in a manner that facilitates understanding by students and their parents.

**CORPORAL PUNISHMENT**

While recognizing that students may require disciplinary action in various forms, the School Board does not condone the use of unreasonable force and fear as an appropriate procedure in student discipline.

Staff shall not use physical force or violence to compel obedience. If all other means fail, staff members may always resort to the removal of the student from the classroom or School through suspension or expulsion procedures.

Within the scope of their employment, all staff may use reasonable force and apply restraint to accomplish the following:

- A. restrain or remove a student who refuses to comply with a request to behave or report to the office;
- B. quell a disturbance threatening physical injury to self or others;
- C. obtain possession of weapons or other dangerous objects within the control of the student, for either self-defense; or
- D. the protection of persons or property.

In accordance with State law, corporal punishment shall not be permitted. If any staff member (full-time, part-time, or substitute) deliberately inflicts, or causes to be inflicted, physical pain upon the student (by hitting, paddling, spanking, slapping or any other kind of physical force) as a means of discipline, the staff member may be subject to discipline and possibly criminal assault charges. This prohibition also applies to volunteers and those with whom the School contracts for services.

The Head of School shall provide guidelines, including a list of alternatives to corporal punishment.

**REMOVAL, SUSPENSION AND EXPULSION OF STUDENTS WITH DISABILITIES**

The School shall abide by federal and state laws in matters relating to discipline, suspension, and expulsion of disabled students.

Adopted: June 26, 2017

# **Positive Behavioral Interventions and Support at Black River Public School**

## **An Overview**

Positive Behavioral Interventions and Support, or P.B.I.S., is an approach to behavior management that focuses on increasing appropriate behavior and decreasing problematic behavior for all students. P.B.I.S. addresses the behavioral needs of all students with proven, easy-to-implement strategies and fosters an overall improved school atmosphere for students and teachers.

P.B.I.S methods are research-based and have been proven to significantly reduce the occurrence of problem behaviors. The three key components of a P.B.I.S system involve:

- Clearly defining and teaching a set of behavioral expectations for all school areas (classroom, hallway, lyceum, etc.)
- Consistently acknowledging and rewarding appropriate behavior
- Consistently and constructively addressing problematic behavior

The purpose of this overview is to inform you, as parents, about how these components will be utilized at Black River Public School. The

ultimate goal of implementing P.B.I.S is to increase student academic performance, increase safety, decrease problem behavior, and establish a positive school climate through these research-based strategies and systems.

## **Key Component #1: Behavioral Expectations**

The purpose of clearly defining and displaying behavioral expectations is to conscientiously promote core values and ensure that all students know exactly how they are expected to behave in all areas of the school. Additionally, it allows all staff to be knowledgeable and consistent regarding the expected behaviors of students. By developing and identifying universal positive behavior expectations, the school will create a common language for all students and staff. This common language will serve to greatly reduce confusion, discrepancies, and uncertainty for students and staff concerning behavioral expectations.

There are four core values for expected behavior at BRPS. They are:

**BE**

**Respectful**  
**Accountable**  
**Teachable**  
**Safe**

BRPS has defined expected behaviors for these core values for the following areas: Classroom, Bathroom, Hallway, Gymnasium/Soccer Field, Computer Lab, Lyceum, and Arrival/Dismissal

	<b>Classroom</b>	<b>Bathroom</b>	<b>Hallways</b>	<b>Gymnasium/Soccer Field</b>
<b>Be Respectful</b>	<p>Use kind words and actions</p> <p>Listen when others are speaking</p> <p>Respect personal space</p> <p>Enter classroom only when teacher is present</p>	<p>Only go when needed</p> <p>Give privacy</p> <p>Respect personal space</p>	<p>Use kind words and actions</p> <p>Use appropriate language and tone</p> <p>Use indoor voice</p> <p>Enter classroom only when teacher is present</p>	<p>Use kinds words and actions</p> <p>Respect personal space</p> <p>Be a good audience</p>
<b>Be Accountable</b>	<p>Use work time productively</p> <p>Complete homework and in-class work on time</p> <p>Be prepared with all materials</p>	<p>Keep bathroom clean</p> <p>Take shortest path to/from nearest bathroom</p>	<p>Discourage bullying behavior and gossip</p> <p>Get to class on time</p> <p>Keep hallways clean</p>	<p>Clean up your area before leaving</p> <p>Use equipment only with permission</p>
<b>Be Teachable</b>	<p>Follow all adult directions first time given</p> <p>Be willing to discuss problems at appropriate times</p> <p>Arrive on time</p>	<p>Sign in/sign out from class with permission</p>	<p>Follow all adult directions first time given</p> <p>Use passing time to get materials and use bathroom</p>	<p>Be a positive role model for other students</p> <p>Exhibit good sportsmanship</p>
<b>Be Safe</b>	<p>Use and return equipment/materials properly</p> <p>Wait for teacher dismissal</p>	<p>Keep water in sink</p> <p>Wash hands</p> <p>Flush toilets</p>	<p>Report problems to staff</p> <p>Walk at all times</p> <p>Keep to the right</p> <p>Use only appropriate and careful contact</p>	<p>Enter/exit building in an orderly manner</p> <p>Use and store all equipment appropriately</p> <p>Sit on the bleachers</p>

	Computer Lab	Lyceum	Arrival/Dismissal
Be Respectful	<p>Use whisper voice</p> <p>Print only what is necessary</p> <p>Give Privacy</p> <p>Keep belongings in your work-space</p> <p>Use equipment appropriately</p>	<p>Use kind words and actions</p> <p>Use appropriate language and tone</p> <p>Use indoor voice</p> <p>Wait patiently in line</p>	<p>Use kind words and actions</p> <p>Use appropriate language and tone</p> <p>Use indoor voice before school and whisper voice after school</p> <p>Enter main building no earlier than 7:50AM</p> <p>Leave main building promptly at dismissal</p>
Be Accountable	<p>Use work time productively</p> <p>Use appropriate internet sites only</p> <p>Use computers for class work only</p> <p>Follow "Acceptable Use Policy" as shown in <i>Handbook</i></p>	<p>Clean up your area before leaving</p> <p>Keep track of own belongings</p> <p>Eat food only; don't play with it or throw it</p> <p>Eating outside is a privilege</p>	<p>Discourage bullying behavior and gossip</p> <p>Work quietly in lyceum after school hours</p> <p>Follow all posted after-school rules for Lyceum</p>
Be Teachable	<p>Follow all adult directions first time given</p> <p>Save work in multiple locations</p>	<p>Follow all adult directions first time given</p> <p>Dismiss to CAP Class from lunch area no earlier than 11:25 a.m.</p>	<p>Follow all adult directions first time given</p> <p>Be a positive role model for other students</p>
Be Safe	<p>Report all problems to staff</p> <p>Push in chair when finished</p> <p>Keep food and drinks out of lab</p>	<p>Report problems to staff</p> <p>Walk at all times</p> <p>Do not stand on bench or table</p>	<p>Report all problems to staff</p> <p>Enter/exit building in an orderly manner</p> <p>Use the crosswalks</p>

#### Encouraging Students to Embrace Positive Behavior Expectations

1. The first and easiest way to increase student success in following the expected behavior is to have posters in all areas of the school that clearly list all of the positive behaviors identified on the school expectations matrix.
2. Another important element for helping students to embrace the positive behavior expectations is through the direct teaching of the behaviors to all students at the beginning of the school year or semester.
3. The final element for assisting students in fully understanding and embracing the positive behavior expectations is to look for opportunities to affirm positive behavior and to use teaching/corrective responses when errors are observed.

## Key Component #2: Acknowledging/Reinforcing Positive Behavior

Positive acknowledgement and reinforcement systems will be concretely established within the school. This helps to ensure that higher percentages of students will more frequently demonstrate behaviors defined and taught through the expectations matrix.

There are five ways that the Middle School Teachers will be acknowledging and reinforcing positive behavior:

- 1) Positive Teacher Attention (4:1)
- 2) "Make a Student's Day" (CAP)
- 3) RATS Tickets/Individual Recognition
- 4) Weekly CAP award/trophy

1. Positive teacher attention is probably the simplest but most powerful form of positive acknowledgement/reinforcement to implement. To create a positive school climate, teachers should implement at least 4 positive interactions for every 1 corrective/negative interaction with students.
2. "Make a Student's Day" is a great way to share some positive feedback with parents about their child. Teachers may choose to provide a written acknowledgement/email or a phone call home to parents to share their positive observations about the student.
3. Staff Members (teachers, lunch help, etc.) distribute *RATS Tickets* to students who are displaying the expected behaviors. One day a week, 2 RATS Tickets per grade level will be drawn during middle school lunch in the lyceum. The students whose names are drawn will choose a fun and free/inexpensive reward such as an early pass for lunch or a prize from the prize box.
4. Each grade (sixth, seventh, and eighth) will have a "traveling" trophy. This fun trophy will be awarded to the CAP class that received the most RATS Tickets for their grade for the week. The CAP class will then be able to display this trophy in their room for the following week.

### Key Component #3: Consequences

Having consistent and predictable consequences is a vital factor in helping to reduce problem behavior in students. Having uniform consequences that will be used by ALL staff (classroom teachers, lunchroom staff, aides, etc.) is a simple and effective way to create a school climate where clear and predictable consequences are the norm.

All middle school students will have a *Signature Card* that will fit into a pocket in the planner. This card is for MINOR behavior infractions. It is important to note that the *Signature Card* is NOT for major behavior infractions. Whenever a student displays a major behavior infraction, he or she will skip the *Signature Card* and go right to a Referral to the Dean of Students. Major behavior infractions include Level Two Behaviors under the Middle School **DISCIPLINE** section.

This Signature Card **MUST BE WITH THE STUDENT AT ALL TIMES** during school hours. If a student loses his or her card or does not have this card when asked by any staff member and cannot produce the card by the following school day to the Dean of Students, it is an automatic detention. If extenuating circumstances exist a review will occur and detention may be negated.

Once a student gets 10 signatures on their Signature Card, he or she will receive detention as a consequence. The following minor behavior infractions will result in a staff signature on the Signature Card:

The Behavior Expectations that will warrant a staff signature if not followed are:

- 1) Use kind words and actions
- 2) Listen when other are speaking
- 3) Use work time productively
- 4) Follow all adult directions first time given
- 5) Clean up after one's self before leaving
- 6) Respect personal space
- 7) Use technology properly
- 8) Wait for teacher dismissal
- 9) Use and return materials/equipment properly
- 10) Sign in/sign out from class with permission

As we, the Middle School Faculty, strive to establish a positive school climate using the research-based strategies embedded in the Positive Behavioral Intervention Support program, we thank you for your partnership and support. By holding students accountable and by recognizing and affirming helpful, productive behavior, together, we can assist our students as they maximize their academic potential and increase their feelings of well-being. Go Rats!

# BLACK RIVER PUBLIC SCHOOL

## Adopted School Board Policies

### BLACK RIVER PUBLIC SCHOOL PROCEDURES FOR HANDLING INDIVIDUAL PERSONNEL CONCERNS

Black River Public School – its teachers, administrators, and Board – is committed to offering an excellent education for our students in an atmosphere that promotes learning and respect for all. We want to be held accountable to students, their parents, and employees for honoring these commitments. Doing so requires continual, honest communication. Sometimes, however, mistakes are made, feelings are hurt, and communications break down. The following guidelines are intended to facilitate feedback about concerns and resolution of differences.

#### **Principles to be adhered to by all parties:**

1. In order to utilize this procedure, no party to the complaint will involve the press or initiate legal and/or **administrative** proceedings before exhausting this procedure.
2. At any step, each party to the complaint may have one person accompany him/her (not an attorney), whose role will be to listen and to help the parties who have invited them to the meeting to articulate their concerns.

**STEP 1:** [Should be initiated within ten (10) business days of the incident or action about which there is a concern]. If you have a concern, first address yourself to the person(s) most directly involved. For example, if it is a matter regarding grading and classroom atmosphere, make arrangements to speak with the teacher(s) involved. The purpose of such a meeting is to share your concerns, listen to the other person's perspective, and see if together some resolution can be reached. If not, proceed to Step 2.

**STEP 2:** [Should be initiated within five (5) business days of the failure of Step 1.] Write down the issue that concerns you and what you would like to see done to resolve the problem [requested remedy] (anything from an apology to disciplinary action). Submit this to the same person you spoke with earlier (after making two copies). That person should respond to you within five (5) business days. If the two of you are still not able to resolve the matter, the Black River School employee should write out a description of his or her own perspective on the matter. Both written accounts should be forwarded to the person with the direct supervisory responsibility.

**Example Case A:** The written account should be given to the Head of School in the case of a complaint about a teacher. A meeting of concerned parties should be arranged within five (5) business days except during the summer recess or vacation period in which case the meeting will be scheduled as soon as practicable. The purpose of the meeting is to give extra support to help the parties resolve the problem. The conveyer of the meeting will act as mediator. His or her goal will be to help the parties come to a resolution of the matter. He or she will not be responsible for solving the problem, but will help the parties to do so.

**Example Case B:** The written account should be given to the Board President or his/her designee if the complaint is against the Head of School. The Board President or his/her designee will arrange for a meeting of the parties to the complaint.

If the issue is not resolved to the satisfaction of both parties to the complaint, either may take the matter to Step 3 by making a formal written request for a hearing to the Board President or his/her designee if the complaint is against the Head of School and to the Employer if the complaint is against a staff member other than the Head of School.

**STEP 3:** [This Step 3 only applies to complaints against the Head of School. Complaints against other staff members will be handled by the process in place by the Employer. This step should be initiated by the filing of the request for a hearing within ten (10) business days of the completion of Step 2].

A hearing may be arranged with the designated members of the Board as determined by the Board President. This may include a subcommittee of the Board or the entire Board as determined by the Board President. In either case, the hearing will be held consistent with the Open Meetings Act with the decision of the hearing panel (subcommittee or entire Board) being the final step in the administrative hearing process. The purpose of the meeting will be to determine a final resolution (dispensation) of the matter. This may be done either orally at the hearing (followed by a written summary) or in writing within a few days (no more than five (5) business days of the closing of the hearing.

To access current School Board Policies visit the Black River Website Transparency Reporting page at <http://www.blackriverpublicschool.org/content/transparency>. Printed copies are available on request.

Adopted: June 25, 2018

### **BOARD HEARING PROCESS FOR STEP 3** **COMPLAINTS OF PERSONNEL CONCERNS POLICY**

1. The hearing will commence at the time and date established by the Board President.
2. The complaint will be sent to the Complainants, Respondent and Board along with a copy of this Hearing Process and a copy of the relevant section of the Student Handbook.
3. Each Party to the complaint are entitled to bring one additional person, if so desired, to assist in articulating their respective concerns/responses regarding the complaint.
4. Since the hearing will be before the full Board of Directors, or as many of those Board members who can attend, it will require the posting of a Special Board meeting consistent with the Open Meetings Act.
5. The Open Meetings Act permits a person against whom a complaint has been filed to request the hearing be in closed session, Respondent will need to be notified and offered an opportunity to request a closed hearing. If a closed session is requested, the hearing may not be recorded or taped.
6. The Board President shall handle any questions of procedure.



7. Present at the hearing will be: The Board of Director members who are able to attend, legal counsel to the Board (at the discretion of the Board President), Complainants plus one additional person (non-attorney) if so desired, Respondent plus one additional person (non-attorney) if so desired. If the hearing is open to the public, anyone may sit in on the hearing. If the hearing is closed, no public shall be in attendance.

8. Once the hearing is called to order by the Board President, Complainants will be given the opportunity to present their complaint/concerns. Upon completion of the Complainants presentation, Respondent will have an opportunity to respond/rebut the allegations in the complaint.

9. The Board shall be entitled to ask questions as they arise but it is recommended that questions be held until after the respective presentation.

10. Each party will have an opportunity to rebut the presentation of the other party at the discretion of the Board President.

11. Following completion of the presentations and rebuttal, both parties and their additional person, if they have opted to have an additional person, will be excused from the hearing room and the Board will deliberate on the matter. If the hearing is conducted in open session, all parties may remain for the deliberation.

12. If the Board requests additional information following the presentation by the parties, it may request said information by a date specific and the hearing will remain open until that date at which time the hearing will be closed. Both parties will receive copies of any additional information presented to the Board.

13. Upon closing of the hearing, the Board may provide its final resolution (dispensation) of the matter either orally at the hearing, followed by a written summary, or in writing within a few days of the hearing but no longer than one week.

Adopted: June 25, 2018

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