

**MINUTES
BOARD OF EDUCATION
Livonia Public Schools
15125 Farmington Road
Regular Meeting
April 18, 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 Livonia Career Technical Center

Mrs. Jenkins, administrator of communications, recognized students from Livonia Career Technical Center for their artwork. The following senior students from the Livonia Career Technical Center had their artwork on display: Sophia Bastas, William Callis, Kelsey Cunningham, Hanna Pilon, and Leelynn Rossi.

Recognition of National Merit Scholars

Mrs. Jenkins introduced the National Merit Scholars: Churchill High School students James Jahns, Zack Obsniuk, and Angelica Zhoue and Stevenson High School students Ean Brinker and Elizabeth Keebler. Mrs. Jenkins congratulated them, presented them with a certificate of recognition, and shared information about their many accomplishments.

State Gymnastics Champs: Stevenson High School Brianna Rhoad Jessica Weak

It was moved by Mrs. Burton and supported by Mr. Centers that the Board of Education of the Livonia Public Schools School District adopt resolutions recognizing Stevenson High School senior Brianna Rhoad for achieving a 2016 Michigan High School Athletic Association Division 2 state champion title in the All-Around Gymnastics category and Stevenson High School junior Jessica Weak for achieving a 2016 Michigan High School Athletic Association Division 2 state champion title in the Uneven Bars.

RESOLUTION

WHEREAS, the Trustees of the Livonia Public Schools District Board of Education are desirous of publicly recognizing the outstanding accomplishments of students who distinguish themselves during the pursuit of their public education in the school district; and

WHEREAS, Brianna Rhoad, a senior at Stevenson High School, has distinguished herself by achieving the 2016 Michigan High School Athletic Association Division 2 All Around Gymnastics State Championship Title; and

WHEREAS, in achieving this honor, Brianna captured this title with a score of 36.525 points in the state championship and All-State honors in uneven parallel bars, floor exercise, balance beam and vault; and

WHEREAS, this adds to the outstanding accomplishments Brianna has achieved as a Stevenson High

School gymnast and senior captain of the Livonia Blue Gymnastics Team, including Conference and Regional titles that included first place regional titles on balance beam, floor and all-around, during the 2015-2016 season.

NOW, THEREFORE, BE IT RESOLVED, that the Trustees of the Board of Education do hereby commend and congratulate Brianna Rhoad for her outstanding accomplishments in athletics and wish her well in her future endeavors as she applies the discipline and perseverance needed to excel in sports to all areas of her life.

RESOLUTION

WHEREAS, the Trustees of the Livonia Public Schools District Board of Education are desirous of publicly recognizing the outstanding accomplishments of students who distinguish themselves during the pursuit of their public education in the school district; and

WHEREAS, Jessica Weak, a junior at Stevenson High School, has distinguished herself by achieving the 2016 Michigan High School Athletic Association Division 2 Individual Gymnastics State Championship on the Uneven Bars; and

WHEREAS, Jessica achieved this honor while serving as junior captain of the Livonia Blue Gymnastics team; and

WHEREAS, this adds to the outstanding accomplishments Jessica has achieved during the 2015-2016 season, including first place Conference titles on the uneven bars and all-around events; first place Regional title on the uneven bars, and a season high score of 36.625.

NOW, THEREFORE, BE IT RESOLVED, that the Trustees of the Board of Education do hereby commend and congratulate Jessica Weak for her outstanding accomplishments in athletics and wish her well in her future endeavors as she applies the discipline and perseverance needed to excel in sports to all areas of her life.

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

Nays: None

**State Swimming
Champ:
Stevenson High
School
Jackson
O’Dowd**

It was moved by Mrs. Bonifield and supported by Mrs. McDonnell that the Board of Education of the Livonia Public Schools School District adopt the attached resolution recognizing Stevenson High School senior Jackson O’Dowd for his 2016 Michigan High School Athletic Association Division 1 state champion title in the 50-yard Freestyle.

RESOLUTION

WHEREAS, the Trustees of the Livonia Public Schools District Board of Education are desirous of publicly recognizing the outstanding accomplishments of students who distinguish themselves during the pursuit of their public education in the school district; and

WHEREAS, Jackson O’Dowd, a senior at Stevenson High School, has distinguished himself by achieving the 2016 Michigan High School Athletic Association Division 1 State Champion title in the 50-yard Freestyle swim; and

WHEREAS, Jackson has achieved this honor with a Stevenson High School record-setting time of 20.70 seconds; and

WHEREAS, this adds to the outstanding accomplishments Jackson has achieved, including 14-time KLAA Conference champion; 13-time All-State swimmer; 9-time All-American swimmer; and Stevenson record holder in the 50, 100 and relay Freestyle.

NOW, THEREFORE, BE IT RESOLVED, that the Trustees of the Board of Education do hereby commend and congratulate Jackson O’Dowd for his outstanding accomplishments in athletics and wish him well in his future endeavors as he applies the discipline and perseverance needed to excel in sports to all areas of his life

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

Nays: None

Golden Apple Award

Mrs. Jenkins introduced the Golden Apple Award recipient – Sandy Christofferson, secretary at Grant Elementary School – and shared some examples of her outstanding support of staff, parents, and students at Grant. Trustee McDonnell congratulated Ms. Christofferson and presented her with the Golden Apple plaque and pin.

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

Nays: None

The Board recessed from 7:43-7:53 to visit with guests.

Written Communication

None

Audience Communication

Mary Morrison and Jillian Black addressed the Board regarding their concern about wage freezes for teachers and the future of the teaching profession.

Response to Prior Audience Communication

None

Consent Agenda

It was moved by Mr. Johnson and supported by Mrs. Jarvis 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 March 21, 2016
- IV.B. Minutes of the Closed Session of March 21, 2016
- IV.C. Minutes of the Special Meeting of April 11, 2016
- IV.D. Minutes of the Closed Session of April 11, 2016
- V.A. Approval of Cooperative Education Program Agreements - Livonia Career Technical Center
 - Northville: Livonia Career Technical Center
 - Plymouth-Canton: Livonia Career Technical Center
 - Crestwood: Livonia Career Technical Center
 - Redford Union: Livonia Career Technical Center
 - Wayne-Westland: Ford Career-Technical Center & Livonia Career Technical Center
 - Canton Prep: Livonia Career Technical Center
- V.B. Approval of Cooperative Education Program Agreements - Livonia Transition Program:
Cooperative Agreements with Crestwood Public Schools, Northville Public Schools, Redford Union Public Schools, and South Redford Public Schools for special education services in the Livonia Transition Program (LTP).

VI.A. Bills for Payment—April 19, 2016

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

Nays: None

PEP Grant Presentation

Mrs. Sheryl Archibald, K-12 Teacher Leader for Health and Physical Education, provided an update on the District's Carol M. White PEP grant. She shared that in 2009-2012, LPS received over \$695,000 for K-6 schools and the second PEP grant, for LPS middle and high schools, was awarded in 2013 for a total of over \$1.3 million over three years. The PEP grant enhanced offerings for our students, the skills of our staff, and the knowledge base of all involved.

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

Nays: None

Recommend Expulsion of One Secondary Student

It was moved by Mr. Centers and supported by Mr. Johnson that the Board of Education of the Livonia Public Schools School District expel one Frost Middle School student, grade 8, for serious violations of Livonia Public Schools' Board of Education Policies

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

Nays: None

Approval of Bid Results for Move Management Systems

It was moved by Mrs. Jarvis and supported by Mrs. Laura that the Board of Education of the Livonia Public Schools School District approve the recommendation from the Owner's Representative, Plante Moran Cresa, to approve the Phase III Move Management Services bid for the amount of \$236,395 and a contingency budget amount of \$47,279, for a total amount of \$283,674, and authorize the Assistant Superintendent of Business Services to negotiate and execute the final contract on behalf of Livonia Public Schools' Board of Education with the recommended contractor.

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

Nays: None

Approval of Bid Results for Technology Move Management

It was moved by Mrs. Laura and supported by Mr. Centers that the Board of Education of the Livonia Public Schools School District approve the recommendation from the Owner's Representative, Plante Moran Cresa, to approve the Phase III Technology Move Management Services bid for the amount of \$59,910 and a

Services

contingency budget amount of \$11,982, for a total amount of \$71,892, and authorize the Assistant Superintendent of Business Services to negotiate and execute final contract on behalf of Livonia Public Schools' Board of Education with the contractor.

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

Nays: None

Approval of Grant Painting Award and Bid Results for Randolph Lockers

It was moved by Mrs. Bonifield and supported by Mrs. McDonnell that the Board of Education of the Livonia Public Schools School District approve the recommendation from our Owner's Representative, Plante Moran Cresa, to approve the Grant Elementary School painting award for an amount of \$96,759 and a contingency cost of \$1,700 and approve the bid for Randolph Elementary School lockers for an amount of \$23,400 and a contingency cost of \$1,800; for a total revised Elementary School Phase III project cost of \$9,958,917 and authorize the Assistant Superintendent for Business Services to negotiate and execute final contracts with the contractors on behalf of Livonia Public Schools' Board of Education.

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

Nays: None

Approval of Bid Results for Stevenson High School Phase III – Balance of Awards

It was moved by Mr. Johnson and supported by Mrs. Jarvis that the Board of Education of the Livonia Public Schools School District approve the recommendation from the Owner's Representative, Plante Moran Cresa, to approve the Stevenson High School painting, signage, testing and balancing, and additional construction manager fees for an amount of \$312,600 and a total revised Stevenson High School Phase III project cost of \$18,764,854, and authorize the Assistant Superintendent of Business Services to negotiate and execute final contracts on behalf of the Board of Education with the recommended contractors.

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

Nays: None

Approval of Change Order for Holmes Middle School

It was moved by Mrs. McDonnell and supported by Mr. Centers that the Board of Education approve the change order for Holmes Middle School for the Phase III construction project, for a total amount of \$229,660.

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

Nays: None

Approval of Bid Results for Central Office West Building Repairs

It was moved by Mr. Centers and supported by Mrs. Bonifield that the Board of Education of the Livonia Public Schools School District accept the lowest responsible bid for Central Office west building repairs from Butcher & Butcher Construction, Rochester Hills, Michigan, for a total cost of \$117,405.

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

Nays: None

Approval of Bid Results for Pavement Replacements

It was moved by Mrs. Jarvis and supported by Mrs. Laura that the Board of Education of the Livonia Public Schools School District award the bid for Pavement Replacement for Hayes and Kennedy Elementary and Riley Upper Elementary Schools to Best Asphalt Inc., Romulus, Michigan for a cost of \$454,500 and a contingency cost of \$45,450, for a total cost of \$499,950 and authorize the Assistant Superintendent of Business Services to sign and execute contracts with the approved vendor.

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

Nays: None

Approval of Resolution for Stormwater Management

It was moved by Mrs. Laura and supported by Mr. Johnson that the Board of Education of the Livonia Public Schools School District approve the resolution for the school district's Stormwater Management Plan.

RESOLUTION

WHEREAS, Livonia Public Schools owns and operates facilities within the boundaries of the "Detroit" urbanized area which discharges stormwater through a municipal separate storm sewer system (MS4) to surface waters of the State of Michigan; and

WHEREAS, The Michigan Department of Environmental Quality – Water Bureau maintains oversight and regulatory authority for compliance with the terms and conditions of the NPDES Municipal Separate Storm Sewer System discharge permit; and

WHEREAS, Livonia Public Schools has applied for and received permit coverage to discharge stormwater from Livonia Public Schools facilities to the MS4; and

WHEREAS, Livonia Public Schools agrees to comply with the NPDES Municipal Separate Storm Sewer System discharge permit requirements, and

WHEREAS, Livonia Public Schools has developed a Stormwater Management Program Plan (SWMP) outlining the policies, procedures, and best management practices to be employed by the district to comply with the permit requirements, and

WHEREAS, the conditions of the NPDES Municipal Separate Storm Sewer System discharge permit require Livonia Public Schools to develop policies and procedures that prohibit illicit discharges to their stormwater system and to implement appropriate enforcement procedures and actions to detect and eliminate such illicit discharges, and

WHEREAS, Livonia Public Schools agrees to prohibit the discharge of non-stormwater discharges into the storm drain system, including but not limited to pollutants or waters containing any pollutants, and

WHEREAS, Livonia Public Schools agrees to eliminate illicit discharges and illicit connections, and

WHEREAS, Livonia Public Schools agrees to prohibit the construction, use, maintenance or continued existence of illicit connections to the storm drain system. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection, and

WHEREAS, Livonia Public Schools agrees to obtain a Part 91 permit from the appropriate state, county, or local governmental soil erosion permitting agency for new development and redevelopment projects that disturb one or more acres, and

WHEREAS, Livonia Public Schools agrees to obtain a construction site permit from the local municipality or other governing unit for new development and redevelopment projects that disturb one or more acres, and

WHEREAS, Livonia Public Schools agrees to inspect, operate, and maintain structural controls for the purpose of reducing pollutant contribution, control runoff, and decrease or eliminate stream bank erosion due to stormwater runoff, and

WHEREAS, Livonia Public Schools agrees to comply with the requirements of the State of Michigan Permit (Rule 323.2190) for stormwater discharge from construction activity.

THEREFORE, be it resolved that the Livonia Public Schools Board of Education is highly committed to practicing sound environmental principals including the reduction of pollutants to surface waters through discharges of stormwater. The Board hereby approves and instructs the district Superintendent to enforce the above listed.

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

Nays: None

Approval of Stymelski Park Lease Extension with the City of Livonia

It was moved by Mrs. Bonifield and supported by Mrs. Jarvis that the Board of Education of the Livonia Public Schools School District approve the lease extension to June 30, 2016, for the City of Livonia at Stymelski Park.

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

Nays: None

An amended motion was made, noting that the date for the extension would actually be June 30, 2021.

It was moved by Mrs. McDonnell and supported by Mr. Johnson that the Board of Education of the Livonia Public Schools School District approve the lease extension to June 30, 2021, for the City of Livonia at Stymelski Park.

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

Nays: None

**Approval of
Amendment to
Offer to
Purchase Real
Estate -
Washington**

It was moved by Mr. Johnson and supported by Mrs. Bonifield that the Board of Education of the Livonia Public Schools School District approve a resolution for the Third Amendment to the sale of property to Rino J. and Leo Soave, on behalf of an entity to be formed for 9449 Hix Road, Livonia, Michigan property, also known as Washington Property, and also move that the Board of Education authorize the Assistant Superintendent of Business Services to execute the Third Amendment and any documents necessary and incidental to the sale.

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

Nays: None

**Leave of
Absence**

It was moved by Mrs. McDonnell and supported by Mrs. Jarvis that the Board of Education of the Livonia Public Schools School District accept the recommendation of the superintendent and approve the request for a leave of absence as listed below:

<u>Name</u>	<u>Date Effective</u>
Laurisa Burke	May 12, 2016

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

Nays: None

Retirements

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

Carol Ashworth, who will retire from the district on June 17, 2016, and will have devoted 26.8 years of dedicated, loyal, and outstanding service to the Livonia Public Schools as an instructional, early childhood, and special education paraprofessional at Frost Middle School, Cooper Elementary School, Perrinville Early Childhood Center, and Webster Elementary School.

Linda Ehlerdt, who will retire from the district on June 16, 2016, and will have devoted 13 years of dedicated, loyal, and outstanding service to the Livonia Public Schools as a special education paraprofessional at Western Wayne Skill Center.

Denise Holbrook, who will retire from the district on July 29, 2016, and will have devoted 27.2 years of dedicated, loyal, and outstanding service to the Livonia Public Schools as a secretary and bookkeeper at Emerson Middle School and Holmes Middle School.

Eric Markarian, who will retire from the district on June 15, 2016, and will have devoted 29.9 years of dedicated, loyal, and outstanding service to the Livonia Public Schools as a custodian, roofer, lawn crew member, assistant supervisor, acting energy educator manager, and building supervisor at Garfield Elementary School, Adams Elementary School, Randolph Elementary School, Maintenance Department, Holmes Middle School, McKinley Elementary School, Bryant Center, Emerson Middle

School, Franklin High School, Roosevelt Elementary School, Stevenson High School, Jefferson Elementary School, Cleveland Elementary School; and, Western Wayne Skill Center.

Kimberly Marlowe, 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 Randolph Elementary School as a teacher.

Lawrence Novak, who will retire from the district on August 31, 2016, and will have devoted 44.2 years of dedicated, loyal, and outstanding service to the Livonia Public Schools as a custodian at Lincoln Elementary School, Hull Elementary School, Dickinson Center, and Roosevelt Elementary School.

Bradley Pearson, who will retire from the district on May 31, 2016, and will have devoted 30.5 years of dedicated, loyal, and outstanding service to the Livonia Public Schools as an audio visual technician with the Information Technology Department.

Linda Piotrowski, who will retire from the district on May 24, 2016, and will have devoted 19 years of dedicated, loyal, and outstanding service to the Livonia Public Schools as an instructional, early childhood, and special education paraprofessional at Garfield Elementary School, Washington Elementary School, Hayes Elementary School, Tyler Elementary School, Hull Elementary School, Emerson Middle School, Randolph Elementary School, Cass Elementary School, Coolidge Elementary School, Riley Upper Elementary School, and Frost Middle School.

Susan Strickland, who will retire from the district on April 29, 2016, and will have devoted 26.8 years of dedicated, loyal, and outstanding service to the students of Grant Elementary School, Adams Elementary School, Hayes Elementary School, Roosevelt Elementary School, and Randolph Elementary School as a teacher.

Janice Witkowski, who will retire from the district on June 17, 2016, and will have devoted 19.4 years of dedicated, loyal, and outstanding service to the Livonia Public Schools as a special education paraprofessional at Webster Elementary School.

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

Nays: None

Sympathy Resolution

It was moved by Mrs. Jarvis and supported by Mrs. McDonnell that the Board of Education of the Livonia Public Schools School District adopt a sympathy resolution for the family of Angela Giraud.

RESOLUTION

WHEREAS, The Board of Education was saddened to hear of the untimely death of Angela Giraud; and

WHEREAS, She was employed by the Livonia Public Schools School District as a kitchen helper at Cleveland Elementary School, Frost Middle School, and Churchill High School from October 2006 to March 2016; and

WHEREAS, she consistently demonstrated her outstanding dedication to students, parents, and staff; and

WHEREAS, Angela Girard will be profoundly missed by her colleagues and the community;

NOW, THEREFORE, BE IT RESOLVED That the Board of Education of the Livonia Public Schools School District offers its deepest sympathy to the family and friends of Angela Girard.

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

Nays: None

First Reading of Board Policies:

The Policy Committee previously reviewed the proposed changes to the following policies, which will be brought to and possible approval:

JBA – Compulsory Attendance Ages and Placement of Students Transferring into Livonia Public Schools

BOARD POLICY STUDENTS JBA JUNE 20, 1988
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.

Reference is made to 380.1561(3) for exceptions to this policy.

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

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 the enrollment eligibility date 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 not later than June 1 before the beginning of the school year that he or she intends to enroll the child in kindergarten for that school year. 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. 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.

Removal of Board Policy JBB – Entrance Age

Policy JBB – Entrance Age was incorporated into Policy JBA, so it will be removed.

BOARD POLICY STUDENTS ENTRANCE AGE JBB SEPTEMBER 16, 2013

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.~~

JD – Student Discipline

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;

JD

NOVEMBER 17, 2014

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. Absence resulting from suspension will be recorded as unexcused.

~~Suspension from school will be considered an unexcused absence.~~ Days missed resulting from suspension will be included in the total number of days of ~~unexcused or excused absences~~ **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.

Adjournment

President Burton adjourned the meeting at 9:25 p.m.

Off/Supt/jw