

**MINUTES  
BOARD OF EDUCATION  
Livonia Public Schools  
15125 Farmington Road  
Regular Meeting  
May 16, 2016**

President Burton convened the meeting at 7:00 p.m. in the Board Room, 15125 Farmington Road, Livonia.

**Members Present**

Bonifield, Burton, Centers, Jarvis, Johnson, Laura, McDonnell

**Members Absent**

None

**Art Gallery Frost Middle School**

Mrs. Jenkins, administrator of communications, recognized students from Frost Middle School for their artwork. The following students had their artwork on display: Alyssa Anderson, Cameryn Hatfield, Matthew Hellie, Kara Hill, and Sarah Rascol.

**LPS Education Foundation Update and Recognition of Corporate Donors**

Mrs. Diane Policelli, President of the LPS Education Foundation, introduced fellow Foundation board member Paul Condon, who assists her with marketing efforts for the Foundation. She provided an overview of the many Foundation activities that took place over the past year, including several fundraising efforts, and expressed her appreciation to the 25 corporate donors, as well as all the staff and volunteers who contribute their time and talents to assist the Foundation in supporting Livonia Public Schools.

**Gifts to Livonia Public Schools' FIRST Robotics Team**

It was moved by Mrs. Bonifield and supported by Mr. Johnson that the Board of Education of the Livonia Public Schools School District accept the generous monetary and in-kind donations of:

- \$5,000 or more from AISIN, Denso, Ford Motor Company, Linear AMS, Livonia Public Schools, and Roush
- \$1,000 to \$4,000 from Alley Ray Media, BAE Systems, BASF, Bright House Networks, Cooper Standard, H.M. White, and RCO Technologies
- \$1,000 from 4M Industries, Inc., Alpha USA, Alro Steel, Duckworth & Associates, Kiwanis Club of Livonia, NYX Incorporated, Tompromo Marketing, and Vital Signs.

Ayes: Bonifield, Burton, Centers, Jarvis, Johnson, Laura, McDonnell

Nays: None

**Board Member Recognition for MASB Certification & Awards**

President Colleen Burton recognized Board members for their continued education with MASB and their latest achievement: Board Secretary Tammy Bonifield and Board trustee Mark Johnson -- the Award of Distinction; Board trustee Dan Centers -- Level One Certification.

The Board recessed from 7:56 – 8:06 p.m. to visit with guests.

**Written Communication**

Board secretary Tammy Bonifield read a note from Mrs. Ron Upton who thanked the Board of Education for the sympathy resolution they approved in tribute to her husband, Ron Upton, former Livonia Public Schools' superintendent Ron Upton.

**Audience Communication**

Kathleen Bilger addressed the Board regarding Michigan History Day competition.

Tracy Favaro and Heidi Posh addressed the Board regarding the lack of funding from the state and the lack of compensation for teachers.

Janice Martinez and Rob Kucharski addressed the Board regarding the formation of a girls' hockey team, seeking the district's support in securing transcripts and insurance, as well as distributing information to students via flyer or email.

**Response to Prior Audience Communication**

None

**Consent Agenda**

It was moved by Mr. Johnson and supported by Mrs. Laura that the Board of Education of the Livonia Public Schools School District approve the following consent agenda items as recommended by the superintendent:

- IV.A. Minutes of the Regular Meeting of April 18, 2016
- IV.B. Minutes of the Special Meeting of April 25, 2016
- IV.C. Minutes of the Closed Session of April 25, 2016
- IV.D. Minutes of the Special Meeting of May 2, 2016
- V.A. Bills for Payment—May 17, 2016

Ayes: Bonifield, Burton, Centers, Jarvis, Johnson, Laura, McDonnell

Nays: None

**Resolution for Wayne RESA's 2016-2017**

It was moved by Mr. Centers and supported by Mrs. Bonifield that the Board of Education of the Livonia Public Schools School District adopt a resolution supporting the General Fund Operating

**General Fund  
Operating  
Budget**

Budget for the 2016-2017 school year for the Wayne County Regional Educational Service Agency (RESA).

**Wayne County Regional Educational Service Agency (“Wayne RESA”)  
2016-2017 General Fund Operating Budget  
RESOLUTION**

A regular meeting of the Board of Education of the Livonia Public Schools School District was held at the Board of Education Office on May 16, 2016, at 7:00 o'clock.

Members present were: Bonifield, Burton, Centers, Jarvis, Johnson, Laura, McDonnell,

The following preamble and resolution were offered by Member Centers and seconded by Member Bonifield:

WHEREAS:

This Board received the Wayne RESA General Fund Operating Budget on or before May 1, 2016; and

WHEREAS:

In accordance with Section 380.624 of the Revised School Code, this Board must now adopt a resolution expressing its support or disapproval of the proposed Wayne RESA budget, and must submit to the Wayne RESA Board any specific objections and/or proposed changes the Board may have to the budget prior to June 1, 2016.

THEREFORE, BE IT RESOLVED THAT:

Please check one of the following options:



The Wayne RESA General Fund Operating budget for the 2016-2017 school year be supported, and that the Secretary of the Board is hereby directed to submit a copy of this resolution to the Secretary of the Wayne RESA Board of Education, along with comments.

OR



The Wayne RESA General Fund Operating budget for the 2016-2017 school year be disapproved (for reasons attached hereto), and that the Secretary of the Board is hereby directed to submit a copy of this resolution to the Secretary of the Wayne RESA Board of Education, along with any specific objections or proposed changes to the budget.

The undersigned duly qualified and acting Secretary of the Board of Education of Livonia Public Schools School District, Livonia, Michigan hereby certifies that the foregoing is a true and complete copy of a resolution adopted by the Board at a regular meeting held on May 16, 2016, the original of which resolution is a part of the Board’s minutes, and further certifies that notice of the meeting was given to the public under the Open Meetings Act, 1976 PA 267, as amended.

\_\_\_\_\_  
Tammy Bonifield  
Secretary, Board of Education

Ayes: Bonifield, Burton, Centers, Jarvis, Johnson, Laura, McDonnell  
Nays: None

**District Quality Assurance Review (QAR) Team Presentation**

Mrs. Sheila Alles, Chief Academic Officer for Livonia Public Schools, and the District’s QAR Team shared information regarding the internal monitoring protocol they created and implemented to monitor school improvement practices, processes, and efforts throughout the District.

**Nomination of Parents to Wayne RESA Parent Advisory Committee (PAC)**

It was moved by Mrs. Jarvis and supported by Mrs. McDonnell that the Board of Education of the Livonia Public Schools School District nominate Mrs. Eileen Brandt and Mrs. Kara Clarke for a three year term on the Wayne RESA Parent Advisory Committee (PAC). Three year term will commence on the date the nomination is approved by the RESA Board.

Ayes: Bonifield, Burton, Centers, Jarvis, Johnson, Laura, McDonnell  
Nays: None

**30 Year Resolutions**

It was moved by Mrs. McDonnell and supported by Mr. Centers that the Board of Education of the Livonia Public Schools School District accept the proposed resolution of appreciation for 30 years of full-time service with the district for the following employee:

**THIRTY-YEAR RESOLUTION**  
**Bradley Pearson**

**WHEREAS**, The Board of Education is desirous of recognizing loyal and long-standing service to the Livonia Public Schools School District; and,

**WHEREAS**, It has come to the attention of the Board that Bradley Pearson has completed 30 years of full-time employment in the Livonia Public Schools on February 3, 2016; and,

**WHEREAS**, He has given of his talents, time, and efforts in fulfilling his many and varied responsibilities as an audio visual technician in the Information Technology Department;

**NOW, THEREFORE, BE IT RESOLVED** That the Board of Education hereby expresses appreciation and gratitude to Bradley Pearson for his sincere and dedicated service to the Livonia Public Schools and extends its best wishes to Bradley Pearson on reaching this milestone in his professional career.

Ayes: Bonifield, Burton, Centers, Jarvis, Johnson, Laura, McDonnell  
Nays: None

**Resignations**

As authorized in the Board of Education motion of June 22, 2015,

resignations have been accepted by the director of human resources for the persons listed below:

<u>Name</u>	<u>Date Effective</u>
Amanda Finn	June 24, 2016
Jacqueline Janda	June 30, 2016
Ayako Koizumi	June 24, 2016

## Retirements

It was moved by Mrs. Laura and supported by Mr. Centers that the Board of Education of the Livonia Public Schools School District adopt resolutions of appreciation for the services rendered by:

**Tina Atkinson**, who will retire from the district on June 30, 2016, and will have devoted 20.5 years of dedicated, loyal, and outstanding service to the students of the Livonia Career Technical Center as an assistant instructor and teacher.

**Geoffrey Dickenson**, who will retire from the district on June 30, 2016, and will have devoted 24 years of dedicated, loyal, and outstanding service to the students of Churchill High School and Western Wayne Skill Center as a teacher.

**Linda Eagle-Trudell**, who will retire from the district on June 30, 2016, and will have devoted 13 years of dedicated, loyal, and outstanding service to the students of Frost Middle School, Riley Middle School and Emerson Middle School as a teacher.

**Janine George**, who will retire from the district on June 30, 2016, and will have devoted 21.5 years of dedicated, loyal, and outstanding service to the Livonia Public Schools as a paraprofessional and secretary at Riley Middle School and Frost Middle School.

**Lori George**, who will retire from the district on June 30, 2016, and will have devoted 14.2 years of dedicated, loyal, and outstanding service to the students of Franklin High School as a counselor.

**Janet Kopka**, who will retire from the district on June 30, 2016, and will have devoted 20 years of dedicated, loyal, and outstanding service to the students of the Shared Time program as a teacher.

**Pamela McMillan**, who will retire from the district on June 30, 2016, and will have devoted 23.6 years of dedicated, loyal, and outstanding service to the students of Webster Elementary School, Churchill High School, and Franklin High School as a teacher.

**Debra Walker**, who will retire from the district on June 16, 2016, and will have devoted 26.5 years of dedicated, loyal, and outstanding service to the Livonia Public Schools as a paraprofessional at McKinley Elementary School, Riley Middle School, Grant Elementary School, Roosevelt Elementary School, Cass Elementary School, Perrinville Early Childhood Center, Emerson Middle School, Johnson Elementary School, and Frost Middle School.

Ayes: Bonifield, Burton, Centers, Jarvis, Johnson, Laura, McDonnell

Nays: None

## First Reading:

The Policy Committee has reviewed proposed language for the

**Board Policy  
GAAA –  
Personnel, Non-  
Discrimination**

policies below and they will be brought to the regular meeting of June 6 for a second reading.

**BOARD POLICY  
PERSONNEL  
NONDISCRIMINATION**

It is the policy of the Board of Education that Livonia Public Schools School District will not discriminate against any person on the basis of sex, race, color, national origin, religion, height, weight, marital status, handicap, or disability. The District reaffirms its long-standing policy of compliance with all applicable federal and state laws and regulations prohibiting discrimination including, but not limited to, Titles VI and VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d, et seq., and 42 U.S.C. §§ 2000e, et seq.; Title IX of the Educational Amendments of 1972, 20 U.S.C. §§ 1681, et seq., Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794; the Americans with Disabilities Act of 1990, 42 U.S.C §§ 12101, et seq., the Handicappers' Civil Rights Act, MCL §§ 37.1101, et seq.; and the Elliott-Larsen Civil Rights Act, MCL §§ 37.2101, et seq.

The Director of Student Services is appointed the Civil Rights Coordinator regarding complaints of disability/handicap discrimination involving educational services, programs, and activities. The Director of Human Resources is appointed the Civil Rights Coordinator regarding all other complaints of discrimination.

The Civil Rights Coordinator is designated to receive and resolve complaints from any person who believes that he/she may have been discriminated against in violation of this policy. Any person who believes he/she has been discriminated against in violation of this policy should file a written complaint with the Civil Rights Coordinator within ten (10) calendar days of the alleged violation. The Civil Rights Coordinator will then take the following action. First, commence an investigation of the complaint. Second, arrange for a meeting to occur with the complainant, which may include School District staff who are knowledgeable of the facts and circumstances of the particular complaint or who have particular expertise which will assist in resolving the complaint. Third, complete the investigation of the complaint and provide in writing a reply to the complainant. If the Civil Rights Coordinator determines that a violation has occurred, he/she shall propose a fair resolution of the complaint and deliver the determination to the complainant and the School District's Superintendent. The complainant may appeal the Civil Right Coordinator's determination to the Superintendent by so notifying the Superintendent in writing within ten (10) calendar days of the Civil Rights Coordinator's determination. The Superintendent may conduct additional investigation of the facts and circumstances surrounding the complaint. The Superintendent shall affirm or reverse the Civil Rights Coordinator's decision and, if warranted, implement the Civil Rights Coordinator's proposed resolution or a modification thereof. The Superintendent's decision shall be final.

A person is not required to use the procedure outlined above and may instead file a complaint directly with the U.S. Department of Education Office for Civil Rights, 600 Superior Avenue East, Suite 750, OH 44114-2611.

**Board Policy  
JAB – Students,  
Non-  
discrimination  
on the Basis of  
Handicap –  
Section 504**

**BOARD POLICY  
NONDISCRIMINATION ON THE  
BASIS OF HANDICAP—SECTION 504**

**JAB  
MARCH 21, 2016**

The School District, in accordance with Section 504 of the Rehabilitation Act of 1973 and its implementing regulations, is committed to providing a free appropriate education to each qualified handicapped student within its jurisdiction, regardless of the nature or severity of the handicap.

The administrative rules establish the procedure in which the School District may meet this commitment. The School District may, as an alternative or in combination with this procedure, follow the provisions established for identification, evaluation, and placement of students under the Individuals with Disabilities in Education Act (IDEA).

This Board Policy and the Administrative Procedure have been developed and adopted for the purpose of complying with the School District's educational services obligations under Section 504 of the Rehabilitation Act of 1973 and its implementing regulations, and it is not designed or intended, nor should it be construed, to grant broader rights or remedies. This Board Policy and Administrative Procedure do not, and should not be construed to, create rights or remedies enforceable in contract or by any law other than Section 504 and its implementing regulations.

The School District's administration may issue interpretative memoranda and adopt directives and procedures to implement this Section 504 of the Rehabilitation Act of 1973, Board Policy, and Administrative Procedure.

The Director of Student Services is designated as the School District's Section 504 Educational Services Coordinator. As such, the Director of Student Services is responsible for coordinating the implementation of the School District's obligations under Section 504 of the Rehabilitation Act of 1973, its implementing regulations, Board Policy, and the Administrative Procedure. A student or

parent/guardian, who believes that the School District has violated its obligation under Section 504 of the Rehabilitation Act of 1973 or its implementing regulations, Board Policy, or the Administrative Procedure, may file a written complaint with the School District's Section 504 Coordinator within ten (10) calendar days of the alleged violation. The Coordinator will meet with the person who filed the complaint and conduct a reasonable investigation of the facts and circumstances surrounding the complaint. If the Coordinator determines that a violation has not occurred, the Coordinator shall, in writing, so advise the person who filed the complaint and the School District's Superintendent. If the Coordinator determines that a violation has occurred, he/she shall put his/her determination in writing, propose a fair resolution of the complaint and deliver the determination to the person who filed the complaint and the School District Superintendent.

The person who filed the complaint on the School District may appeal the Coordinator's determination to the Superintendent by so notifying the Superintendent in writing within ten (10) calendar days of the Coordinator's determination. The Superintendent may conduct additional investigation of the facts and circumstances surrounding the complaint. The Superintendent shall affirm or reverse the Coordinator's decision and, if warranted, implement the Coordinator's proposed resolution or a modification thereof. The Superintendent's decision shall be final.

A person is not required to use the procedure outlined above and may instead file a complaint directly with the U.S. Department of Education Office for Civil Rights, 600 Superior Avenue East, Suite 750, OH 44114-2611.

**Second  
Reading of  
Board Policy  
JBA –  
Compulsory  
Attendance  
Ages and  
Placement of  
Students  
Transferring  
into Livonia  
Public Schools**

It was moved by Mrs. Bonifield and supported by Mrs. Jarvis that the Board of Education of the Livonia Public Schools School District accept the recommendation of the Policy Committee and adopt Board Policy language for the following:

**BOARD POLICY  
STUDENTS**

**JBA  
MAY 16, 2016**

**COMPULSORY ATTENDANCE AGES AND PLACEMENT OF  
STUDENTS TRANSFERRING INTO LIVONIA PUBLIC SCHOOLS**

The law in Michigan governing compulsory attendance requires a parent, legal guardian, or other person having control of a child age six to sixteen to send the child to school during the entire school year, except under limited circumstances specified in the Revised School Code, subsection (3) of subsection 380.1561. A child who was age eleven on or after December 1, 2009 or later shall attend school from age six to eighteen.

Children becoming six (6) years of age before December 1 shall be enrolled on the first day of the school year in which their sixth birthday occurs. A child becoming six (6) years of age on or after December 1 shall be enrolled on the first school day of the school year following the child's sixth birthday.

A child who resides in the school district may enroll in kindergarten if the child is at least five years of age on September 1 of the school year of enrollment, as set by the State of Michigan.

If a child residing in the school district is not 5 years of age on September 1, but will be 5 years of age not later than December 1 of a school year, the parent or legal guardian of that child may enroll the child in kindergarten for that school year if the parent or legal guardian notifies the school district in writing that he or she intends to enroll the child in kindergarten for that school year. After receiving this notification, the school district may make a recommendation to the parent or legal guardian of the child that the child is not ready to enroll in kindergarten due to the child's age or other factors. However, regardless of this recommendation, the parent or legal guardian retains the sole discretion to determine whether or not to enroll the child in kindergarten.

**Special Education Students**

Special education programs and services are provided to eligible students from birth to age 26.

Ayes: Bonifield, Burton, Centers, Jarvis, Johnson, Laura, McDonnell

Nays: None

**Removal of  
Policy JBB –  
Students,**

It was moved by Mr. Johnson and supported by Mrs. Bonifield that the Board of Education of the Livonia Public Schools School District accept the recommendation of the Policy

**Entrance Age**

Committee and remove Board Policy JBB – Students--Entrance Age, as its language has been incorporated into Board Policy JBA – Compulsory Attendance Ages and Placement of Students Transferring into Livonia Public Schools.

~~BOARD POLICY  
STUDENTS  
ENTRANCE AGE  
Children who will be five (5) years old on or before the entry date set by the State of Michigan may enroll in kindergarten during the year in which their fifth birthday occurs, in accordance with the dates shown below:  
• For the 2013-2014 school year November 1, 2013  
• For the 2014-2015 school year October 1, 2014  
• Beginning with the 2015-2016 school year September 1 of the school year of enrollment  
If a child residing in the school district is not 5 years of age on the enrollment eligibility date, but will be 5 years of age not later than December 1 of a school year, the parent or legal guardian of that child may enroll the child in kindergarten for that school year if the parent or legal guardian notifies the school district in writing not later than June 1 before the beginning of the school year that he or she intends to enroll the child in kindergarten. If such a child becomes a resident of the school district after June 1, the child's parent or legal guardian may enroll the child in kindergarten for that school year if the parent or legal guardian submits this written notification to the school district not later than August 1 before the beginning of that school year. The school district may make a recommendation to the parent or legal guardian of the child that the child is not ready to enroll in kindergarten due to the child's age or other factors. However, regardless of this recommendation, the parent or legal guardian retains the sole discretion to determine whether or not to enroll the child in kindergarten.~~

Ayes: Bonifield, Burton, Centers, Jarvis, Johnson, Laura, McDonnell  
Nays: None

**Second Reading of Board Policy JD – Student Discipline**

It was moved by Mr. Centers and supported by Mrs. Laura that the Board of Education of the Livonia Public Schools School District accept the recommendation of the Policy Committee and adopt Board Policy language for the following:

~~BOARD POLICY  
STUDENTS  
STUDENT DISCIPLINE  
This statement does not cover the school district's attendance and tardy policies and the school district's requirements for credit and graduation. Rather, this statement covers only the most serious and obvious types of misconduct, and the following rules are not to be construed as an all-inclusive list or as a limitation on the authority of school officials to deal appropriately with violations of a school building's individual rules and regulations or other types of conduct which interfere with the good order of the school system, the proper functioning of the educational process, or the health or safety of students.  
If a specific penalty is not stated for a violation of a particular rule, then disciplinary action may vary depending upon the age of the student, the nature and severity of the offense, the student's prior behavioral record, the recommendation of school personnel and all other relevant circumstances.  
The prohibited acts and penalties listed below are applicable when a student (1) is on school property; (2) is in a vehicle being used for a school business-related purpose; (3) is at a school-related activity, function or event; (4) is en route to or from school; (5) engages in a prohibited act which adversely affects or interferes with the good order of the school system, the proper functioning of the educational process or the health or safety of the students or the employees.~~

**I. PROHIBITED ACTS**

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



obstruction is reasonably likely to result.

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

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

1. Occupying any school building, school grounds, or a part thereof with intent to deprive others of its use;
2. Blocking the entrance or exits of any school building or corridor or room therein with intent to deprive others of lawful access to or from, or use of, the building or corridor or room;
3. Setting fire to or substantially damaging any school building or property;
4. Firing, displaying, possessing or threatening use of firearms, explosives, or other weapons;
5. Prevention of or attempting to prevent by physical act the convening or continued functioning of any school, class or activity or of any lawful meeting or assembly;
6. Preventing students from attending a class or school activity;
7. Except under direct instruction of the principal, blocking normal pedestrian or vehicular traffic on a school campus;
8. Intentionally causing or behaving in such a way as to cause a false fire alarm or bomb threat; and
9. Continuously making noise or acting in any manner so as to interfere with the teacher's ability to conduct his/her class.

Penalty - Ranging from suspension to expulsion

**B. Theft, Damage or Destruction of School Property**

A student shall not intentionally cause or attempt to cause damage to school property or steal or attempt to steal school property.

Penalty - Ranging from suspension to expulsion

**C. Theft, Damage or Destruction of Private Property**

A student shall not intentionally cause or attempt to cause damage to property or other persons or steal or attempt to steal property of other persons.

Penalty - Ranging from suspension to expulsion

**D. Assault on Another Person**

A student shall not cause or attempt to cause physical injury to a school employee, student or other person.

Penalty - Ranging from suspension to expulsion

**E. Weapons and Dangerous Instruments**

A student shall not possess, handle, or transmit any object that can be considered a weapon or dangerous instrument.

Penalty - Ranging from suspension to expulsion

**F. Failure to Comply with Directions of School Personnel**

A student shall not fail to comply with instructions and directions of teachers, student teachers, substitute teachers, paraprofessionals, principals, other school personnel, or persons acting in a chaperon or supervisory capacity.

Penalty - Ranging from suspension to expulsion

- G. **Criminal Acts**  
A student shall not commit or participate in any conduct or act defined as a crime by state law or local ordinance.  
Penalty - Ranging from suspension to expulsion
- H. **Verbal Abuse and Profanity**  
A student shall not verbally abuse another student, teacher, student teacher, substitute teacher, paraprofessional, principal, or other school personnel nor use profanity toward a teacher, student, student teacher, substitute teacher, paraprofessional, principal, or other school personnel.  
Penalty - Ranging from suspension to expulsion
- I. **Verbal Assault**  
A student shall not commit a verbal assault on a student, teacher, substitute teacher, student teacher, paraprofessional, principal, or other school personnel.  
Penalty - Ranging from suspension to expulsion  
*The term "verbal assault," as used in this policy and in Section 1311a(2) of the Revised School Code, means words, writing or behavior that, in the judgment of building administration, would reasonably put school personnel or students in fear of injury to persons or damage to property.*
- J. **Bomb or Similar Threats**  
A student shall not make a bomb threat or similar threat directed at a school building, other school property or a school-related event.  
Penalty - Ranging from suspension to expulsion  
*The term "bomb or similar threats" as used in this policy and in Section 1311a(2) of the Revised School Code means words, writing or behavior directed at a school building, school property or school-related event, that, in the judgment of building administration, would reasonably put school personnel or students in fear of injury to persons or damage to property by a bomb, chemical or incendiary device, or other weapon.*
- K. **Violations of Building's Rules and Regulations**  
A student shall not commit or participate in any conduct or act prohibited by a school building's rules and regulations.  
Penalty - Ranging from suspension to expulsion
- L. **Alcohol**  
A student shall not manufacture, sell or possess, use, deliver, transfer, or be under the influence of any alcoholic beverages or intoxicant of any kind.  
Penalty - Ranging from suspension to expulsion
- M. **Drugs, Narcotic Drugs and Marijuana**  
A student shall not manufacture, sell, possess, use or deliver any drugs, narcotic drugs, marijuana or other controlled substance nor be under the influence of any of those drugs, narcotic drugs or marijuana. A student shall not represent a legal substance as an illegal or controlled substance.  
Penalty - Ranging from suspension to expulsion
- N. **Smoking**  
A student shall not use or possess tobacco products or e-cigarettes inside any school building or on the school grounds or at any school activity.  
Penalty - Ranging from suspension to expulsion
- O. **Toy Weapons**  
A student shall not possess a toy "look alike" gun or other weapon.  
Penalty - Ranging from suspension to expulsion

- P. **Gang Activity**  
A student shall not engage in gang activity.  
  
Penalty - Ranging from suspension to expulsion
- Q. **Recording Without Permission**  
A student shall not record by any means (i.e., audio, video, or digital, etc.) a communication from or with any administrator, teacher, or other School District employee without the expressed permission of the person recorded for the particular communication recorded.  
  
Penalty - Ranging from suspension to expulsion
- R. **Making False Statement**  
A student shall not make false statements or give false evidence to administrators or teaching staff during an investigation of possible violation of this Code of Conduct.  
  
Penalty - Ranging from suspension to expulsion
- S. **Falsification of School Document**  
A student shall not falsify times, dates, grades, or other data on school district forms or records.  
  
Penalty - Ranging from suspension to expulsion
- T. **Inappropriate Communications**  
A student shall not make threatening, vulgar and/or obscene communications, verbally, in writing, or by gestures, to other students, district employees, volunteers, or visitors to the school building.  
  
Penalty - Ranging from suspension to expulsion.
- U. **Fireworks/Explosives/Smoke Devices**  
A student shall not possess, handle, or transmit any substance or device that can explode, create smoke, or is capable of inflicting bodily injury.  
  
Penalty - Ranging from suspension to expulsion
- V. **Misconduct Prior to Enrollment**  
In order to protect the health and safety of students and employees and to prevent threatened disruption to the education process, an otherwise eligible resident student may be suspended or expelled on the basis of:
- a. A prior act of misconduct committed outside of school hours and/or off school premises when the student was not enrolled in the Livonia Public Schools.
  - b. A prior act constituting a gross misdemeanor, and other acts of misconduct, while the student was enrolled in another district.
- If the act of gross misdemeanor or other misconduct would constitute a sufficient basis for suspension or expulsion had it occurred while the student was attending the Livonia Public Schools.
- Penalty - Ranging from suspension to expulsion.

## II. **POLICY FOR REVISED SCHOOL CODE SECTION 1309 - TEACHER-IMPOSED SUSPENSION**

Teachers may suspend students from a class, subject or activity, pursuant to Section 1309 of the Revised School Code, for misconduct that poses a clear threat of imminent injury to persons or property. Specifically, for committing offenses that violate provisions of the Student Code of Conduct involving:

- A. Physically fighting with or assaulting another person resulting in physical injury.
- B. Possessing, using or being under the influence of alcohol or a controlled substance.
- C. Having a "dangerous weapon" as defined by the Revised School Code.
- D. Possessing or using fireworks or explosives.

- E. Destroying or defacing school property.
- F. Causing a false fire alarm.
- G. Verbal assault directed at a student or staff member.

Teachers who suspend students pursuant to this policy must do so consistent with all other applicable Board policies, including the Student Code of Conduct, and all applicable federal and Michigan laws, including Section 1309 and laws pertaining to the education of disabled students.

### III. PROCEDURES GOVERNING VIOLATION OF SCHOOL RULES

#### A. Introduction to Rules of Due Process

The following procedures only govern the suspension or expulsion of a student from the school district's regular educational program.

The suspension or expulsion of a student from an extracurricular activity is not covered by this Code of Conduct or the procedures of due process, and accordingly a decision of suspension or expulsion is solely within the discretion of the building principal or designee. In addition, discipline in the nature of an in-school suspension or exclusion of a student from class, or in the nature of a written reprimand, detention, and/or work assignment before or after school, additional classroom assignments, etc., is also solely within the discretion of the building principal or designee and is not covered by this Code of Conduct or the procedures of due process.

If a student charged with a violation of the Code of Conduct has been returned to the regular school program pending a decision by either the principal, appropriate director for elementary or secondary instruction, hearing officer, or Board of Education, then such action of reinstatement shall not limit or prejudice the school district's right to suspend or expel the student following a decision by the principal, directors for elementary or secondary instruction, hearing officer or Board of Education.

#### B. Definition of Discipline

1. Suspension - The exclusion of a student from school for a specific period of time, terminating at the end of a specific period or upon the fulfillment of a specific set of conditions.
2. Expulsion - The permanent exclusion from the school system by action of the Board of Education.

#### C. Suspension of Ten (10) School Days or Less

1. Step One: The initial judgment that certain conduct violates school rules of conduct shall be made by the principal or assistant principal. Prior to any suspension of the student, the principal shall investigate the incident, shall inform the student of the charges against him/her, shall provide to the student an explanation of the evidence the principal possesses, and shall provide the student with an opportunity to explain his/her version of the facts. If the student requests that other witnesses be questioned, the principal should talk to those witnesses if possible.

If the student makes a reasonable claim or other defense that, if true, would free him/her from blame, but the evidence is not immediately available, the principal may postpone disciplinary action for a reasonable time if the student's continued presence in school would not present an immediate danger to himself/herself, other students, or the educational process.

If, upon conclusion of the investigation and meeting with the student, the principal determines that the student has violated the rules of conduct, he/she may impose the disciplinary action of a suspension not to exceed ten (10) school days.

A disciplinary suspension of five (5) school days or less shall be at the sole discretion of the building principal and shall not be subject to an appeal by the student, parents or guardian. However, if the principal imposes a suspension in excess of five (5) school days but less than eleven (11) school days, the student and/or his/her parents or guardians may appeal the principal's decision to the

superintendent or his designee.

2. Step Two: If an appeal is going to be made to the director of elementary or secondary instruction or his/her designee, it should be requested within two school days following notification to the student and student's parents or guardian of the principal's disciplinary action. If a timely requested appeal is not made, the principal's disciplinary action shall not be subject to further review.

If a timely requested appeal is made by the student and/or his/her parents or guardian, and the director for elementary or secondary instruction or his/her designee determines that the student's continued presence in school would not present an immediate danger to himself/herself, other students, or the educational process, the student shall be returned to school after three (3) school days pending a conference with one of the directors for elementary or secondary instruction. The appeal before the director for elementary or secondary instruction or his/her designee shall be conducted on an informal basis and the student and/or his/her parents or guardian shall be told of the evidence against the student and be given an opportunity to explain their version of the facts.

The director for elementary or secondary instruction or his/her designee, following the informal conference, shall inform the student and/or his/her parents or guardian of the decision, and the director for elementary or secondary instruction's decision shall be final and not subject to further review.

**D. Suspension for Eleven (11) or More School Days and Expulsion**

1. Step One: If, after his/her investigation, the principal decides that a suspension for eleven (11) or more school days or expulsion is warranted, and the director of elementary or secondary instruction or his/her designee agrees with the principal's decision, the student and the parents or guardian shall be notified of:
  - a. the charges against the student;
  - b. the recommended disciplinary action;
  - c. the fact that a hearing will be held before an impartial school employee; the time, place, location, and procedures to be followed at the hearing;
  - e. the right to appeal any adverse decision of the hearing officer if the suspension is for more than 20 days.

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

If the student is suspended pending a decision of the hearing officer, the superintendent or designee shall appoint the hearing officer and provide for a hearing to take place within seven (7) school days following the initial suspension of the student. If the student is not suspended pending the decision of the hearing officer, the superintendent or designee shall appoint the hearing officer and cause the hearing to be held within fifteen (15) school days following the completion of the principal's initial investigation.

2. Step Two: Unless the student and/or his/her parents or guardian notify the school district that they waive their right to a hearing before a hearing officer, a hearing before a hearing officer will be conducted within the time limits set forth above and will be held for the purpose of determining the truth or falsity of the charges against the student and, if the charges are true, the appropriate disciplinary measure.
3. Step Three: The hearing officer's decision shall be given orally, if possible, to the student and parents or guardian within two (2) days after the close of the hearing, and a written decision shall be mailed within four (4) days after the close of the hearing.

If the hearing officer's decision imposes a suspension of twenty (20) school days or less, then the decision of the hearing officer shall be final and not subject to further appeal. However, if the hearing officer's decision imposes a suspension in excess of twenty (20) school days or recommends expulsion, the student and/or his/her parents or guardian may appeal the hearing officer's decision to

the Board of Education.

The hearing officer may amend the principal's charges upon motion of the principal or amend the charges upon his/her own motion to conform to the evidence presented at the hearing. Additionally, the hearing officer may impose a greater or lesser penalty than that imposed or recommended by the principal. The hearing officer should not merely substitute his/her judgment for that of the principal's judgment.

- 4. Step Four: If an appeal is going to be made to the Board of Education concerning the hearing officer's decision, the student and/or his/her parents or guardian must request in writing the hearing within five (5) calendar days following receipt of the hearing officer's written decision.

Upon receipt of a timely appeal by the student and/or his/her parents or guardians, the superintendent shall notify the student and parents or guardians of the time, place, location and procedures to be followed at the Board hearing and shall determine, based upon the record made before the hearing officer, whether the student should be suspended pending the decision of the Board of Education.

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

The Board, not later than at its next regular public meeting following the hearing, shall issue a decision and shall, within seven (7) days following the public meeting, mail to the student, parents or guardians a written decision.

If the hearing officer's decision recommends expulsion and the student and/or his/her parents or guardians do not timely request a hearing before the Board of Education, the Board of Education will nevertheless make the final decision on expulsion, but the decision will be based upon information submitted to it by appropriate school officials and a formal hearing will not be allowed the student and parents or guardian.

If the hearing officer's decision imposes suspension of twenty (20) school days or more and the student and/or his/her parents or guardians do not timely request a hearing before the Board of Education, then the decision of the hearing officer shall be final and not subject to further appeal.

During any suspension, the student will not be permitted on any school property, in any school building, or admitted to any school function. School-related activities include Career Center, Skills Center, Vocational Programs and Cooperative Educational Training.

Days missed resulting from suspension will be included in the total number of days absent, which may result in a student being placed on an attendance plan or being withdrawn from a class.

A student with unexcused absences will not receive credit for the class activities missed; however, a student will be able to make up for credit those assignments and tests which are essential to the completion of the course if the unexcused absence results from suspension from school. The responsibility for such makeup is with the student at the convenience of the teacher. The course of appeal is with the building administrator.

Ayes: Bonifield, Burton, Centers, Jarvis, Johnson, Laura, McDonnell

Nays: None

**Adjournment**

President Burton adjourned the meeting at 9:23 p.m.

**Off/Supt/jw**