

**Kearsley Community Schools**

# **Student Code of Conduct**



**2018-2019**

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## **INTRODUCTION**

In accordance with the State of Michigan laws, the Board of Education of Kearsley Community Schools has the authority to make reasonable rules and regulations relative to anything necessary for the proper establishment, maintenance, management and carrying on of the public schools of such district, including regulations relative to the conduct of students while in attendance at school or enroute to and from school.

A primary objective in developing this student code of conduct is to assist all students to develop into responsible individuals and good citizens. The goal of student discipline and management is to create an educational climate in which complete attention can be devoted to the teaching-learning process. Appropriate behavior and discipline in the schools is imperative for providing an atmosphere favorable for learning. The discipline and management of students must be treated as an individual matter. The most effective approach to discipline is preventative in nature. Consequently, parents, teachers and students must work cooperatively to direct students toward positive attitudes and behavior in school.

Kearsley Community Schools have implemented Positive Behavior Support. Students are taught specific behavior expectations in each building. The ultimate objective is to establish a school environment that enhances student growth in abilities, attitudes, and habits essential to acceptable and self-controlled behavior. An important aspect of the growth process is to gain a respect and appreciation for the established rules, regulations and consequences. Violations of these rules and regulations that are harmful to the educational process cannot be condoned or tolerated. While it is necessary to establish and enforce reasonable regulations in the school setting, students will be provided due process in accordance with state and federal laws. By implementing a policy of consistent enforcement of rules, it is hoped that disciplinary issues will be at a minimum and the focus will be on education and learning.

Kearsley Community Schools utilizes Restorative Practices. Restorative Practices means practices that emphasize repairing the harm to the victim and the school community caused by a student's misconduct. Before suspending or expelling any student (except a student who possesses a firearm in a weapon-free school zone), teachers, administrators, and the Board must first determine whether restorative practices would better address the student's misconduct, recognizing the Board's commitment to minimize out-of-school suspensions and expulsions. Likewise, when suspending or expelling a student, teachers, administrators, and the Board must consider whether restorative practices should be used in addition to the suspension or expulsion. Restorative Practices, which may include victim-offender conference, should be the first consideration to remediate offenses such as interpersonal conflicts, bullying, verbal and physical conflicts, theft, damage to property, class disruption, and harassment and cyberbullying.

### **I. DISCIPLINARY STEP SYSTEM**

- A. The disciplinary steps listed below shall be followed in the administration of disciplinary action. The steps are designed to:
  1. Provide the student with a program that includes ample opportunity for modification of the negative behavior.
  2. Provide consistency in the administration of disciplinary action - i.e., a fair program in that all students charged with the same level of misconduct will receive the same disciplinary action.
  3. Provide for clearly stated, advance knowledge to all students, parents, and staff members of the course of action to be taken in handling disciplinary matters.
  4. Provide a program that is progressive (moderate to most severe action).
- B. The steps shall be administered under the following conditions:
  1. Generally, interventions shall be taken prior to administrative disciplinary action. However, in cases of serious misconduct, interventions may occur simultaneously with administrative disciplinary action. Placement on the step system will be proportionate to the severity of the misconduct.
  2. Once a student is placed on the disciplinary steps, the student may, during the current school year, move to succeeding steps for each occurrence of misconduct. Movement on the steps will be proportionate to the severity of the misconduct.
  3. In recognition of good behavior, students' placement on the step system may be reduced one step when their behavior results in no administrative action, in accordance with the following schedule: The student's placement on the step system shall be reduced one step for each consecutive thirty (30) school days at the high school level, twenty (20) at the middle school, and fifteen (15) school days at the elementary level without misconduct requiring disciplinary action as described in this policy.
  4. With the start of a new school year, students who were placed on the step system in the prior year will return without any steps on their record. However, penalties to be served resulting from the prior school year step placement will be served within the first two (2) week period of the new school year.

C. Legal Basis for School Discipline

1. Michigan School Code of 1976, Article 2, Part 16, Section 380.1300, 380.1311
2. Various Court rulings which further define the role of the Board, administration and staff of schools.
3. Appendix A attached identifies additional areas of legal authority.

D. Minor Behavior Infractions

In conjunction with the Disciplinary Step System, teachers provide proactive strategies and interventions to modify minor discipline infractions in the classroom.

Failure to follow approved school and classroom rules which are consistent with Board policies and administrative procedures. These minor behavioral infractions may include:

- Defiance
- Disrespect
- Disruption
- Dress Code
- Inappropriate language
- Physical contact
- Property misuse
- Tardy
- Electronic devices
- Cheating / copying

After a minimum of three (3) but not more than five (5) infractions for which interventions have been taken and recorded (one of which will be a parent contact), a student will be placed onto the step system. Please note that significant or blatant infractions of these minor behavioral infractions may result in a discipline referral for a major behavioral infraction.

E. Disciplinary Steps

- |         |   |
|---------|---|
| Step 1  | Administrative conference with the student to include review of the disciplinary policy and procedures and notification that the next infraction of rules will result in action on at least the 2nd step. |
| Step 2  | Student / parent / teacher or administrative conference (can be done by phone)  |
| Step 3  | One-day (short-term) suspension   |
| Step 4  | Two-day (short-term) suspension   |
| Step 5  | Three-day (short-term) suspension   |
| Step 6  | Five-day (short-term) suspension  |
| Step 7  | Seven-day (short-term) suspension   |
| Step 8  | Ten-day (short-term) suspension   |
| Step 9  | Recommendation for long-term suspension and/or expulsion for misconduct not including possession of a dangerous weapon, arson or criminal sexual conduct.   |
| Step 10 | Mandatory expulsion for possession of dangerous weapon, arson or criminal sexual misconduct, physical assault on a school employee/volunteer/contractor (for students in grade six or above).             |

PLEASE NOTE:

For Steps 3 through 5, the building administrator may invoke the option of having the student serve suspension days through the in-school suspension / time out room if it is available in the building. Days are school days, not calendar days.

F. Major Behavior Infractions: Acts of student misconduct for which suspension and/or expulsion may be appropriate disciplinary action

The Board of Education hereby establishes the following categories of misconduct, which may result in suspension or expulsion from the Kearsley Community School District. These categories are generally descriptive of the most obvious types of misconduct and are not considered as all inclusive, or as a limitation upon the authority of school officials to deal appropriately with any other types of conduct which interfere with the good order of the school system, or the proper functioning of the educational process.

	<b>MAJOR BEHAVIORAL INFRACTION</b>	<b>Elementary</b>	<b>Secondary</b>
1	<b>DRESS</b> Failure to follow approved school attire based on the dress code identified in the Student Handbook.	Step 1-3	Step 2-4
2	<b>CHEATING</b> Students are prohibited from copying or allowing others to copy schoolwork.	Step 1-3	Step 2-8
3	<b>FORGERY / PLAGERISM</b> Fraudulent use of name, work, or other data of another person or the falsifying of information.	Step 1-3	Step 2-8
4	<b>DEFIANCE / INSUBORDINATION</b> Open, persistent defiance of authority and/or disregard of verbal instruction of school personnel.	Step 1-8	Step 2-8
5	<b>DISRESPECT</b> Socially rude or disrespectful messages to adults or students.	Step 1-6	Step 2-8
6	<b>DISRUPTION</b> Behavior causing an interruption to the learning environment. Includes sustained loud talk, yelling or screaming, horseplay or roughhousing and sustained out-of-seat behavior, etc. May involve acts of inciting or prompting others to cause a disruption.	Step 1-5	Step 2-6
7	<b>INAPPROPRIATE LANGUAGE</b> Verbal messages that include swearing, name calling or use of words in an inappropriate way.	Step 1-4	Step 2-9
8	<b>OFFENSIVE DISPLAY</b> Display, possession, distribution of drawings, graphics, video or printed material which tend to disrupt the orderly conduct of the educational process including but not limited to: Displays that glamorize behavior which is obscene, violent or illegal for students (guns, alcohol, drug use, images from electronic source or texting).	Step 1-4	Step 2-9
9	<b>INAPPROPRIATE SEXUAL BEHAVIOR</b> Verbal or non-verbal sexual innuendo, obscene gestures, leering, unwanted sexual advances or contact. Examples include: sexual remarks or suggestions, unsolicited and unwelcome flirtations, touching another person's clothing or person, display of sexually suggestive objects or pictures, etc.)	Step 1-4	Step 2-9
10	<b>PHYSICAL VIOLENCE without INJURY</b> Acts of physical aggression that does not result in injury. If one student initiates physical aggression and the other student does not respond with physical contact, the second student does not need to be placed on the step system.	Step 1-9	Step 2-9
11	<b>PHYSICAL VIOLENCE with INJURY</b> Incidents with injury include those in which one or more students, school personnel or other persons on school grounds require professional medical attention. Examples include stab or bullet wounds, concussions, fractured or broken bones, or cuts requiring stitches. Law enforcement authorities may be notified in cases of this misconduct.	Step 3-9	Step 4-9
12	<b>FIGHTING</b> Student mutually participates in an incident involving physical violence.	Step 3-8	Step 4-9
13	<b>VERBAL OR NON-VERBAL THREAT</b> Verbal or non-verbal threatening behaviors directed toward any student or adult.	Step 2-6	Step 2-9
14	<b>HARASSMENT</b> The delivery of disrespectful messages in any format related to gender, ethnicity, sex, race, religion, disability, physical features, or other protected class.	Step 1-9	Step 2-9
15	<b>BULLYING</b> Bullying is unwanted, aggressive behavior that involves a power imbalance.	Step 3-9	Step 3-9

	<p>Bullying can take the form of any written, verbal or physical act, or any electronic communication that is intended or that a reasonable person would know is likely to harm one or more students whether directly or indirectly by doing any of the following:</p> <ol style="list-style-type: none"> <li>1. Substantially interfering with educational opportunities, benefits or programs of one or more students;</li> <li>2. Adversely affecting a student's ability to participate in or benefit from the District's educational programs or activities by placing the student in reasonable fear of physical harm or by causing substantial emotional distress;</li> <li>3. Having an actual and substantial detrimental effect on a student's physical or mental health;</li> <li>4. Causing substantial disruption in, or substantial interference with, the orderly operation of school.</li> </ol>		
16	<p><b>OUT-OF-BOUNDS</b> Student in an unauthorized area in a school or not adhering to their behavior plan.</p>	Step 2-5	Step 2-6
17	<p><b>GANG RELATED</b> Student uses symbols, gesture, dress, speech, or other gang related behaviors to display affiliation with a gang.</p>	Step 1-4	Step 2-9
18	<p><b>SKIPPING</b> Student is in an unauthorized area, lingering aimlessly in or about school or leaving school grounds without authorization.</p>	Step 1-4	Step 2-9
19	<p><b>TARDY</b> Student is repeatedly late to class or the start of the school day. See specific Student Handbook for grade level expectations on tardy behaviors.</p>	Step 1-2	Step 2-3
20	<p><b>TECHNOLOGY VIOLATION</b> Any unauthorized use, misuse or access of any of the school district's electronic equipment including, but not limited to, voice, video, computers or use of the internet. In addition, student's must adhere to the Kearsley Community Schools <i>Acceptable Use Policy for Technology Resources</i> (see appendix). Restitution, repair or replacement of damaged property, and/or removal of computer privileges and/or possible loss of credit for the course may be required. Students may not engage in inappropriate use of cell phones, electronic devices or computers which may be disruptive to the educational process. See specific Student Handbook for grade level expectations on cell phone / electronic device use. In addition, student's must adhere to the Kearsley Community Schools <i>Acceptable Use Policy for Technology Resources</i> (see appendix).</p>	Step 2-9  Step 2-3	Step 2-9  Step 2-8
21	<p><b>TOBACCO</b> Possession or use of smoking or smokeless tobacco while on school property, in school owned vehicles, or at school events. This includes electronic cigarettes.</p>	Step 1-5	Step 3-8
22	<p><b>ALCOHOL</b> Consumption, possession or under the influence of alcoholic beverages on school property, school owned vehicles or at school events. Law enforcement authorities may be notified in cases of misconduct.</p>	Step 3-5	Step 5-9
23	<p><b>DRUG PARAPHERNALIA</b> Possession or use of any drug paraphernalia including items such as pipes, rolling papers, blunts, scales, etc.</p>	Step 2-4	Step 2-9
24	<p><b>DRUG POSSESSION or USE</b> Consumption, possession or under the influence of controlled substances, alleged drug, inhalants, prescription drugs or over-the-counter drugs on school property, school owned vehicles or at school events. Law enforcement authorities may be notified in cases of misconduct.</p>	Step 3-5	Step 3-9
25	<p><b>DRUG DELIVERY or RECEIPT</b> The act of delivering, receiving, purchasing, selling, supplying or arranging for the delivery, receipt, purchase, sale or supply of controlled or alleged</p>	Step 3-5	Step 3-9

	controlled substances, prescription medications over-the-counter drugs on school property, school owned vehicles or at school events.  Law enforcement authorities may be notified in cases of misconduct.		
26	<b>COMBUSTIBLES</b> Student in possession of substances / objects readily capable of causing bodily harm and/or property damage (matches, lighters, firecrackers, gasoline, lighter fluid, etc.).	Step 2-9	Step 2-9
27	<b>FIRE ALARM</b> Tampering with a fire alarm box, system or firefighting equipment. This includes setting off a false fire alarm.	Step 2-5	Step 5-9
28	<b>BOMB THREAT</b> Any threat (verbal, written or electronic) by a person to bomb or use other substances or devices for the purpose of exploding, burning or causing damage to a school building, school property or to harm students or staff. Law enforcement authorities may be notified in cases of misconduct.	Step 5-9	Step 9
29	<b>PROPERTY DAMAGE</b> Student causes damage to the school or personal property through carelessness or inappropriate behavior. Restitution, repair or replacement of damaged property may be required.	Step 1-3	Step 2-5
30	<b>VANDALISM</b> Student causes damage to the school or personal property through intentional vandalism and defacing. Restitution, repair or replacement of damaged property may be required. Law enforcement authorities may be notified in cases of this misconduct.	Step 3-9	Step 4-9
31	<b>THEFT</b> Any theft of money, person or public property and/or theft involving unlawful entry including lockers, desks, etc. Law enforcement authorities may be notified in cases of this misconduct.	Step 1-9	Step 2-9
32	<b>ROBBERY or EXTORTION</b> <i>Unarmed Robbery:</i> The taking of property from a person by force or threat. <i>Armed Robbery:</i> The taking of property from a person by force or threat while armed with a weapon or article representing a weapon. <i>Extortion:</i> Threatening another person for the purpose of extorting money or property, or to compel the threatened person to do an act against the threatened person's will.	Step 3-9	Step 5-9
33	<b>INAPPROPRIATE DISPLAY of AFFECTION</b> Student engages in inappropriate but consensual verbal and/or physical gestures / contact, of a sexual nature with another student.	Step 1-4	Step 1-5
34	<b>WEAPONS</b> Possession or use of weapons not defined under section H-1 of this code (below), in a school building, on school premises or in a school owned vehicle. The term weapon shall mean any object or device which could inflict bodily harm, and weapon shall also include a facsimile of objects or instruments which are weapons. The term weapon shall additionally include an object which is not in itself a weapon as defined above, but coupled with an intent by a student to inflict injury or harm upon another person.	Step 2-9	Step 2-9
35	<b>OTHER BEHAVIORS</b> Infraction of school rules not covered by the above categories, particularly those infractions on or off campus which, because of their nature, pose a serious health / safety threat to students and staff.	Step 1-9	Step 2-9

## **G. Mandatory Expulsion**

It is the policy of the Board to comply with the federal Gun-Free Schools Act and sections 1310, 1311, and 1311a of the Revised School Code. The Board directs all administrators to refer all incidents that may result in a mandatory suspension or expulsion to the Board. The Board recognizes that, as explained below, in some circumstances it may choose not to suspend or expel a student.

### **Possession of a Firearm**

If a student possesses a firearm in a weapon-free school zone, the Board will permanently expel the student unless the student demonstrates, in a clear and convincing manner, at least one of the following:

- The student was not possessing the instrument or object to use as a weapon or to deliver, either directly or indirectly, to another person to use as a weapon;
- The student did not knowingly possess the weapon;
- The student did not know or have reason to know that the instrument or object constituted a “dangerous weapon”; or
- The student possessed the weapon at the suggestion, request, or direction of, or with the express permission of, school or police authorities.

If a student demonstrates one of the above circumstances in a clear and convincing manner and the student has not been previously suspended or expelled from school, the Board will not expel the student unless the Board finds that, based on the circumstances, expulsion is warranted.

## **H. Possible Expulsion**

### **1. Possession of a Dangerous Weapon (Other than a Firearm)**

If a student possesses a dangerous weapon in a weapon-free school zone, the Board will consider whether to permanently expel the student or to impose a less severe penalty after first considering the following factors:

- The student’s age;
- The student’s disciplinary history;
- Whether the student has a disability;
- The seriousness of the behavior;
- Whether the behavior posed a safety risk;
- Whether restorative practices are a better option; and
- Whether lesser interventions would address the behavior.

Additionally, the Board is not required to expel a student for possession of a dangerous weapon (other than a firearm) if the student demonstrates, in a clear and convincing manner, at least one of the following:

- The student was not possessing the instrument or object to use as a weapon or to deliver, either directly or indirectly, to another person to use as a weapon;
- The student did not knowingly possess the weapon;
- The student did not know or have reason to know that the instrument or object constituted a “dangerous weapon”; or
- The student possessed the weapon at the suggestion, request, or direction of, or with the express permission of, school or police authorities.

### **Applicable Definitions for Dangerous Weapon Offense**

“Weapon-Free School Zone” means school property and a vehicle used by a school to transport students to or from school property.

“School Property” means a building, playing field, or property used for school purposes to impart instruction to children or used for functions and events sponsored by a school, except a building used primarily for adult education or college extension courses.

“Dangerous weapon” means a firearm, dagger, dirk, stiletto, knife with a blade over 3 inches in length, pocket knife opened by a mechanical device, iron bar, or brass knuckles.

“Firearm” means (1) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (2) the frame or receiver of any such weapon; (3) any firearm muffler or firearm silencer; or (4) any destructive device. “Firearm” does not include an antique firearm.



“Destructive device” means (1) any explosive, incendiary, or poison gas (including a bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or similar device); (2) any type of weapon (other than a shotgun or a shotgun shell that the Attorney General finds is generally recognized as particularly suitable for sporting purposes) by whatever name known which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter; and (3) any combination of parts either designed or intended for use in converting any device into a destructive device and from which a destructive device may be readily assembled.

“Antique firearm” means any firearm (including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system) manufactured in or before 1898; or any replica of any such firearm if the replica: (1) is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition, or (2) uses rimfire or conventional centerfire fixed ammunition that is no longer manufactured in the United States and which is not readily available in the ordinary channels of commercial trade. “Antique firearm” also means any muzzle loading rifle, muzzle loading shotgun, or muzzle loading pistol, which is designed to use black powder, or a black powder substitute, and which cannot use fixed ammunition. “Antique firearm” does not include any weapon that incorporates a firearm frame or receiver, any firearm which is converted into a muzzle loading weapon, or any muzzle loading weapon which can be readily converted to fire fixed ammunition by replacing the barrel, bolt, breechblock, or any combination thereof.

### **Additional Procedures for Dangerous Weapon Expulsion**

The Board directs the Superintendent to ensure that if a student is expelled for possession of a dangerous weapon, the student’s permanent record reflects the expulsion. The Board directs the Superintendent or designee to refer a student who is expelled for possession of a dangerous weapon to the county department of social services or the county community mental health agency and to notify the student’s parent or legal guardian (or the student if the student is at least age 18 or is an emancipated minor) of the referral within 3 calendar days of the expulsion. The Board further directs the Superintendent or designee to make a referral to local law enforcement and to contact the student’s parent/guardian immediately any time a student is found to have brought a dangerous weapon to school or possessed a dangerous weapon at school, at a school related activity, or en route to or from school in a school vehicle.

Unless reinstated pursuant to section 1311(6) of the Revised School Code, a student expelled by another district for possession of a dangerous weapon may not enroll in the District.

## **2. Arson**

If a student is convicted of, or pleads guilty or no contest to, committing arson, as defined in section 1311 of the Revised School Code, in a school building or on school grounds, the Board will consider whether to permanently expel the student or to impose a less severe penalty after first considering the following factors:

- The student’s age;
- The student’s disciplinary history;
- Whether the student has a disability;
- The seriousness of the behavior;
- Whether the behavior posed a safety risk;
- Whether restorative practices are a better option; and
- Whether lesser interventions would address the behavior.

### **Additional Procedures for Arson Expulsion**

The Board directs the Superintendent to ensure that if a student is expelled for committing arson, the student’s permanent record reflects the expulsion. The Board directs the Superintendent or designee to refer a student who is expelled for committing arson to the county department of social services or the county community mental health agency and to notify the student’s parent/guardian (or the student if the student is at least age 18 or is an emancipated minor) of the referral within 3 calendar days of the expulsion.

Unless reinstated pursuant to section 1311(6) of the Revised School Code, a student expelled by another district for committing arson may not enroll in the District.

## **3. Criminal Sexual Conduct**

If a student is convicted of, or pleads guilty or no contest to, committing criminal sexual conduct, as defined in section 1311 of the Revised School Code, in a school building or on school grounds, the Board will consider

whether to permanently expel the student or to impose a less severe penalty after first considering the following factors:

- The student's age;
- The student's disciplinary history;
- Whether the student has a disability;
- The seriousness of the behavior;
- Whether the behavior posed a safety risk;
- Whether restorative practices are a better option; and
- Whether lesser interventions would address the behavior.

#### **Additional Procedures for Criminal Sexual Conduct Expulsion**

The Board directs the Superintendent to ensure that if a student is expelled for committing criminal sexual conduct, the student's permanent record reflects the expulsion. The Board directs the Superintendent or designee to refer a student who is expelled for committing criminal sexual conduct to the county department of social services or the county community mental health agency and to notify the student's parent/guardian (or the student if the student is at least age 18 or is an emancipated minor) of the referral within 3 calendar days of the expulsion.

Unless reinstated pursuant to section 1311(6) of the Revised School Code, a student expelled by another district for committing criminal sexual conduct may not enroll in the District.

#### **4. Physical Assault Against Employee, Volunteer, or Contractor**

If a student in grade 6 or above commits a physical assault at school against an employee, volunteer, or contractor and the victim reports the physical assault to the Board or to an administrator or, if the victim is unable to report the assault, another person makes the report on the victim's behalf, the Board will consider whether to permanently expel the student or to impose a less severe penalty after first considering the following factors:

- The student's age;
- The student's disciplinary history;
- Whether the student has a disability;
- The seriousness of the behavior;
- Whether the behavior posed a safety risk;
- Whether restorative practices are a better option; and
- Whether lesser interventions would address the behavior.

"Physical assault" means intentionally causing or attempting to cause physical harm to another through force or violence.

#### **Additional Procedures for Physical Assault Against Employee/Volunteer/Contractor Expulsion**

The Board directs the Superintendent to ensure that if a student is expelled for physically assaulting an employee, volunteer, or contractor, the student's permanent record reflects the expulsion. The Board directs the Superintendent, or his or her designee, to refer a student who is expelled for physically assaulting an employee, volunteer, or contractor to the county department of social services or the county community mental health agency and to notify the student's parent/guardian (or the student if the student is at least age 18 or is an emancipated minor) of the referral within 3 calendar days of the expulsion.

Unless reinstated pursuant to section 1311a(5) of the Revised School Code, a student expelled by another district for physically assaulting an employee, volunteer, or contractor may not enroll in the District.

#### **5. Physical Assault Against Another Student**

If a student in grade 6 or above commits a physical assault at school against another student and the physical assault is reported to the Board or to an administrator, the Board or its designee will consider whether to suspend or expel the student or to impose a less severe penalty after first considering the following factors:

- The student's age;
- The student's disciplinary history;
- Whether the student has a disability;
- The seriousness of the behavior;
- Whether the behavior posed a safety risk;
- Whether restorative practices are a better option; and
- Whether lesser interventions would address the behavior.

“Physical assault” means intentionally causing or attempting to cause physical harm to another through force or violence.

#### **Additional Procedures for Physical Assault Against Another Student**

A resident student in grade 6 or above who was expelled by another school for committing a physical assault against another student may submit a petition to the Board requesting enrollment in the District. The Board will consider the petition, along with any information the Board determines relevant, at its next regularly scheduled board meeting. The Board may either grant or deny the petition. If the Board denies the petition, the student may not enroll in the District. The Board’s decision is final.

#### **6. Bomb Threat or Similar Threat**

If a student in grade 6 or above makes a bomb threat or similar threat directed at a school building, other school property, or a school-related event, the Board or its designee will consider whether to suspend or expel the student or to impose a less severe penalty after first considering the following factors:

- The student’s age;
- The student’s disciplinary history;
- Whether the student has a disability;
- The seriousness of the behavior;
- Whether the behavior posed a safety risk;
- Whether restorative practices are a better option; and
- Whether lesser interventions would address the behavior.

#### **Additional Procedures for Bomb Threat or Similar Threat**

A resident student in grade 6 or above who was expelled by another school district for making a bomb threat or similar threat may submit a petition to the Board requesting enrollment in the District. The Board will consider the petition, along with any information the Board determines relevant, at its next regularly scheduled board meeting. The Board may either grant or deny the petition. If the Board denies the petition, the student may not enroll in the District. The Board’s decision is final.

## **II. DISCIPLINARY PROCEDURES**

### **A. Types of Administrative Disciplinary Actions:**

1. Loss of activity privileges
  - a. Building administrators may suspend students from participating in or being present at extracurricular activities.
  - b. Sponsors of activities, including coaches, have full authority to determine who shall be participants in a given situation, but they may remove a student from a given activity only on the basis of predetermined rules which have been approved by the principal or appropriate administrative personnel. Parents and students are to be made aware of school rules or regulations affecting specific activities prior to the beginning of the activity.
  - c. Students under school suspension shall refrain from entering upon school property without prior permission from school authorities.
  - d. Students under suspension shall not participate in or be present at school functions.
  - e. Nothing in this policy is intended to limit a teacher, coach or sponsor in exercising authority requiring a student to leave a particular activity when that student’s behavior violates Board policies or school rules. A report of misconduct of such a student and the action taken by the teacher or sponsor shall be reported to the appropriate school administrator at the earliest possible opportunity, not later than the beginning of the next school day.
2. Closed class or removal from class with loss of credit.
  - a. Definition
    1. A closed class is the denial of the right to attend a class or classes

on a temporary basis during a time when a matter of immediate concern is being resolved.

2. Classes may be closed by a school administrator, for a period not to exceed five (5) days, without a parent/student/administrator conference. Permanent closing of a class(es) may result if all established school procedures fail to modify student behavior.

b. Procedures

1. A closed class may be imposed only after following the procedure applicable to short term suspension.
2. The student will be notified by the proper administrator that a class or classes are closed, the reasons therefore, and what must be done prior to his or her re-entry to the class.
3. Parents of students having classes closed for a period in excess of one day will be notified by mail.
4. A parent/student/administrator conference shall be held prior to permanent class closure. The administrator may remove a student from the course if the nature of the offense leaves the student unable to faithfully complete the requirements of the course (Ex: loss of computer privileges in computer class, or theft from the school store, Co-Op site or other school-related activity, etc.).

3. Social Probation

a. Definition

At times, students become habitual discipline problems involving persistent disobedience and class disruption. When efforts to effect a change in behavior, including parent contact, have been tried and the student's behavior continues to disrupt the educational progress of others, it may be necessary to place the student on social probation. During the period of social probation, the student will be given assignments but will be restricted from the school building or school activities during the period of social probation.

b. Procedures

1. The student will be made aware of the "Social Probation" procedures, the reason for being considered for probation, and the steps necessary for removal from probation and re-entry into the regular school program.
2. A student may be placed on social probation only after following the procedure applicable to short term suspension.
3. Written notice outlining the specific violations and the conditions of "Social Probation" will be forwarded to the student, parent, or guardian by mail prior to the actual placement. A committee made up of two of the students' teachers, the counselor, and a school administrator shall be appointed by the principal, or designee, to serve as a Social Probation Committee. The purpose of this committee is to monitor the progress of the student and to make recommendations as to future status. If the academic program is recommended, the student will follow a program similar to the following:
  - a. The student will be given one week's assignments, books, and supplies necessary to carry out the assignments and sent home for one week.
  - b. At the end of one week, an appointment will be made, at which time the student will bring in the finished work, meet with the teachers to be

advised of necessary work, and be given the next week's assignments. The student will, in addition, be seen by the counselor, then be returned home for one more week.

- c. At the end of the second week, the student will return all completed work, along with a written explanation of why he or she should be allowed back into a regular program. The entire committee will meet to evaluate the work and to determine whether the student should return to school.
- d. The student may be returned to a regular class schedule for an additional two week probationary period or be required to return home for an additional two week period.
- e. If the student is returned to school for the probationary period, the committee shall meet at the end of the two weeks to evaluate the student's progress. The probation may be lifted or continued. In all cases where the probation is continued, or the student is returned home for an additional period, the parent and student shall be made aware of the rationale for such action. In cases where the committee feels it necessary, the process may be reinitiated.

- 4. Students will be given full credit for work completed and for credits earned during this period.
- 5. It may be necessary under certain circumstances to recommend additional support agencies to assist in effecting a desirable change during the period of "Social Probation."
- 6. A written record of all aspects of the case will be documented and will reflect all steps taken by the school.

#### 4. Short Term Suspension

##### a. Definition

A short-term suspension is the denial of a student's right to attend school. A short-term suspension may be one, two, three, five, seven or ten school days. For suspensions ranging from one to three days, the in-school suspension program may be utilized as an alternative to out of school suspension.

Students serving in-school suspension report directly to the suspension room and spend the entire day working independently on schoolwork. Students are responsible for bringing their schoolwork for the day and will receive credit for assigned work completed while in this program. Students are expected to remain on task and be productive. (At the high school level, students serving in-school suspension will receive ½ credit for "daily" work completed and full credit for tests, quizzes and exams.)

Students serving suspensions may not participate in or attend after school or extra curricular activities on the day or days of suspension.

##### b. Authority

A principal or designee (hereafter "Building Administrator") has the authority to impose a short-term suspension based upon misconduct.

##### c. Procedure

- 1. A suspension may be imposed by a building administrator following an informal hearing involving the administrator and the student in which the student is advised of the misconduct with which he or she is charged and the evidence supporting the charge and is given an opportunity to present his or her version of the alleged incident(s).
- 2. At the discretion of the building administrator, other persons may be permitted to attend the hearing or otherwise provide information which will tend to assist in the resolution of the charge.
- 3. Upon the conclusion of an informal hearing, if the building administrator determines that the student has not engaged in misconduct, the charge shall be

- dismissed and all documents reflecting the charge, if any, shall be removed from the student's records.
4. Upon the conclusion of an informal hearing, if the building administrator determines that the student has engaged in misconduct, an appropriate suspension not to exceed ten (10) school days may be imposed upon the student by the building administrator.
  5. Parents will be notified as soon as possible by telephone or letter of the student's suspension and the reasons for the suspension.
  6. During an out of school suspension, the student will be given the opportunity to complete school assignments. The following conditions will apply:
    - a. It shall be the responsibility of the student and/or the parents to initiate the request for schoolwork.
    - a. The student or parent shall have the responsibility for obtaining the assignments in a manner prescribed by the school.
    - c. Work assigned is due upon the student's return to school.
  7. Major projects, quizzes, tests and exams, as defined in the high school attendance policy under the category of make-up work, will be accepted for full credit.
    - a. At the high school level, during suspensions up to 20 days, assignments may be completed for one half credit.
    - b. At the elementary and middle school level, students suspended up to twenty days may complete assignments for full credit.

### **III. SHORT TERM SUSPENSION APPEAL PROCEDURES**

- A. Should the student and parent or guardian request a review for the student regarding the suspension, that review shall be held before the building principal.\*
- B. A review at the building level shall be held within three (3) school days of the suspension unless the parents request a delay. A delay may be granted for as long as one week. If a review does not occur within a week, the disciplinary action will go into effect.
- C. During the appeals process, said student shall remain in class unless the offense is deemed a threat to others or so extremely disruptive that the student's presence interferes with the rights of others. Students who have appealed a suspension may not attend or participate in after school activities, clubs, sports, etc. while the appeal is pending.
- D. The building principal is the final level of appeal on short term suspensions, except in cases where the principal was the suspending administrator or a witness against the student. In such cases, the appeal shall be directed to the designated central office administrator, whose decision shall be final.

### **IV. LONG TERM SUSPENSION OR EXPULSION PROCEDURES**

- A. Definition
  1. A long-term suspension is the denial of a student's right to attend school, be present on school grounds, and attend any school function for a period in excess of ten (10) school days. The Superintendent/central office designee shall have the authority to suspend a student for up to twenty (20) school days. Any suspension beyond twenty (20) school days shall be approved by the Board of Education.
  2. Expulsion is the total and permanent exclusion of a student from the Kearsley Community School District.
- B. Authority
  1. The Superintendent/central office designee has the authority to impose a long-term suspension up to twenty (20) school days based upon misconduct.
  2. The Board of Education has the authority to long-term suspend or expel based upon misconduct.
- C. Procedure

1. A long-term suspension or expulsion may be recommended to the Superintendent/central office designee by a building administrator following an investigation of charges of misconduct by a student and an offer to the student and his or her parents or guardians of a meeting involving the administrator and the student in which the student shall be advised of the misconduct with which he or she is charged and the evidence supporting the charges and is given the opportunity to present his or her version of the alleged incident(s). At the discretion of the building administrator, other persons may be permitted to attend or otherwise provide information which will tend to assist in the resolution of the charges.
  2. Upon the conclusion of an investigation of the charges by the building administrator and upon the conclusion of the meeting, when requested, if the building administrator determines that the student has not engaged in misconduct, the charges shall be dismissed and all documents reflecting same, if any, shall be removed from the appropriate academic records of the student.
  3. Upon the conclusion of an investigation of the charges by the building administrator and upon the conclusion of a parent meeting, when requested, if the building administrator determines that the student has engaged in misconduct which merits the imposition of a long-term suspension or expulsion, the building administrator shall recommend in writing to the Superintendent or designee that the student be so disciplined, identifying the basis(es) upon which the building administrator's recommendation is founded. The building administrator may also, upon making such determination, impose an immediate suspension of the student, pending further review of the recommendation.
  4. Upon receipt of a recommendation from a building administrator for a long-term suspension or expulsion of a student, the Superintendent or designee shall review such recommendation and shall determine, based upon the information before the Superintendent, whether to forward the matter to the Board of Education for a hearing to determine the appropriateness of expulsion or to retain the matter for a parent meeting to determine the appropriateness of a long-term suspension or to take such lesser action as is appropriate.
  5. If the Superintendent or designee determines that it is appropriate to pursue either a long-term suspension (beyond twenty [20] days) or expulsion, then the Superintendent or designee shall schedule a hearing before the Board of Education.
  6. Prior to the hearing before the Board of Education, the Superintendent shall notify the student and his or her parents or guardians of their opportunity for a hearing on the charges in closed or open session, at their election, and the date the hearing has been scheduled.
  7. RE-ADMISSION: Following expulsion, the student shall not be readmitted to any school within the Kearsley Community School District except by action of the Board of Education. After an expelled student's absence from school for the remainder of the following semester, the student or, on his or her behalf, the parent or guardian thereof, may seek re-admission by applying to the Board of Education through the Superintendent or designee. The Board of Education may readmit the student if he or she can satisfactorily demonstrate that he or she has made a sincere effort at rehabilitation subsequent to the expulsion and will not represent a threat to the safety and welfare of the students of the Kearsley Community School District. The Board of Education shall base its decision in part on the severity of the incident leading to expulsion. The Board of Education may further qualify re-admission upon specified conditions which it determines are appropriate. An application for re-admission shall be filed no earlier than forty-five (45) days but no later than fifteen (15) days prior to the commencement of the semester for which re-admission is sought. The decision of the Board of Education is final. If, as a result of the recommendation for expulsion, the parents and/or student(s) voluntarily withdraw the student from school, the student shall follow the re-admission procedure applicable to the expelled student.
- D. Expulsion for possession of dangerous weapon, arson or criminal sexual misconduct.
1. If a student possesses or uses a dangerous weapon in a school building or on school grounds, or commits arson in a school building or on school grounds, or engages in criminal sexual misconduct in a school building or on school grounds, the school board, or its designee, shall expel the student from the school district permanently (subject to potential reinstatement as described below).
  2. Procedure
    - a. If student is expelled pursuant to this policy, that fact shall be entered on the student's permanent education record. Within three (3) days of the expulsion of a student under

this policy, the school board or its designee shall refer the student's name to the County Department of Social Services of the County Community Mental Health Agency. The school board or its designee shall notify the student's parent or guardian of the referral, or notify the student of the referral if the student is at least age eighteen (18) or is an emancipated minor.

- b. If a student is expelled pursuant to this policy, the parents or legal guardian of the student, or the student if at least eighteen (18) years of age or if an emancipated minor, may petition the school board for reinstatement to public education in the school district, but only in accordance with the terms of this subsection. (These reinstatement terms shall also apply to students expelled from another school district for possession of a dangerous weapon, arson, or criminal sexual misconduct, and who may be seeking to be reinstated to public education in the Kearsley Community School District).
  1. For a student who was enrolled in grade 5 or below at the time of expulsion, a petition for reinstatement may be initiated at any time after sixty (60) school days from the date of expulsion. Such a student shall not be reinstated before the expiration of ninety (90) school days from the date of expulsion.
  2. For a student who was enrolled in grade 6 or above at the time of expulsion, a petition for reinstatement may be initiated at any time after one hundred-fifty (150) school days from the date of expulsion. Such a student shall not be reinstated before the expiration of one hundred-eighty (180) school days from the date of expulsion.
  3. The school district shall make the state approved form of reinstatement available to the parent or guardian of a student expelled under this policy, or to a student if at least eighteen (18) years of age or an emancipated minor. The school board or its designee is not required to assist in the preparation of any petition or reinstatement.
  4. Within ten (10) school days after the receipt of a petition for reinstatement under this subsection, the school board or its designee shall appoint a committee to review the petition and any supporting documentation. The committee shall be comprised of two (2) school board members, one (1) school administrator, one (1) teacher, and one (1) parent of a student enrolled in the school district. The superintendent or his or her designee may submit a recommendation to the committee for or against reinstatement, along with supporting documentation.
  5. Within ten (10) days following the appointment for the reinstatement committee, the committee shall review the petition for reinstatement any supporting documentation and any recommendation and supporting documentation submitted by the superintendent or his or her designee on the issue of reinstatement, and shall submit a recommendation to the school board regarding reinstatement. The recommendation shall either be for unconditional reinstatement, or conditional reinstatement, or against reinstatement. The recommendation shall be based upon consideration for all of the following factors:
    - a. The extent to which reinstatement of the individual would create a risk of harm to students or school personnel.
    - b. The extent of which reinstatement of the individual would create a risk of school district or individual liability for the school board or school district personnel.
    - c. The age and maturity of the individual.
    - d. The individual's behavior since the expulsion and the prospects for remediation of the individual.
    - e. The individual's attitude concerning the incident that caused the expulsion.
    - f. The individual's behavior since the expulsion and the prospects for remediation of the individual.
    - g. If the petition was filed by a parent or legal guardian, the degree of cooperation and support that has been provided by the parent or legal guardian and that can be expected if the individual is reinstated, including, but not limited to, receptiveness toward possible conditions placed on the reinstatement.



6. Not later than the next regularly scheduled Board of Education meeting following the receipt of the recommendation of a reinstatement committee, the school board shall render a decision either to reinstate an individual unconditionally, or reinstate an individual conditionally, or deny an individual reinstatement. The decision of the school board is final, and not subject to reconsideration or appeal.
          7. If the school board renders a decision to reinstate an individual conditionally, the school board may require an individual, or the parent or legal guardian if the petition was filed by the parent or legal guardian, or agree in writing to specific conditions before conditionally reinstating an individual to public education in the school district. (Such proposed conditions may also be included in support of a petition for reinstatement). The conditions may include but are not limited to, any of the following:
            - a. Agreement to a behavior contract, which may involve the student, a parent or legal guardian, or an outside agency;
            - b. Participate in or completion of an anger management program or other appropriate counseling;
            - c. Periodic progress reviews; and,
            - d. Specific immediate consequences for failure to conform to condition(s), including, but not limited to, immediate re-expulsion.
          8. Nothing in this policy shall diminish or be in derogation of the due process rights accorded to students who have been determined to be eligible for special education services under Federal and State Laws.
3. Continued Educational Opportunities

Efforts shall be made to offer information regarding opportunities to students on suspension to continue their education.
4. Suspension/Expulsion of a Student Enrolled in Special Education

If a student is handicapped, or suspected of being handicapped, according to state and federal mandates, rules and/or regulations, the Board shall not conduct the hearing prior to the completion of a review and evaluation by an Individualized Education Planning Committee (IEPC). The student shall not be excluded from school longer than ten (10) school days or otherwise changed in his/her educational program placement during the pendency of the review or evaluation by the IEPC and the exhaustion of the appeal procedures related thereto without the written agreement of the parents to an interim change in placement or obtaining a court order excluding the student from attending school in an appropriate case where the safety of students is involved.
5. Title IX / VI Disclaimer

Kearsley Community Schools will comply with all federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1984 (P.L. 88352) which prohibits discrimination on the basis of race, color, or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683 and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794) which prohibits discrimination on the basis of handicaps; (d) The Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-2555), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) Sections 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290dd-3 and 290ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VII of the Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.), as amended relating to nondiscrimination in the sale rental or financing of housing; (i) any other nondiscrimination provision in the specific statute(s) under which application for federal assistance is being made;

and (j) the requirements of any other nondiscrimination statute9S0 which may apply to the application. Any alleged violation of the above stated laws should be reported to the Superintendent, Kearsley Community Schools, 4396 Underhill Drive, Flint, MI, 48506 or by telephoning (810) 591-8000.

## KEARSLEY COMMUNITY SCHOOLS

# Acceptable Use Policy for Technology Resources / Bring Your Own Device STUDENT GUIDELINES FOR K-12

### **Purpose**

The purpose of this document is to set forth guidelines for accessing the District's technology resources ("Technology Resources"). Technology Resources are any type of instrument, device, machine, equipment, technology, or software that is capable of transmitting, acquiring, or intercepting, any telephone, electronic, data, Internet, audio, video, or radio transmissions, signals, telecommunications, or services, and include without limitation (1) internal and external network infrastructure, (2) Internet and network access, (3) computers, (4) servers, (5) storage devices, (6) peripherals, (7) software, and (8) messaging or communication systems and the use of individually owned devices on the District network.

### **Bring Your Own Device**

*Many students today possess devices that give them mobile access to information and resources 24/7. Outside school, students are free to pursue their interest in their own way and at their own pace. The opportunities are limitless, borderless, and instantaneous. In an effort to put students at the center and empower them to take control of their own learning, the Kearsley Community Schools will allow students to use personal digital learning devices in school for certain educational purposes at the discretion of teachers. For the purpose of this program, the phrase "personal digital learning device" means a privately owned wireless portable electronic piece of equipment including but not limited to laptops, netbooks, tablet computers, iPod Touches, and smart phones. Students wishing to participate must follow the responsibilities stated in this document.*

### **Google Apps for Education**

As a leader in using technology to increase learning opportunities for our students, Kearsley Community Schools partners with Google Apps for Education. (<http://www.google.com/apps/intl/en/edu/k12.html>) Google Apps for Education is used by thousands of schools and universities worldwide to make collaboration tools available for students, which includes document creation tools, spreadsheets, presentation and drawing tools, website design, calendars, Google Classroom, email, and other useful collaboration tools. Google Apps collaboration tools will make it possible for students to work together virtually on documents, presentations and projects via the web. Google Apps provide an online storage space for files, eliminating most needs for flash drives between home and school, and also integrating directly into online learning management systems allowing students to electronically submit assignments. Email accounts are required by many web-based educational tools, and also allow students and teachers to communicate and collaborate in a safe and structured manner with their class. Web-based learning tools provide free access to storytelling, concept mapping, video editing and visual presentation tools. The District will provide accounts to students *in grades 6-12*. The District has carefully considered students' online safety in setting up the procedures and rules for student accounts. Throughout the year, your child may have assignments that are completed using tools like Google Docs and Google Sites and will receive instruction from teachers about the Google tool at that time. Students should consider their school email as an extension of the classroom, subject to the same rules of respect and courtesy that we expect in school. Parents are also encouraged to talk with their child about online manners and safety. As you talk to your child about the acceptable use of email, you might use an analogy of adults' work and personal emails. Most employers ask that work email only be used for work, and employers have access to view and limit use of email to make sure it is used appropriately. The same will be true of school email accounts. School email accounts must comply with the Federal Children's Internet Protection Act (CIPA). Student emails received from a school email account (whether from any home, school or public computer or mobile device) will go through filtering software that scans for language and images. Student email addresses will have restrictions on what can be received. Google uses very powerful filtering tools and makes every effort to block inappropriate content; however, technology is ever-evolving. If a student receives any inappropriate emails, they should be reported to an adult and forwarded or printed and shared with the school.

### **Acceptable Use of District and Personal Technology Resources**

In exchange for the use of the District's Technology Resources either at school or away from school, **including the use of individually owned devices on the district network at school**, you understand and agree to the following:

- A. Your use of the District's Technology Resources is a privilege that may be revoked by the District at any time and for any reason.
- B. You have no expectation of privacy when using the District's Technology Resources. The District reserves the right to monitor and inspect all use of its Technology Resources, including without limitation, personal e-mail and voice-mail communications, computer files, databases, web logs, audit trails, or any other electronic transmissions accessed, distributed, or used through the Technology Resources. The District also reserves the right to remove any material from the Technology Resources that the District, at its sole discretion, chooses to, including without limitation, any information that the District determines to be unlawful, obscene, pornographic, harassing, intimidating, disruptive, or that otherwise violates this agreement. Furthermore, the school reserves the right for staff to inspect a student's personal device if a staff member has a reasonable suspicion that the student has violated Board policies, administrative procedures, school rules or codes of conduct, or has engaged in other misconduct or potential criminal activity while using his or her personal device.
- C. The Technology Resources do not provide you a "public forum." You may not use the Technology Resources for commercial purposes or to support or oppose political positions or candidates unless expressly authorized in advance by a teacher or administrator as part of a class project or activity. You may, however, use the Technology Resources to contact or communicate with public officials.
- D. The District's Technology Resources are intended for use only by registered users. You are responsible for your account/password and any access to the Technology Resources made using your account/password. Any damage or liability arising from the use of your account/password is your responsibility. Use of your account by someone other than you is prohibited and may be grounds for suspension from the Technology Resources and other disciplinary consequences for both you and the person(s) using your account/password.
- E. You may not use the Technology Resources to engage in bullying, which is defined as any written, verbal, or physical act, or any electronic communication that is intended (or that a reasonable person would know is likely) to harm one or more pupils either directly or indirectly by doing any of the following:
- (1) Substantially interfering with educational opportunities, benefits, or programs of one or more pupils;
  - (2) Adversely affecting the ability of a pupil to participate in or benefit from the educational programs or activities by placing the pupil in reasonable fear of physical harm or by causing substantial emotional distress;
  - (3) Having an actual and substantial detrimental effect on a pupil's physical or mental health; or
  - (4) Causing substantial disruption in, or substantial interference with, the orderly operation of the school.
- Use of other communication/messaging devices (including devices not owned by the district) to engage in bullying may be grounds for discipline under the District's Student Code of Conduct & Handbook.
- F. If you misuse the Technology Resources, your access to the Technology Resources may be suspended and you may be subject to other disciplinary action, up to and including expulsion. Misuse includes, but is not limited to:
- (1) Accessing or attempting to access material that is "harmful to minors." Material that is "harmful to minors" includes any picture, image, graphic image file, or other visual depiction that (1) taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; (2) depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and (3) taken as a whole lacks serious literary, artistic, political, or scientific value as to minors.
  - (2) Accessing or attempting to access material that is unlawful, obscene, pornographic, profane, or vulgar.
  - (3) Accessing or attempting to access material that is inappropriate for minors. Material that is inappropriate for minors is defined as pornography, obscenity, and any other materials deemed inappropriate by the Board of Education.
  - (4) Bullying (as defined in paragraph E).

- (5) Sexting, which includes, without limitation, possessing, sending, or distributing nude, sexually explicit, or sexually suggestive photographs, videos. Or other visual depictions of yourself or another person.
- (6) Vandalism, which includes, without limitation, any malicious or intentional attempt to harm, steal, destroy, or disrupt user data, school material, or school hardware or software.
- (7) Hacking, which includes, without limitation, gaining or attempting to gain access to, modifying, or obtaining copies of, information belonging to others or information you are not authorized to access.
- (8) Unauthorized copying or use of licenses or copyrighted software.
- (9) Plagiarizing, which includes the unauthorized distributing, copying, using, or holding out as your own, material that was written or created by someone else, without permission of, and attribution to, the author/creator.
- (10) Posting or distributing confidential or inappropriate information meant to harass, intimidate, or embarrass others.
- (11) Allowing someone else to use your account or password or not preventing unauthorized access to Technology Resources when leaving them unattended.
- (12) Using or soliciting the use of, or attempting to use or discover the account information or password of, another user.
- (13) Attempting to or successfully disabling security features, including technology protection measures required under the Children's Internet Protection Act ("CIPA").
- (14) Misusing equipment or altering system software without permissions.
- (15) Commercial for-profit activities, advertising, political lobbying, or sending mass mailings or spam; however, you may contact a public official to express an opinion on a topic of interest.
- (16) Using the Technology Resources in any way that violates any federal, state, or local law or rule, or the District's Student Code of Conduct & Handbook.

G. You must promptly disclose to your teacher or other school employee any content you view or receive over the Technology Resources that is inappropriate or that makes you feel uncomfortable, harassed, threatened, or bullied, or that contains sexually explicit content. You should not delete such content until instructed to do so by a staff member.

H. It is the policy of the District, as a recipient of certain federal funds, to monitor the online activities of its minor students and provide technology protection measures on its computers with Internet access designed to prevent minors from accessing visual depictions that are (1) obscene, (2) child pornography, or (3) harmful to minors.

I. It is the policy of the District to prohibit its minor students from (1) accessing inappropriate matter on the Internet; (2) engaging in hacking or other unlawful online activities; and (3) accessing materials that are harmful to minors. It is also the policy of the District to educate students about cyber-bullying awareness and response and about appropriate online behavior, including disclosing, disseminating, or using personal information and safely and appropriately interacting with other individuals in social networking websites, chat rooms, by e-mail, and other forms of direct electronic communications.

J. The District does not guarantee that measures described in paragraphs H and I will provide any level of safety or security or that they will successfully block all inappropriate material from the District's students. You agree that you will not intentionally engage in any behavior that was intended to be prevented by paragraphs H and I.

K. The District does not warrant or guarantee that its Technology Resources will meet any specific requirement, or that they will be error free or uninterrupted; nor will the District be liable for any damages (including lost data, information, or time) sustained or incurred in connection with the use, operation, or inability to use the Technology Resources.

L. Students are responsible for the proper use of the Technology Resources and will be held accountable for any damage to or replacement of the Technology Resources caused by their inappropriate use. The student takes full responsibility for his or her personally owned digital learning device and keeps it with himself or herself at all times. The school is not responsible for the security of the device including theft, loss, or damage. The District will not reimburse students for devices that are stolen, lost, or damaged. The District will not allocate funds or provide technology support resources to repair, replace, modify, or otherwise maintain usability of personally

owned devices.

- M. Recording still or video images is prohibited unless specifically authorized by a staff member as part of an instructional program. All such recording shall take place under supervision of the authorizing staff member or another staff member designated by the authorizing staff member. Posting or transmitting recorded images or video shall be limited to that which is related to school assignments and projects, and shall only be done in accordance with the district Internet Acceptable/Appropriate Use policy.
- N. The use or possession of an Electronic Communication Device (ECD) or a recording device in locker rooms and restrooms is prohibited. "Recording device", is defined as a camera, a video recorder, or any other device that may be used to record or transfer images.
- O. When using personal digital learning devices, the student will use the KCS Guest wireless network. Use of 3G & 4G wireless connections for accessing the Internet or creating a wireless tether is not allowed.
- P. From time to time the district posts student's work, photographs, video and recorded statements on District web pages, social media pages, and other electronic media in order to highlight student achievement, portray examples of educational experiences. In addition sometimes the media outlets will come into our schools to photograph or film students for use in print television, film, or Internet publications. ***If you do not want your child participating in these activities you may obtain the "Technology and Media Access – Opt Out Form" from your local school office or online at [www.kearsleyschools.org](http://www.kearsleyschools.org).***

By using District Technology resources including the use of personal digital learning devices the student agrees that:

- They will follow all the rules and regulations in this Agreement and all rules and regulations that may be added from time to time by the District or its Internet Service Provider.
- They will follow all rules in the District's Student Code of Conduct & Handbook. As a condition of using the Technology Resources, parents and guardians agree to release the District and its Board members, agents, and employees, including its Internet Service Provider, from all liability related to my use or inability to use the Technology Resources.
- They understand that data they send or receive over the Technology Resources is not private. They consent to having the District monitor and inspect their use of the Technology Resources, including any electronic communications that they send or receive through the Technology Resources.
- They have read this Acceptable Use Agreement and agree to its terms.